

**Metro**Los Angeles County  
Metropolitan Transportation AuthorityOne Gateway Plaza  
Los Angeles, CA 90012-2952213.922.2  
metro.net**EXECUTIVE MANAGEMENT COMMITTEE  
JANUARY 17, 2013****SUBJECT: CONSIDER GOALS AND ACTIVITIES CONTAINED IN THE  
2013 LEGISLATIVE PROGRAM****ACTION: ADOPT THE 2013 FEDERAL AND STATE LEGISLATIVE PROGRAM****RECOMMENDATION**

Adopt the proposed 2013 Federal and State Legislative Program.

**ISSUE**

The Board of Directors annually adopts a legislative program for the upcoming state legislative and federal congressional sessions, which provides guidance to staff on legislative issues and policy as a means of advancing and protecting Metro's authority and the transportation interests of Los Angeles County.

**POLICY IMPLICATIONS**

The role of the legislative program is to clearly define Metro's goals and objectives by securing necessary legislative authority, program funding and regulatory actions needed at the state and federal levels. To achieve these important goals, Government Relations staff will implement a legislative strategy of consensus building and coordination with transportation stakeholders throughout the City of Los Angeles, the additional 87 cities in the County, Los Angeles County, the State of California and with Federal officials.

**DISCUSSION**

Each year, staff prepares a legislative program for adoption by the Board. The program is developed with input from Metro's technical staff and representatives in Sacramento and Washington, D.C. This report contains the proposed 2013 Legislative Program. The program will serve as a blueprint and guide for pursuing the authority's Board approved legislative proposals and strategies.

In 2012, the agency continued to aggressively pursue our Board approved legislative priorities in Washington, DC. Among the many challenges with respect to advancing our agenda was the continued gridlock between the U.S. Senate and the U.S. House of Representatives and the legislative stalemate that generally accompanies a Presidential Election campaign.

Since 2010, at the direction of the Board of Directors, our agency began a campaign to advance legislative proposals that would address the acceleration of our transit and highway program, now known as America Fast Forward. While the 112<sup>th</sup> Congress has enacted partial legislation regarding these goals, significant progress was registered among senior officials in Congress and the Executive Branch who will be essential in the adoption of new federal financial tools to accelerate both our transit and highway programs.

During the course of the 112<sup>th</sup> Congress our agency has sought, with measured and substantial success and consistent with our Board approved Legislative Program, to expand the scale and scope of our efforts in Washington, DC. These efforts have included, but are not limited to, gaining legislative support for the America Fast Forward initiative, building a national coalition to support our America Fast Forward efforts, securing a large number of federal grants, winning support for Records of Decision for our New Starts projects and the Crenshaw/LAX Transit Corridor, effectively working with the U.S. Department of Transportation on our Project Labor Agreement, gaining approval for proceeding with our rail car procurement, building unity among the Los Angeles County Congressional Delegation on transportation issues, working to conclude a \$546 million Transportation Infrastructure Finance and Innovation Act program loan for the Crenshaw/LAX light rail line, among other initiatives.

Four of the achievements cited above are the first time the federal government has taken such actions, namely the creation of a substantial section of the innovative finance title (America Fast Forward) of America's new surface transportation bill (MAP-21); gaining Record of Decisions from the Federal Transit Administration (FTA) for three major rail projects within a twelve month period; securing FTA approval for our agency's innovative jobs program with respect to our rail procurement and lastly, securing from the FTA a letter acknowledging that our agency's approach to increasing job opportunities for low income or unemployed individuals meets federal procurement requirements.

Our America Fast Forward initiative has and continues to be discussed and debated by nearly all senior transportation policymakers in Washington, DC. This includes lawmakers and policymakers at the White House, the U.S. Senate, House of Representatives and Executive Agencies, including the Office of Management and Budget and the U.S. Department of Transportation.

In the coming 113<sup>th</sup> Congress we will be working to expand on our success by addressing the broad array of federal highway and transit programs and projects that impact our agency.

The 2012 State Legislative Session began with the continued threat of major state budget deficits. The passage of Proposition 30 provided significant relief to the State Budget specifically by preventing significant automatic cuts to education. While the Legislative Analyst has identified a smaller deficit for the Budget Year the deficit is significantly less than it would have been if Proposition 30 did not pass.

Transportation funding has been restructured over the last few years to establish a more stable funding program that is less reliant on the General Fund. However, this restructuring also required transportation to pay the debt service on transportation bonds which were previously carried by the General Fund. The overall level of funding for transportation has decreased to a point where the state is only able to fund approximately 25% of its maintenance needs and there is precious little state funding for system expansion except for the final allotments of funding from Proposition 1B. We are working closely with the California Transportation Commission (CTC), Caltrans and the Legislature to ensure that our transportation bonded projects continue to receive funding.

