

**Metro Responses to Policy Advisory Council Comments (as provided in Attachment A)**

	<b>Commenter Name</b>	<b>Comment</b>	<b>Metro Response</b>
1	PAC (Consensus)	Local Return, Transit Oriented Communities (TOCs) – On page 85, Metro added a reference to “Metro’s Transit Oriented Communities Program.” No such program exists. Instead, the language should state “as described in Metro’s Transit Oriented Communities Policy. In the absence of official Policy, jurisdictions should refer to the TOC Demonstration Program.” In addition, language should be added to clarify that all TOC activities described by the TOC policy (or Demonstration Program) are included in the definition of transportation purposes.	<b>Policy:</b> Metro recognizes the need for further development of a TOC policy. The broader coordination between transit and affordable housing need will be addressed through the LRTP process, and in the short term, the administrative process for Local Return can be refined to more clearly align with existing Metro programs.
2	PAC (Consensus)	Program Eligibility, Bus Rapid Transit – The Guidelines should be changed to explicitly state that municipal operators are eligible for BRT funds.	<b>Concurrence:</b> Metro concurs. See revision.
3	PAC (Consensus)	Performance Metrics – The Guidelines should give clear direction to sub-regional entities to develop performance metrics as part of the Multi-Year Subregional Programs. Performance metrics are critical to being able to communicate back to voters whether these investments have been successful.	<b>Admin:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Additional Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process —, including Measure M projects and programs. This will include PAC consultation.
4	PAC (Additional Discussion)	Potential expansion of eligibility for “Green Streets” beyond just stormwater improvements – On pages 42, and 78, “green infrastructure” or “green streets” should not be limited to only describing stormwater management benefits derived from natural processes. The definition should be expanded to include urban heat island mitigation, cooling benefits, shade and highly-reflective/less-heat-radiating materials. Incorporating cooling into transportation infrastructure delivers health benefits, and makes active transportation and waiting for the bus more viable options.	<b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.

\* Submitted additional testimony through a public speaker card and/or letter

**Policy:** to be considered in future policy deliberations

**Concurrence:** Metro concurs

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5	PAC (Additional Discussion)	Eligibility for 2% Highway Connectivity Programs – As criteria are developed for this program during the Administrative updates to the guidelines, the program guidelines should clarify the allocation between “earmarked” projects and discretionary projects. A preference for a more explicit tie to existing Goods Movement initiatives was suggested.	<b>Admin:</b> The criteria and clarifications will be included as part of the Goods Movement Strategic Plan, currently being developed, which will also result in administrative procedures.
6	PAC (Additional Discussion)	Procurement goals – The Guidelines should set forth specific minimum procurement goals for Small Business Enterprises, Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises.	<b>Admin:</b> Metro strongly encourages Small Business Enterprises, Disadvantaged Business Enterprises and Disabled Veteran Business Enterprises. Additional criteria, as necessary, will be considered as part of the administrative procedures to be developed.
7	Kerry Cartwright - Port of Los Angeles (City of LA Harbor Dept)	<ul style="list-style-type: none"> <li>• 2% System Connectivity Projects (Highway Construction Subfund) (p. 43 of draft guidelines) The projected amount of annual funding for the “Highway – System Connectivity 2%” category is lacking in the program info and guidelines. The approved measure also listed “earmarked” projects that are within this subfund, thus diminishing the total available amount for a competitive process. Thus, the “Highway – System Connectivity 2%” program should be limited to solely goods movement projects, justified for the following reasons: <ul style="list-style-type: none"> <li>• Draft guidelines emphasizes goods movement</li> <li>• Significant program earmarks for all other modes/needs, except ports/goods movement</li> <li>• Local return formula funds not accessible by the Ports of LA/LB on behalf of goods movement sector</li> <li>• Alameda Corridor East has Measure M (and R) earmarked projects</li> <li>• Difficulty obtaining formula subregional funds (via Gateway COG, South Bay COG, etc.)</li> <li>• Limited amount available in “2% Highway” program.</li> </ul> </li> <li>• The development of the “Highway – System Connectivity 2%” program guidelines should be done collaboratively, and solely with the goods movement sector and pertinent public agencies and private sector entities. This should be done concurrently with the development of METRO’s Goods Movement Plan. The goods movement sector has collaborated for many years at the federal, State, and regional level, and has already identified needs and projects. Hence, a minimal</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Concurrence:</b> The criteria and clarifications will be included as part of the Goods Movement Strategic Plan, currently being developed, which will also result in administrative procedures.</li> <li>• <b>Concurrence:</b> The Goods Movement Strategic Plan will include outreach.</li> </ul>

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		amount of time needs to be spent on this plan development. Additionally, a few to several critical, high priority projects should be earmarked initially, as done with numerous other Measure M projects as part of the approved ordinance. The Ports, SCAG, and METRO have collaborated for many years on such priority projects, and identified them via numerous studies. Such projects include then Ports of Los Angeles/Long Beach rail projects that reduce truck trips throughout the region, as a few interchange projects on I-110 and SR 47.	
8	* KeAndra Dodds – Enterprise Community Partners	Local Return: TOC Investments (Revised Guidelines Pg. 85) - While I appreciate the attempt by Metro staff to respond to our comments, the changes did provide more clarity. The new reference to Metro's Transit Oriented Communities Program is not helpful because there is no program with that title. There is a TOC Demonstration Program, TOC Planning Grants, Joint Development Program, the MATCH program, and affordable housing policies, all of which relate to TOCs, but none which clearly delineate specific activities or investments that will be considered TOC investments, and thus eligible for local return. We recognize the need to not be overly prescriptive and to allow for innovation, but 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.	<b>Policy:</b> Metro recognizes the need for further development of a TOC policy. The broader coordination between transit and affordable housing need will be addressed through the LRTP process, and in the short term, the administrative process for Local Return can be refined to more clearly align with existing Metro programs.
9	* Yvette Kirrin - GCCOG	Thank you for the timeline, and we'd like to see item XIX be advanced to 6 months consistent with item IX-XII.	<b>Concurrence:</b> Metro concurs.
10	* Yvette Kirrin - GCCOG	Page 7, No. 5 Stated the addition of "Subregional funding reductions". What does this mean? Please clarify.	<b>Policy:</b> As part of the cost containment policy subregional funds will be considered to address the funding shortfall within an affected subregion, if needed.

