



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

January 6, 2020

TO: BOARD OF DIRECTORS

FROM: PHILLIP A. WASHINGTON PAW |
CHIEF EXECUTIVE OFFICER

**SUBJECT: REQUESTING CLARIFICATION ON BOARD DIRECTION
REGARDING MEASURE M MULTI-YEAR SUBREGIONAL
HIGHWAY FUNDING PROGRAM**

ISSUE:

During the Metro Board's consideration and approval of the Measure M Administrative Guidelines, the Board also considered and approved a number of Director motions, specifically Motion 38.3 (attachment A), related to the Administrative Guidelines. However, in the process of implementing the Measure M Ordinance, Motion 38.3, and Administrative Guidelines, staff believes that further policy direction from the Board is needed to more fully understand and carry out the Board's intent.

Different interpretations appear to exist among Board Directors/staff and Metro staff regarding the direct impact of Motion 38.3 on the eligibility of multimodal and active transportation projects for funding from the Measure M Multi-Year Subregional Programs. This Board Box seeks to clarify the Board's direction to staff regarding the prioritization of funding for active transportation and highway projects under the Measure M Multi-Year Subregional Programs.

DISCUSSION:

With the passage of Measure M by more than 71% of votes at the November 2016 general election, the projects and programs in the Expenditure Plan are now being implemented. One of the core goals stated in the Measure M ballot language and Ordinance is to improve traffic flow and safety on Los Angeles County State Highways and arterials. To achieve this goal, the Ordinance allocates 19% of net Measure M sales tax revenues to the Highway, Active Transportation, Complete Streets (Capital) Subfund, with 17% for Highway Construction (includes System Connectivity Projects – Ports, Highway Congestion Programs, Goods Movement) and 2% for Active Transportation (Bicycle, Pedestrian, Complete Streets).

On June 22, 2017, the Metro Board approved Motion 38.3, which in part stated that, "in accordance with Metro's Complete Streets policy, Multi-Year Highway Subfunds shall prioritize the movement of people traveling on foot, by bike, or by transit, in addition to automobile travel, in order to optimize the safe movement of people by all modes."

Also on June 22, 2017, the Metro Board approved the Measure M Final (Administrative) Guidelines which address all aspects of administering and overseeing Measure M. With regard to Multi-Year Subregional Highway Programs, the Guidelines prescribe a process that requires any Program not coded System Connectivity (“SC”) to go through a subregional program development process. Generally, the development process requires subregional entities to develop a list of subregional projects for inclusion in a five-year project development and implementation plan for adoption by the Metro Board. Thus, the Guidelines envision a “bottoms up” approach in which subregional entities identify specific projects and phasing, anticipated funding amounts, and project timing, for Metro Board approval.

Conversations between Board members and Metro staff at the September 2019 Board meeting revealed different Board Directors/Metro staff interpretations of Motion 38.3 as it relates to the use of Measure M Multi-Year Subregional Highway Program funding for active transportation projects.

To ensure consistency among the various Board policies and directives and that Metro fulfills its obligations under Measure M, staff seeks clarification of the Board’s policy intent in approving Motion 38.3 to ensure compliance with the Measure M Ordinance and to determine the impact on the administration and oversight of the Ordinance. Your responses to the following questions will allow staff to better understand your policy intent:

1. In implementing Motion 38.3, shall Metro make funding available for eligible active transportation projects beyond those specific allocations currently listed in the subregional shares in Attachment A, “Multi-Year Subregional Programs,” of the Measure M Expenditure Plan?
2. Shall such additional funding allocations for active transportation projects be subject to the subregional identification process per the Administrative Guidelines?
3. Expanding eligibility of additional projects for funding under the Measure M Multi-Year Subregional Highway Program may cause delays in the implementation of projects that are currently programmed for funding. If necessary to facilitate cash flow, is the Board willing to delay implementation of other planned projects to give priority to eligible Active Transportation projects?

NEXT STEPS:

Metro staff will discuss the above questions with Board staff during the Board staff briefing on Thursday, January 9, 2020. We look forward to continuing the discussion with Board Directors during the January/February 2020 Board cycle.

**CC: BOARD STAFF
SENIOR LEADERSHIP TEAM**