

**Board Report**

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**File #:** 2021-0587, **File Type:** Policy**Agenda Number:** 9.

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**PLANNING AND PROGRAMMING COMMITTEE  
OCTOBER 20, 2021****SUBJECT: STATE ACTIVE TRANSPORTATION PROGRAM****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

APPROVE the:

- A. State Active Transportation Program (ATP) Cycle 6 Grant Assistance Priorities in Attachment A; and
- B. Regional ATP Point Assignment Method as described in Attachment B.

**ISSUE**

Cycle 6 of the ATP will award \$445 million over Fiscal Years (FY) 2024-2027. Policies for the provision of grant assistance as well as the assignment of the 10 points for the Large Metropolitan Planning Organization (MPO) competition need to be balanced to advance a group of competitive projects likely to be a good fit for the Statewide ATP selection criteria. Metro seeks to give local agencies an effective incentive to pursue projects that implement Metro plans and policies, ultimately maximizing the amount of funds awarded to Los Angeles County to invest in ATP projects.

**BACKGROUND**

The ATP is a competitive funding program created by Senate Bill 99 and Assembly Bill 101 in 2013 to encourage increased use of active modes of transportation such as bicycling and walking. The California Transportation Commission (CTC) administers the ATP in sequential Statewide, Small Urban and Rural, and Large MPO Competitions. All Los Angeles County candidate projects not awarded funding through the Statewide Competition, which allocates 50% of available funding, are then considered solely in the Large MPO Competition, which allocates 40% of available funding. For the Large MPO Competition, Senate Bill 99 requires the Southern California Association of Governments (SCAG) to select projects in consultation with its member counties, which is accomplished by Metro's assignment of up to 10 points to be added to each project's Statewide Competition score. The CTC has administered five ATP cycles to date, awarding approximately \$585 million for Los Angeles County projects between Statewide and Large MPO Competitions combined.

## **DISCUSSION**

As the ATP is a rigorous and competitive program, Metro has provided grant-writing services to Metro project managers and local agencies for the past five cycles to support the development of strong applications that increase the likelihood of Los Angeles County's collective success. Of the \$585 million awarded to Los Angeles County, \$308 million, or 53% was awarded to Metro-assisted applications. Cycle 6 represents an opportunity to continue and fine-tune priorities and policies to incentivize the delivery of projects that align with ATP criteria and priorities, as well as Metro plans and priorities.

### **Grant Assistance Priorities**

For ATP Cycle 6 Metro staff proposes to continue applying the framework approved by the Board in October 2019 (File ID 2019-0671) with a few modifications to ensure the selection of projects are likely to fit well with the state ATP selection criteria and contribute to the implementation of Metro plans and priorities. The existing framework calls for the following:

- 75% of overall grant assistance to be directed to first/last mile projects sponsored by Metro and other local jurisdictions
- 25% of overall grant assistance to be directed to other state ATP-eligible projects including but not limited to Call for Projects, LA River Path, Rail to River, Regional Bike Share, and the I-710 Active Transportation Corridor - each of which helps implement the Metro Active Transportation Strategic Plan
- The use of the following prioritization protocol if requests for grant writing assistance exceed available resources:
  - Priority will first be assigned to project sponsors that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application.
  - Second priority will be assigned to projects sponsors that are in compliance with Metro's Complete Streets Policy (e.g. have an adopted Complete Streets Policy, an adopted City/County Resolution supporting Complete Streets, or an adopted General Plan consistent with the California Complete Streets Act of 2008).

Last cycle, Metro staff introduced a community engagement screening as part of the grant assistance project selection process. The purpose was to assess the extent and quality of community outreach performed in support of the project. Metro staff will continue this assessment as part of the grant assistance project selection process.

For ATP Cycle 6, some degree of modification is needed to the existing framework priorities to reflect updated Metro Board priorities and strengthen implementation of Metro's Complete Streets Policy. The changes are as follows:

- Metro Equity Focus Communities. If requests for grant writing assistance exceed available

resources, priority will first be assigned to projects located within Metro Equity Focus Communities (EFCs), as defined in the Long Range Transportation Plan. This proposed change will shift the focus of the grant assistance selection process from the technical abilities of local jurisdictions to the potential for projects to serve high-need, low-resourced communities. Using the EFCs will ensure that the process to select projects for grant assistance is informed by a tool developed with equitable outcomes in mind, therefore directing resources to projects that can help increase access to opportunity in EFCs. The current first priority - that project sponsors can demonstrate resource/technical limitations - will now become the second priority, applicable only if requests for grant writing assistance for projects within EFCs exceed available grant assistance resources.