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11	* Yvette Kirrin - GCCOG	Regarding Contingency Subfund creations, it's not clear how these can be established if the minimum revenues are not achieved. Will the contingency be funded by % similar to the other subfunds?	<b>Restated:</b> The Ordinance language dictates the Contingency subfund calculation. Cashflow Management (VI) addresses how cash receipt shortfalls will be addressed.
12	* Yvette Kirrin - GCCOG	Although advancing MSP projects is mentioned, using metro bonding as a tool is not specific to this section.	<b>Restated:</b> Cashflow Management (VI) addresses how bonding will be used.
13	* Yvette Kirrin - GCCOG	Now that the TFP has been removed as the funds forecasting methodology, what cash flow determination will be used?	<b>Restated:</b> Cashflow is addressed in Cashflow Management (VI) Cashflow needs will be forecast in the LRTP, Program Management Plan, Metro Budget, etc.
14	* Yvette Kirrin - GCCOG	The I-5 has been determined to be a local project yet self financing is not an option. This doesn't appear to be feasible. Please clarify the potential options outside of advancing the project via Metro Bonding or outside leveraged funds.	<b>Restated:</b> Depending on the ultimate scope and cost of a major project and determination of financial capacity, following the environmental process, the various potential sources of funds will be determined and pursued by all agencies involved in the project.
15	* Yvette Kirrin - GCCOG	In order to ensure that betterments are including by the 30% final design it's imperative that jurisdictions be credited for work done in advance, to be prepared and have the items incorporated into the appropriate documents (EIR, design plan etc.). Retroactive work by the jurisdictions that gets incorporated into the Final 30% design should count as 3%.	<b>Restated:</b> Any work that is part of the scope at the conclusion of 30% completion of final design may be considered as eligible contribution.
16	* Yvette Kirrin - GCCOG	There has not been any changes to the SC transit projects to provide relief for the 3% contribution, as these projects aren't attributed to our subregion. These projects should be Exempt from 3% local contribution. Additionally, if exemption of 3% is denied, and there are savings on the project, it's not clear that the savings, if 3% is collected, that it won't go to a different subregion.	<b>Restated:</b> 3% local contribution applies to all new transit projects ("coded 'T' in Attachment A"), based on center track miles, per the Measure M Ordinance.
17	Seleta Reynolds - Los Angeles Department of Transportation	<ul style="list-style-type: none"> <li>The guidelines are still missing either a) performance metrics for each program or b) a clear direction to sub-regional entities to develop their own. It is important to be able to measure and communicate back to the voters whether or not the investments they agreed to are successful and how we plan to measure success.</li> <li>The guidelines must align better with the Office of Planning and Research's direction to incorporate Vehicle Miles Traveled either</li> </ul>	<ul style="list-style-type: none"> <li><b>Restated:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Metro recognizes that State statute has changed the basis for evaluating Highway performance as part of CEQA (SB743). As such, implementation of the Measure M Guidelines will be consistent with the regulatory process attached to those statutory provisions.</li> </ul>

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		<p>instead of or in addition to Level of Service as an evaluation methodology for highway projects. The highway program in particular (p. 35) references roadway widening as a tool to improve Level of Service, a notion that has been debunked repeatedly. As cities in Los Angeles County work to comply with OPR's deadline for changing the analysis methodology and mitigations for transportation projects, Metro's guidelines will create confusion and potentially legal uncertainty.</p> <ul style="list-style-type: none"> <li>• 3. (At the request of the Mayor's office) All mentions of green infrastructure and green streets (pg. 42 and 78) only refer to stormwater management benefits and leave out important urban heat island (UHI) mitigation / cooling benefits, which really should be addressed in our built streetscape environment, since asphalt is such a large contributor to the UHI effect. Instead, these definitions should be expanded to include shade and highly-reflective / less-heat-radiating materials to at least create the opportunity for investments that could make active transportation and waiting for the bus more appealing.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Policy:</b> Metro recognizes the need for further development of a TOC policy. The broader coordination between transit and affordable housing need will be addressed through the LRTP process, and in the short term, the administrative process for Local Return can be refined to more clearly align with existing Metro programs.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> </ul>
18	* Yvette Kirrin - GCCOG	Page 30 under MSP Highway (Construction Activities), the last sentence states "It is expected that local jurisdictions will contribute to total project costs", which isn't mandatory per the Ordinance. Please remove the statement or change the language to "encourage".	<b>Concurrence:</b> As part of the Administrative Procedures language, staff will use "encourage."
19	* Yvette Kirrin - GCCOG	Regarding HOT Lanes and the Tier Funding, the issue requires further clarification of how the project will pay for them.	<b>Concurrence:</b> Further discussion needed.
20	* Yvette Kirrin - GCCOG	Regarding the removal of eligible projects within the Highway MSP specifically Two-Way left turns or right turn lanes, and intersection and street widening. The removal of these options within the guidelines are limiting options to improve safety and traffic flow. Street widenings specifically are capacity enhancements that have a direct nexus to freeway operations. It appears that arterials are being eliminated from eligibility altogether. In many cases safety and traffic improvements are necessary to improve access to freeways. These removals need to be placed back into the guidelines, and need to be eligible uses, as options for congestion relieve need to be maximized and not limited.	<b>Concurrence:</b> Further discussion needed.

