May 26, 2017

Mr. Phillip A. Washington
Chief Executive Officer
Metro
One Gateway Plaza
Los Angeles, CA 90012

LA THRIVES & Enterprise Community Partners Comments on Draft Measure M Guidelines

Dear Mr. Washington,

The historic passage of Measure M signifies a new chapter in the physical transformation of Los Angeles and the evolution of how our residents live, work, and play. We appreciate the opportunity to provide public comment on the Measure M Master guidelines which will shape the use of funding that will have a lasting impact on Angelenos far into the future.

LA THRIVES is a countywide collaborative whose mission is to leverage resources, including financial and social capital, towards equitable smart growth in Los Angeles County. Our vision is for all Angelenos to have opportunity to achieve economic stability and good health by having access to affordable homes, quality jobs, and affordable low-carbon transportation.

ENTERPRISE COMMUNITY PARTNERS works with partners across the United States to create affordable housing that is connected to opportunity in thriving communities. Together, we identify, pilot and scale solutions designed to end housing insecurity for low-income people. We know that a healthy and stable home must be affordable -- as well as located in a community connected to good schools, jobs, transit and health care. We support communities near transit by providing a range of services to assist public and non-profit institutions and organizations in planning, designing and financing equitable transit oriented development.

Our comments below reflect our commitment to improving the quality of life of the lowest-income Angelenos, and ensuring that no communities are left behind or even worse, forced to bear continuing inequities via disinvestment or involuntary displacement while others benefit. We know that to ensure equitable outcomes, public policy requires careful attention and planning that recognizes and improves the conditions of the communities with the fewest resources. Tens of billions of taxpayer dollars will be deployed over the coming decades, and many of the decisions on those investments have yet to be decided - the stakes are enormous and we cannot underestimate the responsibility to the residents of the region to provide transparency and accountability.

Improving current social equity provisions in the draft proposal
We commend Metro for recognizing social equity and environmental sustainability through important components in the original ordinance as well as the draft guidelines. Specifically, we *support* the following provisions of the draft guidelines <u>and</u> offer suggestions for improvements:

- **Linking investments to and reinforcing Metro policies and planning (pp.35-36, 41)** that are critical to improving access, safety, and sustainability in the transportation system such as the Active Transportation Strategic Plan, First/Last Mile Strategic Plan, Complete Streets Policy, and Countywide Sustainability Planning Policy. *However, we see no reason why these policies ought not to inform a wider range of Measure M investments, all of which could contribute to increasing and improving access, safety and sustainability*. <u>We recommend making similar references to these plans and policies in other investment categories including Multi-Year Subprograms generally, Highway subfunds, 2% System Connectivity Projects, Subregional Equity Program, and Local Return.</u>

- **Measure M includes our county's first dedicated local funding source for walking and biking**, though at only 2% of the measure, this funding falls far short of the identified need. *However, while the guidelines reference alignment with "Vision Zero" or equivalent policies, Metro does not have its own Vision Zero policy to guide investments.* <u>We recommend investing in the development and adoption of regional Metro Vision Zero guidance (policy, toolkit or framework) simultaneous to developing sub-guidelines for the 2% Active Transportation category.</u> While specific investments and Vision Zero policies will likely be implemented by local jurisdictions rather than Metro, a regional Vision Zero policy would encourage local jurisdictions to adopt their own policy or provide guidance in the absence of such local policy.

- **Improving benefits and use-experience for low-income seniors and students (pp. 65-66 and Appendix B)**, through simplifying the eligibility verification and renewal process, providing new funding for low-income seniors and students, and making these benefits available through the TAP card. The draft guidelines propose the allocation of up to three-quarters of this funding for ADA paratransit service and the remaining funding for a revised fare discount program. First, we recommend clarification on whether the 25 percent for fare discounts is a minimum or a maximum because the language in the proposed guidelines is not clear. *Secondly, while we generally support reforming the existing underutilized fare subsidy program to serve more riders, we recommend taking another look at the overall funding proposal, which was not vetted with interested stakeholder groups that represent the affected communities.* <u>We recommend allowing for up to 1 year to establish sub-guidelines for this investment</u>

<u>category to allow for additional public participation, similar to processes proposed in various other investment categories.</u>

- **Making Transit Oriented Community investments eligible in Local Return (p. 80)** that goes beyond Transit Oriented Development, and builds on Metro's overall TOC framework. We commend this approach for increasing potential to leverage the state's Affordable Housing and Sustainable Communities funding program. *However, neither the Measure M guidelines nor Metro's Transit Oriented Communities Demonstration Program clearly delineate specific activities or investments that will be eligible.* While we recognize the need to not be overly prescriptive and to allow for innovation, there must be clearer guidance on what types of investments are eligible. Given Metro's Board adopted policies and programs, we recommend that eligible investments include those that:
    1. Support the development and preservation of affordable housing, as defined in Metro's joint development policy, in TOCs;
    2. Support the inclusion of small businesses in mixed use buildings in TOCs;
    3. Help remove land use barriers to transit oriented development;
    4. Implement best practices and policies for sustainable and transit-supportive land uses across a variety of neighborhood typologies; and
    5. Otherwise ensure inclusive and equitable transit oriented communities for those at all income levels.

