



## Board Report

File #: 2022-0445, File Type: Policy

Agenda Number: 6.

---

### PLANNING AND PROGRAMMING COMMITTEE AUGUST 17, 2022

**SUBJECT: MEASURE M 3% LOCAL CONTRIBUTION GUIDELINES REVISIONS**

**ACTION: APPROVE RECOMMENDATIONS**

#### **RECOMMENDATION**

APPROVE the release of the draft revised Measure M 3% Local Contribution Guidelines (Attachment A).

#### **ISSUE**

In April 2022 the Board approved Motion 35 (Attachment B), authored by Directors Hahn, Garcetti, Butts, and Dutra titled 3% Contribution, which in part directed Staff to revise the Measure M Guidelines, Section VIII. - 3% Local Contribution to Major Transit Projects. Staff reported back to the Construction Committee in June 2022 on the response to the motion (2022-0331) and committed to requesting Board approval to release for public review revised Guidelines in August 2022.

#### **BACKGROUND**

The Measure M Ordinance (Ordinance) requires that local jurisdictions pay three percent (3%) of the total project cost of new major rail projects. In advance of Metro notifying jurisdictions of their local contribution obligations for several rail capital projects, the Board requested that Staff revise the Guidelines to be consistent with the Ordinance, confirm several aspects of the calculation, and clarify and provide additional flexibility on sources available to jurisdictions to satisfy the 3% contribution. This action is required because making draft Guidelines revisions available for public comment is consistent with Metro's past practice (e.g. 2021-0008) and may generate constructive input from jurisdictions and other stakeholders to be affected by the proposed changes.

#### **DISCUSSION**

Staff has revised the Guidelines in response to direction from Motion 35. The revisions reflect a change in the cost allocation approach, the exclusion from the total project cost of the First/Last Mile (FLM) expenses incurred by jurisdictions, and the availability of FLM credit in situations when Metro is withholding local return funds in alignment with the Board direction in Motion 35. Staff can implement the direction from Motion 35 immediately, with the Guidelines revisions formalizing the changes in the approach to the 3% local contribution.

## **DETERMINATION OF SAFETY IMPACT**

The proposed approval will not have any adverse safety impacts on employees or patrons.

## **FINANCIAL IMPACT**

### **Impact to Budget**

Approving the recommendations will have no impact on the FY 2022-23 Budget.

## **EQUITY PLATFORM**

Per the equity assessment of the Guidelines revisions in June 2022 (2022-0331), the 3% local contribution is one of the financial resources supporting Metro's major rail transit projects program in the Measure M Expenditure Plan. These projects will benefit communities by adding new high-quality reliable transit service, many of which will increase mobility, connectivity, and access to opportunities for the historically underserved and transit-dependent communities. Metro will continue to conduct outreach and provide technical assistance on the 3% contribution requirement to affected jurisdictions as we proceed with project planning. Staff will also analyze how each project might impact equity and Equity Focused Communities. These analyses will be included in future Board items (e.g. notifying the Board of the 3% contribution amount by jurisdiction based on 30% design) on a project-by-project basis.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The Project supports the following strategic plan goals identified in Vision 2028: Goal 1: Provide high-quality mobility options that enable people to spend less time traveling, Goal 3: Enhance communities and lives through mobility and access to opportunity and Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization.

## **ALTERNATIVES CONSIDERED**

The Board could elect not to approve the public release of the revised Guidelines. This is not recommended as the proposed revisions resulted from Board direction and will ensure consistency between Metro's published guidance and the Measure M Ordinance.

## **NEXT STEPS**

Metro will release the Draft Revised Measure M Guidelines Section VIII - 3% Local Contribution to Major Transit Projects, if approved by the Board, for a 60-day public review period beginning August 26, 2022. Metro will circulate the draft revisions to Councils of Governments (COGs) and notify the public via The Source or other appropriate outreach methods. The Guidelines will be posted on the Metro website, and there will be a place at the same location for people to submit comments. Following public input and comment, the final revised Guidelines will be presented to the Board in January 2023 for adoption.

**ATTACHMENTS**

Attachment A - 3% Measure M Guidelines Draft Revisions

Attachment B - Motion 35

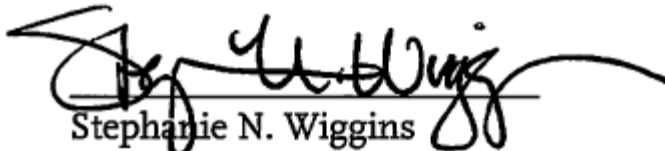
Prepared by: Adam Stephenson, Senior Director, Countywide Planning & Development, (213) 547-4322

Fanny Pan, DEO, Countywide Planning & Development, (213) 547-4312

Shawn Atlow, Executive Officer, Countywide Planning & Development, (213) 547-4315

Laurie Lombardi, SEO, Countywide Planning & Development, (213) 418-3251

Reviewed by: James de la Loza, Chief Planning Officer, (213) 922-2920



Stephanie N. Wiggins  
Chief Executive Officer