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21	* Yvette Kirrin - GCCOG	Add I-5 JPA to Eligible Recipients as part of the 2% System Connectivity Projects (Highway), as other agencies including ACE Authority are eligible.	<b>Restated:</b> Language in Guidelines is "including, but not limited" to the agency types listed.
22	* Yvette Kirrin - GCCOG	Language needs to be softened, removed or suggested as an example (verses in alignment) regarding City of LA policies for Streetscape Enhancements and Great Streets. It's seems inappropriate for subregions to conform with the City of LA policy.	Comment is unclear.
23	* Yvette Kirrin - GCCOG	Regarding the definition of Active Transportation, "rolling modes" should be detailed or more definitve as there are many new mainstream modes such as e-bikes, Segway's, skateboards, motorized wheelchairs, scooters, etc. Please expand the definition.	<b>Policy:</b> Additional criteria will be considered as part of the administrative procedures to be developed.
24	* Yvette Kirrin - GCCOG	Clarification is still required regarding if MSP's and Major projects assigned to a subregion are eligible for the 2% SC Project (HWY Subfund) competition?	<b>Policy:</b> This will be determined as part of the Goods Movement Strategic Plan development.
25	* Yvette Kirrin - GCCOG	Regarding Visionary Project Seed Funding, the 40% match isn't reasonable. A 20% and/or In-Kind match should be considered.	<b>Restated:</b> In kind match can be for the entire amount of the requested local match.
26	* Yvette Kirrin - GCCOG	Regarding Subregional Equity Program, the considerations should mirror the funds availability dates accorded to the SFV.	<b>Restated:</b> Per the Measure M Ordinance, the funding is to be determined, and will be provided "as early as possible."
27	* Yvette Kirrin - GCCOG	Regarding the SEP, the statement regarding funds available "if any" is concerning, and these funds should be bonded against, as the SFV is going to be funded ASAP. The Board added the funds, so the subregions should receive it, verses leaving an "if any" option.	<b>Restated:</b> Per the Measure M Ordinance, the funding is to be determined, and will be provided "as early as possible."
28	* Yvette Kirrin - GCCOG	2% ADA Paratransit Eligible Recipients should be broadened to be any transportation agency providing ADA services, including local operators, such as dial a rides.	<b>Restated:</b> Per the Measure M Ordinance, these funds are for ADA Paratransit for the disabled. This service, which is a federal civil rights mandate, is provided by Access Services on behalf of Metro and the 44 fixed-route operators in LA County. Local Dial-A-Rides do not provide ADA paratransit as outlined in federal law and therefore are not eligible for these funds. In addition, local Dial-a-Rides are eligible to receive funding from both Measure M and past sales tax Local Return programs.

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29	* Hilary Norton – FAST	<p>Page 6 - Project Acceleration, Third Bullet, “Elements that determine eligibility of matching funds from available federal/state discretionary funding sources.</p> <p>Page 22 - Eligible Fund Contributions, End of section paragraph, add language “...amount by the conclusion of thirty percent (30%) of final design, Asset management portfolios, Performance Incentive Grants.”</p> <p>Page 37 – Intelligent Transportation Systems, Eligible uses category Add Bullet “Coordinate with Countywide BRT program to optimize on time performance and improved bus speed operations”</p>	<b>Admin:</b> These are considerations for additional administrative procedural development.

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30	* Hilary Norton – FAST	<ul style="list-style-type: none"> <li>• Page 10 - Performance Metrics definition. Need clarity on the definition of performance metrics. Does that reflect the December 2015 Performance Metrics for the Mobility Matrix or will these be a new set of Metrics? Will the PAC be advised on how to define them or will that be up to the Metro Board? Does this mean transit and highway programs will have performance on whether or not they are moving more people or are they moving more goods that essential to the consumer driven sales tax receipts which fund our Measure M program? For example, according to LAEDC, 78% of the volume and 64% of the value of the Regions goods move through our streets and highways so should one project be jeopardized over a subjective definition. With this aspect of Performance Metrics, please consider the following definitions as this is consistent that the Mobility Matrix has now been replaced with the Multi-Year Subregional Program (MSP) Project Development process; <ul style="list-style-type: none"> <li>• Projects with the broadest economic benefit that increases sales tax revenue receipts;</li> <li>• That leverage current and future sources of state and federal funding (and must be timely in their request for matching funds);</li> <li>• Based on project readiness;</li> <li>• Projects that optimize opportunities for TOCs/TODs;</li> <li>• Consider communities with the highest need;</li> <li>• Project prioritization should be made in the context that we are expecting an economic downturn and must optimize the revenue that we collect, while being able to most effectively leverage private and public resources in a manner that would expedite major projects to meet or exceed timelines promised to Measure M voters.</li> </ul> </li> <li>• Page 21 - 3% Local Contribution Need Clarity How does this definition reflect new stations that intersect existing lines, an example would be the Northern Crenshaw Extension with the Purple Line on Wilshire. Would that be considered a retrofit of an existing or the building of something new? The goal should be to incentivize ridership increases through Multi-modal connectivity so outside of Active Transportation if a local jurisdiction uses and encourages private funding to construct a transit center or Mobility Hub adjacent to</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Admin:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Additional Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process —, including Measure M projects and programs. This will include PAC consultation.</li> </ul> <p>Mobility Matrices are not replaced with MSP. Mobility Matrix projects can be considered in the development of MSP projects. Additional criteria will be considered as part of the administrative procedures to be developed.</p> <ul style="list-style-type: none"> <li>• <b>Restated:</b> 3% local contribution applies to all new transit projects (“coded ‘T’ in Attachment A”), based on center track miles, per the Measure M Ordinance.</li> </ul>