Additional recommendations
We offer additional recommendations that we feel are missing from the current draft altogether, or in some cases alternatives to current draft proposals.

- **Clarify the definition of capital projects.** The Measure M Ordinance includes as part of the definition of Capital Improvements "preliminary studies, design, or surveys"(Ordinance page 2, line 17). We recommend clarifying language in the guidelines to include "planning, project development and data collection, community engagement, and technical assistance for these activities in disadvantaged communities" to the eligible activities described in the guidelines on page 25.

- **Remove "first-come, first-served" deployment of funding based on readiness and instead rely on performance criteria** (guidelines, page 15 and 23). We strongly recommend avoiding the distribution of funding in any program on a "first come, first served" basis in the absence of specific performance criteria. Transforming mobility in our region will only occur if all investments are aligned toward a common set of goals, as outlined in the Measure M Ordinance and the overall Measure M Performance criteria. Without performance criteria and deploying capital solely on readiness eliminates a mechanism to achieve the Measure's stated goals. In addition to procedures for determining project readiness in the Multi-Year Subregional Programs (page 23), we also recommend establishing performance criteria within the same timeframe. This allows Metro to accommodate additional public participation and planning to augment the incomplete Mobility Matrix process, also referenced on page 23.

- **Align investments towards the anticipated social equity criteria in the Long Range Transportation Plan** Los Angeles County is a diverse region with many different needs, and the guidelines' role is to help allocate resources to projects that address those needs. In the face of so many competing pressures and limited resources, it is important to set policy based on common values and defined objectives. It is hard to meaningfully address the needs of low-income communities and communities of color in the absence of an equity policy that clearly defines these communities and their mobility needs. The final guidelines should anticipate such a policy in the Long Range Transportation Plan (LRTP) and include mechanisms to advance social equity in the implementation of Measure M programs, such as prioritization and/or set-asides in funding programs. We recommend adding language recognizing the anticipated social equity policy and implementation mechanisms to the Administration & Oversight section of the guidelines.

- **Maintain the population-based allocation formula for Local Return (Guidelines Attachment C)** We strongly recommend maintaining the population-based allocation formula for Local Return, which-while not perfect-would steer clear of negative outcomes for certain jurisdictions, particularly for those with concentrations of low-income communities. We recommend rejecting any alternative calculations for Local Return, and following the Measure M Ordinance which clearly stipulates that Local Return funding should be allocated according to population. In various discussions leading up to the Measure M Ordinance, alternative formulas were considered and dismissed as less equitable. For example, formulas based on road miles or land area would favor sprawling jurisdictions over those with more efficient land use and transportation patterns. Sales tax receipts-based or employment-based formulas would favor those jurisdictions that have overbuilt office and retail and underbuilt housing supply in the midst of a historic regional housing shortage. Despite the consideration and rejection of alternative formulas, the draft Measure M Guidelines include a proposal for a minimum allocation of $100,000 per year to eight jurisdictions that would otherwise receive less funding from the per-capita formula. This extra funding would come from proportionally reducing allocations to all other 81 local jurisdictions. The eight jurisdictions that would benefit from the Local Return floor fall into two categories: they are either small, exclusive suburbs born out of a history of residential segregation or industrial tax havens that have intentionally excluded residents to avoid accountability for environmental justice impacts from heavy industry. Meanwhile, the donor cities would include densely populated, low-income communities like Bell, Cudahy, and Lawndale. Adjusting the Local Return floor higher or lower than $100,000 would change the list of which cities benefit and which ones are impacted, but it wouldn't change the fundamental calculation that the cities that benefit the most from any Local Return floor are those with a history of exclusion and/or environmental injustice.

We appreciate your tremendous efforts on Measure M to date. We look forward to continued partnership and engagement going forward. If you have any questions, please contact LA THRIVES, Initiative Officer, Thomas Yee, at tyee@liifund.org or (213) 627-2042 or Enterprise, Senior Program Director, Policy, KeAndra Dodds, at kdodds@enterprisecommunity.org or (213) 787-8214.