- Compliance with Metro's Complete Streets Policy. Compliance with Metro's Complete Streets Policy of 2014 will be required of all local agencies seeking Metro grant assistance. For the previous cycle of grant assistance, the intent of including compliance with Metro's Complete Streets Policy as the second priority rather than a requirement was to: 1) signal to local agencies that the Complete Streets policy that applies to the Call for Projects and other Metro funding opportunities would also apply to Metro grant assistance for the ATP, and 2) allow local agencies without Complete Streets policies or qualifying documents time to come into compliance and remain eligible for Metro grant assistance in the future. Metro staff hold an annual Complete Streets Policy training opportunity to assist local agencies that are non-compliant. Metro staff also make themselves available for individual meetings with local agencies to provide maximum scheduling flexibility. At this time Metro has provided local agencies with sufficient time and resources to come into compliance, resulting in a nearly two-thirds compliance rate for local jurisdictions. Requiring compliance with Metro's Complete Streets Policy will continue to allow many agencies the opportunity to be considered for Metro grant assistance and create an incentive for them to come into compliance.
- Potential Project Impacts. Staff proposes to improve the evaluation process for grant assistance project selection by considering a project's potential benefits, harms, and mitigations. As part of the existing application process for grant assistance, local agencies are asked to describe expected project benefits, particularly for projects located in Disadvantaged Communities as defined by the ATP. Requesting applicants to also describe potential project harms and mitigations will encourage them to fully consider how a proposed project will impact the local community.

The proposed updated policy is in Attachment A, Grant Assistance Priorities.

### Point Assignment Policy

Senate Bill 99 requires SCAG to select projects in consultation with its member counties. SCAG accomplishes this requirement by combining up to 20 points assigned by member counties with up to 100 points from the Statewide Competition score for each ATP project application to generate an updated project score. Each member county receives a population-based share of SCAG's MPO Competition funds and determines how projects are funded through adoption of a point assignment methodology. For Los Angeles County, Metro elects to use a methodology that is based on only 10 points in order to maintain a balance between state and Metro priorities.

The existing point assignment method provides up to three out of 10 points to projects that are located within Disadvantaged Communities, as defined by the ATP. Staff proposes to assign these three points to projects that are located within EFCs instead. Staff at this time do not propose any changes to the methodology for assigning the other seven out of 10 points, which are assigned based on consistency with local and regional plans, demonstration of community engagement, and implementation of first/last mile improvements.

The proposed updated policy is in Attachment B, Point Assignment Method.

### **DETERMINATION OF SAFETY IMPACT**

The recommendations in this report will provide policies to facilitate the seeking of funds to improve safety, comfort, and convenience to the 75 to 88 percent of Metro customers accessing major transit facilities via active transportation.

### **FINANCIAL IMPACT**

#### **Impact to Budget**

Approving the staff recommendations will have no impact on the FY 2022 Budget. Funds for grant assistance have already been budgeted in the FY 2022 Budget for Cost Center 4420 under Project 405510, Task 05.05.01. Funds obtained for first/last mile projects will offset the need for resources to implement the Countywide First/Last Mile Priority Network.

### **EQUITY PLATFORM**

Overall, the changes to the ATP Grant Assistance Priorities Framework and 10 Point Policy seek to build upon and refine the ways the existing policies prioritize equity in the selection of projects for technical assistance and ATP funds from the MPO Competition.

By prioritizing and giving preferential points for projects located within EFCs, the policies aim to direct resources to projects that will improve safety for people walking, rolling, and riding transit; improve/create alternatives to driving; and support improved health outcomes in high-need communities. Further, by utilizing the countywide EFC definition, rather than the statewide DAC ranking, high-need communities will be more accurately captured within Los Angeles County. By requiring Complete Streets compliance, the policies aim to encourage local agencies to adopt policies that will set the stage for future actions that consider the mobility of all users of the road, including those who walk or roll.

However, Metro staff recognizes that active transportation projects are not always inclusively planned and implemented in EFCs, sometimes leading to stakeholder concerns about the project. The implication is that although the policies prioritize projects located in EFCs, the projects themselves may not have been developed or ultimately implemented in ways that center equity or community voice. To mitigate the potential for harm, Metro staff will require that grant assistance applicants provide documentation of past or planned community engagement and potential project impacts to

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the community. Metro staff also recognizes that not all jurisdictions are currently in compliance with the Complete Streets Policy, and some non-compliant jurisdictions may include EFCs. The implication is that projects from those jurisdictions will be barred from receiving grant assistance and additional points from the MPO Competition. To mitigate the potential for harm, Metro staff will identify non-compliant jurisdictions that include EFCs and provide targeted support and resources to help them come into compliance. This will be similar to the way Metro staff targeted non-compliant cities for training during ATP Cycle 5 so that they could come into compliance and be eligible for points from the MPO Competition. Metro staff regularly provides updates on the ATP to the Metro Technical Advisory Committee and Streets and Freeways Subcommittee, and through this process, introduced these ATP policy changes. Additionally, Metro staff developed these policies with an eye toward creating consistency with other Metro programs and state ATP requirements that were developed through series of public community meetings.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This report seeks approval of policies that will support Vision 2028 Goal 1, Initiative 1.1: To expand the transportation network and increase mobility for all users, Metro will target infrastructure and service investments toward those with the greatest mobility needs. The proposed policies incorporate equity platform practices into decision-making that will help direct active transportation investments to communities with the highest needs.