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		<p>a rail station, Does that count towards a city's 3% match?</p> <ul style="list-style-type: none"> <li>• Page 47 – Metro Active Transportation, Reporting requirements, typo? “Metro will provide annual reports to the Measure M Independent Taxpayer Oversight Committee describing how uses of Measure M system connectivity projects (Highway construction) (replace with Active Transportation) funds are contributing to accomplishing the program and strategic plan objectives.”</li> <li>• Page 55 – Countywide BRT, Eligible projects first paragraph, language amended “...potential for ridership increases including station amenities, restrooms for health, safety and quality of life,”</li> <li>• Page 57 in Subregional Equity Funds. Need Clarity. A detailed explanation should identify where this fund is located relative to the Measure M pie slice, as we recall back in the June 2016 Board meeting through a motion by Director John Fasana, this Subregional Equity pot was to be incorporated as part of the 2% system connectivity, Is this still true?</li> <li>• Page 67 – 20% Transit Operations, Eligible uses category. Last sentence “Metro will develop policies that will define and establish criteria for implementing pilot programs that increases ridership and improves operational reliability” Page 67 – 20% Transit Operations, Maintenance of effort. Second sentence (add language) In addition to implementing new transit services programs that improve headways and hours of operation, eligible recipients may use Measure M 20% funds...</li> <li>• Page 72 – ADA Add Bullet: “C) Community outreach to identify and ensure that performance metrics as outlined per contract for this program fund are adhered to and are followed.”</li> </ul> <ul style="list-style-type: none"> <li>• Page 74 – State of Good Repair Add Bullet: Station improvements that increase ridership and transit system capacity to handle more riders</li> <li>• Page 92 – Local Return, Audit Requirements, First Sentence A</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Restated:</b> Any work that is part of the scope at the conclusion of 30% completion of final design may be considered as eligible contribution.</li> <li>• <b>Concurrence:</b> Typo. Metro concurs. See revision.</li> <li>• <b>Restated:</b> Yes. These are considerations for additional administrative procedural development. Per the Measure M Ordinance, the funding is to be determined, and will be provided “as early as possible.”</li> <li>• <b>Restated:</b> Operations Guidelines were developed with other operators in a Working Group.</li> <li>• <b>Admin:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Additional Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process —, including Measure M projects and programs. This will include PAC consultation.</li> <li>• <b>Restated:</b> State of Good Repair will maintain all eligible assets.</li> <li>• <b>Restated:</b> Per the Measure M ordinance, the</li> </ul>

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		<p>financial and compliance audit will be conducted annually as part of Metro’s Consolidated Audit Program to verify adherence to the Measure M guidelines and be subject to review by the Independent Taxpayer Oversight Committee.</p> <ul style="list-style-type: none"> <li>• Pages 98 and 99. Appendix A - Potential 3% jurisdictions. There are examples per the Measure M ordinance and Expenditure plan, where the project explicitly does not assume a specific mode or technology of corridor (LRT vs HRT) that has not had a proper vetting through an environmental impact report. The problem with such assumption is that it prejudices the Environmental Review Process and could place Metro in a litigious pickle albeit innocently. Those examples include on the list; East San Fernando Valley Transit Corridor, Sepulveda Pass Corridor, Vermont Corridor, Lincoln Blvd Corridor. All specific technological (LRT or HRT) references should be removed from the list and simply explained "All 3% corridors are all assumed (funding permitted) as rail corridors. Whereas past or currently under environmental review planned definitions, distinction of phasing or branching or logical extensions of existing Metro Rail lines or under constructed corridors to establish a consistency in definition Examples are; West Santa Ana Corridor, Eastside Phase 2 (SR 60 or Washington Blvd), Green Line extension to Torrance or Orange Line Conversion to Rail where there is specific language included in both the expenditure plan and attachment explanation.</li> </ul>	<p>Independent Taxpayer Oversight Committee is responsible for reviewing the Measure M Financial and Compliance audits.</p> <ul style="list-style-type: none"> <li>• <b>Restated:</b> All project are subject to the environmental process.</li> </ul>

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31	* KeAndra Dodds-Enterprise Community Partners	While the guidelines reference alignment with “Vision Zero” or equivalent policies, Metro does not have its own Vision Zero policy to guide investments. 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. 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.	<b>Policy:</b> Policy development regarding “vision zero” applications as they may apply countywide is needed. This can be done as part of the LRTP Update process, in consultation with the PAC.
32	* KeAndra Dodds-Enterprise Community Partners	The final guidelines should anticipate a transportation equity 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. While there were some changes to address this, the revised guidelines still do not include explicit mention of social equity nor the recognition that social equity will be considered in the implementation of Measure M once the LRTP is adopted. It makes the most sense to add it to the administration and oversight section.	<b>Admin:</b> The LRTP Update process, as presented to the Metro Board, identifies a need for a comprehensive equity analysis. This will include how equity is defined, and considered in setting priorities for Metro investments including but not limited to Measure M. This will occur during the LRTP development, in consultation with the PAC.

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33	Jacki Bacharach	<ul style="list-style-type: none"> <li>• Page 7 – At the bottom of Page 7, #5 – Sub-regional funding reductions should come from the sub-region in which the shortfall is happening. It is not clear in the document. Sub-regional funding should be used only with the concurrence of the responsible “sub-regional entities”.</li> <li>• Acceleration of projects must not: 1) Reduce the potential funding available for addressing cost containment using the methods listed on page 7; or 2) delay current regional and sub-regional projects due to redirecting funding for acceleration.</li> <li>• Page 10 – 1) Sub-regional entities should be consulted before the Metro Board is asked to approve all performance metrics through its 5-year assessment process in consultation with the Measure M Independent Taxpayer Oversight Committee. Particularly with respect to the sub-regional program and project criteria, the sub-regional entities should also be consulted. 2) Requiring approval only during the 5-year assessment may delay project readiness. There should be a process to accelerate approval changes more often than every 5 years.</li> <li>• Page 11 – Any change in subregional boundaries should only be made with consensus of all the sub-regional entities affected.</li> <li>• Page 12 – In 2<sup>nd</sup> group of bullets – the new one re: Changes in Technology should also include better service to the customer/consumer. Bottom of page 12 – The guidelines allow the Metro Board to amend the “Schedule of Funds Available” to accelerate an Expenditure Plan Major Project at any time but changes in commitments to current projects will only be evaluated every 10 years. The two policies are in conflict. Funds from a project that is completed with cost savings or a project that is no longer viable should be available for re-programming in the following fiscal year.</li> <li>• Page 16 – 2<sup>nd</sup> paragraph from the bottom –Metro should request notice from the responsible sub-regional entity which will compile the 5-year MSPs on behalf of the project sponsors. Sponsors should not be allowed to bypass the sub-regional planning process where there is one.</li> <li>• Page 17 – MSP borrowing needs to be approved by the sub-regional entity.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Concurrence:</b> Metro agrees that subregional funding reductions should come from the affected subregion.</li> <li>• <b>Restated:</b> Acceleration is addressed in Section IV and in Cashflow Management, Section VI.</li> <li>• <b>Admin:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Additional Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process —, including Measure M projects and programs. This will include PAC consultation.</li> <li>• <b>Admin:</b> Subregional changes have historically been done at the request of the subregion.</li> <li>• <b>Policy:</b> Policy development is needed. This can be done as part of the LRTP Update process, in consultation with the PAC.</li> <li>• <b>Restated:</b> Acceleration is addressed in Section IV and in Cashflow Management, Section VI.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Page 26 – Metro allowed .5% of the annual cost of the sub-regional programs to be drawn from the MSP. Sub-regional entities and local jurisdictions should be explicitly eligible for these funds.</li> <li>• Page 26 – Parameters from the Mobility Matrices should be developed with concurrence of sub-regional entities. In the 2nd sentence referring to the Mobility Matrices, the word ‘using’ should be replaced with the word ‘considering’.</li> <li>• Page 30, 31, 33, 34 – Highway Operational Improvement project funding begins with the Project Identification Document rather than program development. To be consistent with Page 29, this guideline should not preclude use of funding from this category to prepare the project development matrix described on page 26.</li> <li>• Page 30, 31, 33, 34 – Metro added a provision that is in Measure R SBHP guidelines that requires Intersection or street widening/improvements to be “on a State Conventional Highway or within one mile of a state highway.” This restriction should be eliminated from the Measure M guidelines to allow projects to be implemented in areas like the Palos Verdes Peninsula that are not within 1 mile of a state highway and yet have major arterials.</li> <li>• Page 30, 31, 33, 34 – Signal synchronization and other intelligent transportation system improvements are not included as eligible projects in any of the Highway MSP categories. They should be explicitly included in the respective lists even though they are generally eligible in their own section beginning on page 37.</li> <li>• Page 37 – The guidelines do not currently include broadband or fiber-optic projects as eligible expenditures. Inter-city, sub-regional fiber-optic and broadband projects should be included in the ITS section and justified as a TSM strategy.</li> <li>• Page 42 – 1st/last mile should acknowledge eliminating travel through travel demand management strategies or projects. These types of projects should be eligible in the ITS section. The Greenway project category should be broadened slow speed electric transportation.</li> <li>• Page 44, 55 – BRT Capital improvements – Metro staff told the PAC that municipal operators would be included, but the guidelines do not yet reflect the change. Included and Municipal Operators and Metro</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Restated:</b> Metro retains bonding authority.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Concurrence:</b> Metro concurs. See revision.</li> <li>• <b>Concurrence:</b> Metro concurs. See revision.</li> </ul>

\* Submitted additional testimony through a public speaker card and/or letter

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**Concurrence:** Metro concurs

**Admin:** Administrative procedures

**Restated:** Staff notes Guidelines or Ordinance details

	Commenter Name	Comment	Metro Response
		<p>should be explicitly eligible as lead agencies for BRT funded projects within a BRT program coordinated by Metro.</p> <ul style="list-style-type: none"> <li>• Page 48 – Allocation Methodology – It is unclear whether Metro taking an additional .5% here for administration from subregional programs over and above what they are already getting off the top. To avoid Metro double dipping, it should be clarified that Metro’s administrative costs do not exceed the %.05 that taken off the top.</li> <li>• Page 53 – Visionary Seed Funding eligibility is still restricted to transit in the revised guidelines. It should be available for other mobility and sustainability ideas beyond transit. The eligible applicants should include transit operators and other entities rather than relegating others to “partners” for visionary seed funding applications that do not include transit operators.</li> <li>• Page 79 – Fiber optic installations are limited to “signal-related electrical system and/or fiber-optic in the roadway.” Consistent with the comments on page 37, fiber-optic and broadband programs should be eligible as a transportation demand management projects and should not be limited to installations in the roadway since use of existing utility poles and underground conduits outside the roadway might be more cost-effective.</li> <li>• Page 102, 103 – Refocused Taxi Element – Although the guidelines are more inclusive in earlier sections of the document, this section should be expanded to include options to taxi operators such as car sharing and ride sharing providers and autonomous vehicle fleets.</li> <li>• Page 103 – Implementation Timeline – On the 4<sup>th</sup> line, in addition to taxi service, the timeline should include comparable options that exist or may emerge.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Concurrence:</b> See revision</li> <li>• <b>Concurrence:</b> See revision</li> </ul>