### **ALTERNATIVES CONSIDERED**

The Board could elect not to adopt a grant assistance framework for Cycle 6. Staff does not recommend this alternative, as policies would default to Cycle 5 policies which do not include a requirement for Complete Streets Policy compliance, nor priority for projects located within EFCs. The Board could elect not to adopt the Point Assignment Method at this time. Metro staff does not recommend this alternative as the policy should be adopted timely to allow Los Angeles County project sponsors time to identify and develop projects for the ATP with Metro point assignment policies in mind.

### **NEXT STEPS**

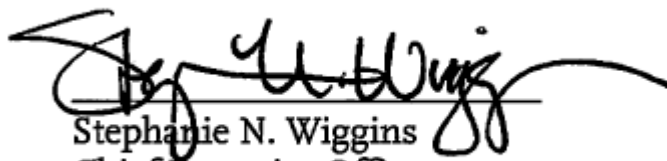
Upon approval, staff will release a solicitation for Letters of Interest for grant assistance. Metro staff will select grant assistance recipients by February 2022 and the grant-writing process will begin in March 2022. Metro staff anticipates that ATP applications will be due to the state in summer 2022, with Statewide Competition awards adopted by the CTC in late 2022. At that time Metro staff will work with SCAG to select projects for the Large MPO Competition by assigning up to 10 points to the remaining unfunded projects according to the proposed point assignment policy. Metro staff will report back to the Board on the results of the Statewide and Large MPO Competitions.

### **ATTACHMENTS**

Attachment A - Grant Assistance Priorities  
Attachment B - Point Assignment Method

Prepared by: Shelly Quan, Senior Transportation Planner, Countywide Planning & Development, (213) 922-3075  
Patricia Chen, Senior Director, Countywide Planning & Development, (213) 922-3041  
Michael Cano, DEO, Countywide Planning & Development, (213) 418-3010  
Wil Ridder, EO, Countywide Planning & Development, (213) 922-2887  
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

### Grant Assistance Priorities

In October 2019, the Metro Board adopted the ATP Cycle 5 Priorities Framework to guide the allocation of Metro's grant-writing assistance (File ID). This existing framework calls for the following:

- 75% of overall grant assistance to be directed to first/last mile projects sponsored by Metro and other local jurisdictions
- 25% of overall grant assistance to be directed to other state ATP-eligible projects including but not limited to Call for Projects, LA River Path, Rail to River, Regional Bike Share, and the I-710 Active Transportation Corridor—each of which helps implement the Metro Active Transportation Strategic Plan
- In all cases, if requests for grant writing assistance exceed available resources, first priority will be assigned to project sponsors that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application and second priority will be assigned to project sponsors who are in compliance with Metro's Complete Streets Policy (i.e. have an adopted Complete Streets Policy, an adopted City/County Resolution supporting Complete Streets, or an adopted General Plan consistent with the California Complete Streets Act of 2008)

For ATP Cycle 5, Metro staff introduced a community engagement screening as part of the grant assistance project selection process. The purpose was to assess the extent and quality of community outreach performed in support of the project. Metro staff will continue this assessment as part of the grant assistance project selection process.

For ATP Cycle 6 Metro staff proposes to continue applying the approved framework to ensure the selection of projects which are likely to fit well with the State ATP selection criteria and contribute to implementing Metro plans and priorities. However, staff recognizes that modification is needed to reflect updated board priorities and strengthen implementation of Metro's Complete Streets Policy of 2014. The modifications proposed are as follows:

- Since ATP Cycle 5, the Metro Board adopted the Equity Focus Communities (EFCs) as a tool to help identify high-need, low-resourced communities. Metro staff proposes using EFCs as a first prioritization tool and making the current Cycle 5 priority method of evaluating the resource/technical limitations of local jurisdictions as the second priority. This change will shift the focus of the grant assistance selection process from local jurisdictions' staff/technical abilities to potential for projects to serve high-need communities. Using the EFCs will ensure that the process to select projects for grant assistance is informed by a tool developed with equitable outcomes in mind and will direct resources to projects that can help increase access to opportunity in high-need communities.