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	Commenter Name	Comment	Metro Response
34	* Moises Cisneros – Loa Angeles Latino Chamber of Commerce	Pulling from the business and small business recommendations, I am concerned that our recommended Business Interruption Fund for small businesses was not addressed. Small businesses in the path of construction have been known to go bankrupt due to the loss of pedestrians and foot traffic caused by construction chokeholds. Find below our original recommendation: INCREASE LOCAL JOB AND ENTREPRENEURSHIP OPPORTUNITIES, AND MITIGATE TRANSIT CONSTRUCTION IMPACTS FOR SMALL BUSINESS ...."We also recommend that the Business Interruption Fund, to assist businesses impacted due to Metro construction, be implemented for all transit, major highway and arterial projects. Beyond the Business Interruption Fund, Metro should provide small businesses with economic tools to help offset economic losses or assist in overcoming loss of clientele due to construction obstructions. These tools can be provided by Jurisdictions or third party providers of small business advisory services"....	<b>Admin:</b> All Metro policies and programs will be applied as appropriate. Additional criteria will be considered as part of the administrative procedures to be developed.
35	* Moises Cisneros – Loa Angeles Latino Chamber of Commerce	Two major issues that are of concern include: 1. No procurement goals or statement for a specific minimum is highlighted for Small Business Enterprises, Disadvantaged Business Enterprises. It's not enough to simply say there will be a goal. That goal needs to be reflective of the surrounding community and capacity for providing a service. 2. Disabled Veteran Business Enterprises are not mentioned at all for procurement goals. We strongly recommend Metro considers the following statement from both the business and small business community represented: "Measure M can be a turning point for the economic empowerment of small business in Los Angeles County. Metro has done a very good job of inviting small and local businesses to do business with Metro but more can be done to expand small business opportunities in Measure M. We recommend that Metro follow the example of the Port of LA to include local businesses in all projects, and report to the Metro Board regularly as to how those goals are being met. For Major projects and Local Return funds, we recommend guidelines of: 25% SBE, 17% DBE/MBE/WBE and 10% DVBE. We recommend prioritizing local small business and retail entrepreneurship opportunities in each Transit Oriented Community/Development, including support and preservation of businesses impacted by Metro project construction. In cases where jurisdictions do not have the capacity to implement the	<b>Admin:</b> All Metro policies and programs will be applied as appropriate. Additional criteria will be considered as part of the administrative procedures to be developed.

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	Commenter Name	Comment	Metro Response
		above percentage goals, we recommend that Metro administers the program on behalf of the jurisdiction.”	
36	* Bryn Lindblad – Climate Resolve	<ul style="list-style-type: none"> <li>• In defining eligible expenditures in the highway subfund, (on pg. 35) the 'Traffic Congestion Relief Investments' program description should not include the outdated level of service (LOS) metric nor misguided road widening as a method to relieve congestion. Instead, it should be replaced with a VMT-reduction metric, as instructed by SB743.</li> <li>• "Green", as referred to in the terms 'green infrastructure' and 'green streets' (on pgs. 42 and 78), should not be limited to only describing the stormwater management benefits that come from natural project elements. The definition should be expanded to include urban heat island mitigation / cooling benefits brought about by shade and innovative materials that radiate less heat. Incorporating cooling into transportation infrastructure not only delivers public health benefits, but it also makes active transportation and waiting for the bus more viable options for people who are otherwise deterred from doing so.</li> <li>• Operations subfunds (including Metro Rail Operations, pgs. 63-5 and Transit Operations, pgs. 66-9) should include eligibility for: a.) maintenance of green infrastructure, to ensure full life-cycle benefits</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Restated:</b> Metro recognizes that State statute has changed the basis for evaluating Highway performance as part of CEQA (SB743). As such, implementation of the Measure M Guidelines will be consistent with the regulatory process attached to those statutory provisions.</li> <li>• <b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Restated:</b> Per the Measure M Ordinance, this funding is for operating transit service, with Metro Rail for service delivery for operating and regular preventative</li> </ul>

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		<p>are achieved. (Often funding for this maintenance piece is overlooked, and doing so in Measure M guidelines could similarly prevent intended environmental and community outcomes.) b) recreational transit service to open space. (This is an important social determinant of health, which Metro is currently studying, and should have an opportunity to receive adequate Measure M funding.) Currently, this is only listed as an eligible expense in the Local Return section, but it should also be in these other categories that support transit service expansion.</p>	<p>maintenance for Metro Rail Lines.</p>
37	* Bryn Lindblad – Climate Resolve	<ul style="list-style-type: none"> <li>• Administrative development for multi-year subregional programs -- especially highway subfunds -- needs to include performance criteria that ensure investments are in alignment with climate goals, multi-modal safety and equitable accessibility priorities. This important process can go a long way in preventing Measure M dollars from doing more harm than good to EJ communities in particular, and should not be rushed through in a non-meaningful way. The 6-month timeline that is currently proposed may be too rushed and should potentially be lengthened to 12 months to create more of an opportunity for developing performance criteria mechanisms that ensure Measure M dollars achieve results that are better than the historical business as usual.</li> <li>• Will the supplemental funds provision trigger the State ATP restrictions that do not allow urban greenery to be funded in active transportation projects? If so, this remains a critical gap, that instead Measure M funds should try to fill.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Admin:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Additional Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process —, including Measure M projects and programs. This will include PAC consultation.</li> <li>• <b>Admin:</b> All Metro policies and programs will be applied as appropriate. Additional criteria will be considered as part of the administrative procedures to be developed.</li> </ul>

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	<b>Commenter Name</b>	<b>Comment</b>	<b>Metro Response</b>
38	Thomas Yee - LA THRIVES/ Low Income Investment Fund	Section 10. The Policy Considerations listed in Section 12, which have been revised to "shall comply with the" ATSP, Complete Streets Policy, CSPP, First/Last Mile Strategic Plan , etc, is more appropriate to be placed in Section 10 covering all of the MSP programs, and should be either moved in entirety into that section. All of the approved MSP categories would include relevant infrastructure improvements that should comply, not just the programs listed in section 12.	<b>Admin:</b> Additional criteria will be considered as part of the administrative procedures to be developed.

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	Commenter Name	Comment	Metro Response
39	Thomas Yee - LA THRIVES/ Low Income Investment Fund	<ul style="list-style-type: none"> <li>• Section 3: The addition of performance metrics is a good step, however the timing of the approval of metrics (as well as evaluation areas and criteria) need to be adopted in advance of the new MSP project development process, and the timeline should be specified in Section 3.</li> <li>• Section 8. The Consumer perspective should be explicitly referenced in the introduction. The rationale for the contribution should include language setting forth a goal to maximize multimodal access to all transit stations in every jurisdiction.</li> <li>• Section 14. The reference to Vision Zero in Section 14 (page 46) already states “Projects funded with Measure M funds, including Active Transportation 2%. should support the protection of pedestrian and bicycle safety in line with “Vision Zero” or equivalent policies. Since this is to be globally applied, it is more appropriate to be placed in either Section 1, 3, or 9 so that it is clearly a global policy goal, and not just limited to 2% ATP. In addition, in the absence of a Metro Vision Zero policy, the guidelines should allow for the development of Metro Vision Zero guidance as part of administrative and performance procedures. 25.</li> <li>• pg 85 - The revision to TOC needs some additional clean-up language. The memo to the PAC refers to a "TOC manual", whereas the revised guidelines refer to the Transit Oriented Communities Program". Neither of these are discrete Metro policy documents. We recommend language that clarifies this reference, and suggest the following: "as described in Metro's Transit Oriented Communities Policy. In the absence of official Policy, jurisdictions should refer to the TOC Demonstration Program." Additionally, the revised guidelines introduce new language on page 93 requiring adherence to expend funds "for transportation purposes, as defined by these guidelines." Because TOC by definition extends the definition of traditional transportation purposes, this creates uncertainty around expending funds for TOC activities. Clarifying language should be included on either page 85 or 93 clearly stating that all TOC activities</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Admin:</b> Performance metrics will be evaluated for MSP assignment as part of the 6 month administrative procedures effort. Additional Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process —, including Measure M projects and programs. This will include ry jurisdiction.</li> <li>• The comment is unclear.</li> <li>• <b>Admin:</b> Policy development regarding “vision zero” applications as they may apply countywide is needed. This can be done as part of the LRTP Update process, in consultation with the PAC.</li> <li>• <b>Policy:</b> Metro recognizes the need for further development of a TOC policy. The broader coordination between transit and affordable housing need will be addressed through the LRTP process, and in the short term, the administrative process for Local Return can be refined to more clearly align with existing Metro programs.</li> </ul>

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	Committer Name	Comment	Metro Response
		<p>described by TOC policy (or Demonstration Program) are included in the definition of transportation purposes. Attachment D. The phrase "including performance metrics" in Section XVIII should be mirrored in other MSP sections, specifically IX-XII, XIII, XIV, XV, XVI, XVII, and XIX</p>	

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	Commenter Name	Comment	Metro Response
40	* Jessica Meaney – Investing in Place	<p>The revised guidelines still lack an affirmative statement that Metro’s Complete Streets Policy applies to all funding programs. This leaves project sponsors and stakeholders uncertain as to which policies will apply to what projects, with differing interpretations potentially subjecting projects to administrative and political delays unless the issue is resolved. Metro’s Complete Streets Policy itself is clear about its application to all projects and all programs, yet the guidelines only reference the policy under the active transportation programs, which are--by definition--in compliance with complete streets. The revised guidelines include a Metro-administered eligibility screen for all projects funded by the Multiyear Subregional Programs. This is the appropriate place for Metro to evaluate each project’s compliance with its Complete Streets Policy, including the local jurisdiction mandate. The final guidelines should be revised to include this requirement unambiguously. The revised guidelines did not change the objectives for any of the highway programs. Traffic safety is still not integrated into the core purpose of investments in the street and freeway system and no specific procedures are proposed to make safety analysis a routine part of highway program administration. The revised guidelines continue to consider state of good repair, maintenance, and beautification projects ineligible for highway program funding, without clearly defining these terms to ensure that complete streets improvements are not inadvertently excluded. The revised guidelines continue to hold projects on city streets to the same objectives as freeway projects. The application of Metro’s Complete Streets Policy to these programs remains unclear, despite these programs being the one of the primary funding programs for street improvements in Los Angeles County moving forward.</p>	<p><b>Admin:</b> Additional criteria regarding the application of Metro’s Complete Streets Policy will be considered as part of the administrative procedures to be developed.</p>