- The Metro Complete Streets Policy of 2014 requires that cities and the County of Los Angeles have an adopted local Complete Streets policy, an adopted City Council Resolution in support of Complete Streets, or an adopted General Plan consistent with the state's Complete Streets Act of 2008 in order to apply for Metro capital grant funding programs. Metro staff proposes to elevate Complete Streets compliance from a secondary priority to a requirement for grant assistance consideration. At the time the Board adopted the Grant Assistance Priorities Framework for ATP Cycle 5, staff stated the intent to make compliance with Metro's Complete Streets Policy a requirement for ATP Cycle 6 and future cycles. Deferring the requirement until ATP Cycle 6 was intended to allow all local jurisdictions the opportunity to adopt required policies or qualify documents. Metro staff hold an annual Complete Streets Policy training opportunity to assist local agencies who are non-compliant. Metro staff also make themselves available for individual meetings with local agencies to provide maximum scheduling flexibility. Nearly two thirds of local jurisdictions are complying currently. Grant assistance can serve as an incentive for noncompliant jurisdictions to become compliant. Staff will identify noncompliant agencies and target assistance and resources to help them come into compliance.
- Active transportation projects have the potential to have positive and negative, even unintentionally, impacts on communities. Staff proposes to encourage these considerations among local agencies by integrating descriptions of a project's potential benefits, harms, and mitigations into the evaluation process for grant assistance project selection. As part of the existing application process for grant assistance, local agencies are asked to describe expected project benefits, particularly for projects located in Disadvantaged Communities as defined by the ATP. Requesting applicants to also describe potential project harms and mitigations will encourage them to fully consider how a proposed project will impact the local community.

Table 1 summarizes the proposed framework for selecting projects for grant assistance for ATP Cycle 6.



**Table 1: ATP Cycle 6 Grant Assistance Priorities**

*Requirement: Project sponsor must have an adopted Complete Streets Policy or other qualifying document in order to be considered for grant assistance.*

- 75% of overall grant assistance directed to first/last mile projects sponsored by Metro and other local jurisdictions
- 25% of overall grant assistance to other state ATP-eligible projects that help implement the Metro Active Transportation Strategic Plan
- Should requests for grant writing assistance exceed available resources, priority will first be assigned to projects located within Metro Equity Focus Communities
- Should the number of projects located within Equity Focus Communities continue to exceed available resources or resources remain for projects that are not located within Equity Focus Communities, then Metro will apply a second priority to projects that are sponsored by agencies that can clearly demonstrate resource/technical limitations that would hinder submission of a complete and competitive grant application

## **ATP Cycle 6 Point Assignment Method**

Following the Statewide Competition, applications from within large MPO areas that are not funded are considered in the MPO Competition. Senate Bill 99 requires SCAG to select projects in consultation with its member counties, and to select projects that are consistent with local and regional plans. SCAG accomplishes this by combining points assigned by Metro and the other counties along with points from the Statewide Competition score for each ATP project application.

For ATP Cycle 5, Metro staff used the following method to assign the additional 10 points to Los Angeles County projects:

- Complete Streets Compliance – required to be considered for any points
- Disadvantaged Communities – three points assigned to help ensure Metro’s scoring supports the goals of the Metro Equity Platform.
- Consistency with Local and Regional Plans – one point assigned to recognize board priorities, such as First/Last Mile, leveraging Measure M projects, board-adopted projects, Metro Active Transport Program-prioritized projects, and implementation of the Active Transportation Strategic Plan; one point assigned to ensure projects have community support and potential for successful delivery
- Bonus for First/Last Mile Strategic Plan – five bonus points assigned to projects which support the implementation of the First/Last Mile Strategic Plan and First/Last Mile Board Action 14.1 of May 2016 (File ID 2016-0442).

For ATP Cycle 6, Metro staff proposes modifying the point assignment policy to ensure the policy helps direct resources to Metro-identified high-need communities using the Equity Focus Communities (EFCs) tool. The existing policy supports the goals of the Equity Platform but uses the state’s definitions of high-need communities, Disadvantaged Communities. The Statewide Competition score which Metro augments through this point assignment policy already includes points assigned for projects that provide benefits to and/or are located within Disadvantaged Communities. Assigning three of 10 points based on location within EFCs rather than within Disadvantaged Communities will help advance Metro’s Equity Platform further and reduce duplication of points.

The proposed scoring method for ATP Cycle 6 is shown in Table 1.

<b>Table 1: ATP Cycle 6 Point Assignment Method</b>	<b>Points</b>
Project sponsor must have an adopted Complete Streets Policy or other qualifying document in order to be considered for any points.	
A. Equity Focus Communities	3
B. <ul style="list-style-type: none"> <li>a. Consistency with Local/Regional Plans – Regional Plans               <ul style="list-style-type: none"> <li>• Leverages Measure M</li> <li>• Implements the Active Transportation Strategic Plan</li> </ul> </li> <li>b. Consistency with Local/Regional Plans – project has robust community support</li> </ul>	1 and/or 1
C. Bonus for First/Last Mile	5
<b>Total (Up to)</b>	<b>10</b>