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	Commenter Name	Comment	Metro Response
41	Joana Hankamer – City of West Hollywood	<ul style="list-style-type: none"> <li>The voters approved Measure M based on promoted programs and projects to be funded by the sales tax; however, many capital projects listed on the Expenditure Plan are not fully funded and many projects were also under-estimated for probable cost*. Metro is therefore urged to engage the Policy Advisory Council (PAC) in discussions about filling the funding gaps in Measure M in order to fulfil the promises of Measure M; and engage the PAC in the development of a comprehensive action plan focused on:               <ol style="list-style-type: none"> <li>updating the Expenditure Plan based on accurate cost assumptions,</li> <li>competing effectively and successfully in Sacramento for SB 1 funds, and</li> <li>accessing other non-Measure M revenue sources, including federal funds and private sector revenues</li> </ol> </li> </ul> <p>*For example, the Northern Extension of the Crenshaw/LAX Line was assigned a project cost of \$2.3 billion in the Expenditure Plan based the shortest alignment only, thereby under-estimating all but one alternative before any study has been done to identify a locally preferred alignment. Such insufficient cost estimate assumptions in Measure M create unanticipated budget shortfalls and unrealistic expectations for projects approved by the voters in Measure M. (In 2010 Metro identified more than four possible alignments for the Northern Extension of the Crenshaw/LAX Line, varying in length between 6 and 10 miles).</p> <p>The Draft Guidelines contain many references to the necessity to leverage the revenues generated from the Measure M program. One of the significant leveraging opportunities available to Metro is the recent enactment of “The Road Repair and Accountability Act of 2017”, SB 1 (Beall, Chapter 5, Statutes of 2017). The State has projected that over the next 10 years this new funding program will provide an estimated \$50.0 billion supporting both competitive and formula based transportation programs. Eligible expenditures include, among other activities, transit development, intercity rail, active transportation, local streets, freight projects, local planning, and work</p>	<ul style="list-style-type: none"> <li><b>Restated:</b> Depending on the ultimate scope and cost of a major project and determination of financial capacity, following the environmental process, the various potential sources of funds will be determined and pursued by all agencies involved in the project.</li> <li><b>Restated:</b> The Expenditure Plan is a part of the Measure M Ordinance, as are the provisions for amendment.</li> <li><b>Restated:</b> Cashflow is addressed in Cashflow Management (VI) Cashflow needs will be forecast in the LRTP, Program Management Plan, Metro Budget, etc. This includes the availability of non-Measure M fund sources.</li> <li><b>Policy:</b> Policy development is needed. This can be done as part of the LRTP Update process, in consultation with the PAC.</li> </ul>

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		<p>force development. For example, Metro has projected that approximately \$260.0 million annually will be available to Los Angeles County jurisdictions for improvements to local streets including “complete streets.” One of the key objectives in pursuing SB 1 generated funds is to access the maximum of new state funds to leverage Measure M revenues and accelerate the implementation of “Shovel Ready Projects.”</p>	

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## Metro Responses to Public Speaker Comments Provided at June Committees

	Commenter Name	Comment	Metro Response
1	Jackie Illum – Community Health Councils; Andrew Pasillas – Safe Routes to School National Partnership; Claudia Goytia – American Heart Association; Papa Joe Aviance – American Heart Assoc. Volunteer; Amanda Meza – Investing In Place; * Wes Reutimann – Bike SGV; Lindsey Nolan – LA County Bike Coalition; Jean Armbrewster – Dept. of Public Health * Andrew Yip – Bike SGV	These speakers placed an emphasis on the need for the following: <ul style="list-style-type: none"> <li>• Complete Streets policy;</li> <li>• An emphasis on safety; and</li> <li>• Prioritization of equity.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Admin:</b> Additional criteria regarding the application of Metro’s Complete Streets Policy will be considered as part of the administrative procedures to be developed.</li> <li>• <b>Policy:</b> Policy development regarding Safety as it may apply countywide is needed. This can be done as part of the LRTP Update process, in consultation with the PAC.</li> <li>• <b>Admin:</b> The LRTP Update process, as presented to the Metro Board, identifies a need for a comprehensive equity analysis. This will include how equity is defined, and considered in setting priorities for Metro investments including but not limited to Measure M. This will occur during the LRTP development, in consultation with the PAC.</li> </ul>

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	Commenter Name	Comment	Metro Response
2	* Charlie Honeycutt – City of Signal Hill; Steve Lantz – South Bay COG	Address the road needs for small cities; access to additional funds.	
3	* Asiyahola Sankara – ACT-LA	Wants to expand TOC language and preserve affordable housing.	<b>Policy:</b> Metro recognizes the need for further development of a TOC policy. The broader coordination between transit and affordable housing need will be addressed through the LRTP process, and in the short term, the administrative process for Local Return can be refined to more clearly align with existing Metro programs.
4	* Jerard Wright - BizFed	Wants performance metrics that links tax expenditures to economic drivers.	<b>Admin:</b> Performance Metrics guiding Metro’s investment challenges and opportunities will be developed as part of the LRTP Update process—, including Measure M projects and programs. This will include PAC consultation. The need for performance metrics can be referenced in the Administrative procedures to be developed.
5	*Marianne Kim – Auto Club	Focus on traffic reducing project; and  Desire for MOE standards that can be audited.	
6	* Jessica Duboff – LA Chamber	Expanding programs and shifting funds	<b>Policy:</b> Policy development is needed. This can be done as part of the LRTP Update process, in consultation with the PAC.

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