We will continue to develop and strategically advance our agency's Board approved State Legislative Program through maintaining support and close relationships with the Los Angeles County State Legislative Delegation, key leaders in the Senate and Assembly Transportation Committees, as well as key stakeholders including, the Governor, Caltrans, California Transportation Commission, and the newly formed California Transportation Department.

The agency regularly interacts with other transportation commissions and organizations representing transportation stakeholders throughout the region to coordinate services and regional transportation improvements. Regular interaction with these groups allows for coordinated policy development at the federal and state levels. Staff also interacts with business, labor groups, and other organizations to build support and alliances for Metro's initiatives. This effort has been enhanced through the Mobility 21 program. The Legislative Program assumes that this coordination will continue and expand during 2013.

### **ALTERNATIVES CONSIDERED**

The Board of Directors could determine that a legislative program is unnecessary for the agency. Failure to adopt a legislative program could result in being ill prepared to address the policy and legislative challenges that will arise during the coming year.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will not have an impact on safety.

### **FINANCIAL IMPACT**

A number of the proposed state and federal legislative initiatives may provide additional funding for countywide transportation programs and projects.

### **NEXT STEPS**

Government Relations staff plans to continue to sponsor briefings in Washington, D.C. and Los Angeles County for our Congressional Delegation and other key staffers on both the House and Senate Appropriations and Authorization committees. We will place an especially strong emphasis on briefings for professional staff members working

for House and Senate committees with primary responsibility for authoring a new surface transportation bill to replace MAP-21 (which expires on September 30, 2014) and advancing our plan to accelerate both our transit and highway program through our America Fast Forward initiative.

In Sacramento, Government Relations staff, upon further analysis of 2012 elections outcomes, will initiate briefings for the Gubernatorial Administration, new members of the Legislature as well as new committee staff. Government Relations staff will work with state legislators to author any legislative initiatives proposed by this program. At the federal level, Government Relations will keep in close contact with new and existing members of our Congressional delegation and key Authorizing and Appropriations staff to keep our projects at the forefront. Staff will continue to monitor and track legislative efforts sponsored by other transportation interests and inform the Board of that legislation.

Government Relations will continue to ensure that our legislative priorities and efforts are coordinated with our regional transportation partners, including Metrolink, Southern California Associations of Governments (SCAG), Municipal Operators, and Southern California County transportation commissions.

In addition, Government Relations will pursue state and federal legislative initiatives that promote the efficient and rapid delivery of Measure R projects as well as leverage Measure R funds for additional state and federal transportation resources, and to form a coalition to protect state revenues.

The 2013 State Legislative Session is due to reconvene in January. The 2013 Federal Legislative Session with both the U.S. House of Representatives and U.S. Senate scheduled to return in January 2013 for the 113<sup>th</sup> Congress.

## **ATTACHMENTS**

### **A. 2013 State and Federal Legislative Program**

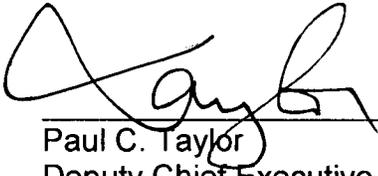
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**2013 FEDERAL LEGISLATIVE PROGRAM for the 113<sup>th</sup> CONGRESS**

**GOAL #1: WORK TO PURSUE LEGISLATIVE INITIATIVES THAT PROMOTE THE AMERICA FAST FORWARD PROGRAM**

Proposed Activities:

Seek the adoption into law of legislation and/or legislative provisions that will create an America Fast Forward Transportation Bond Program that provides a significant interest rate subsidy for worthwhile transportation projects and work to continue the expansion and enhancement of the Transportation Infrastructure Finance and Innovation Act (TIFIA) program that was made possible under MAP-21's America Fast Forward provision. The TIFIA program provides Federal credit assistance in the form of direct loans, loan guarantees and standby lines of credit to finance surface transportation projects of national and regional significance.

**GOAL #2: WORK TO ADVANCE THE REGIONAL CONNECTOR AND THE WESTSIDE EXTENSION – THROUGH THE FEDERAL NEW STARTS PROGRAM WHILE CONCURRENTLY AND CONSISTENT WITH BOARD POLICY, IDENTIFY AND SEEK NON-NEW STARTS FEDERAL FUNDING FOR THE GOLD LINE FOOTHILL EXTENSION AND CRENSHAW/LAX TRANSIT CORRIDOR.**

Proposed Activities:

Work with our Congressional Delegation, transportation leaders in the House and Senate and the U.S. Department of Transportation to secure, for the Regional Connector and the Westside Extension, Full Funding Grant Agreements. We are seeking to ensure that both projects are funded in the President's Fiscal Year 2014 Budget and detailed in the U.S. Department of Transportation's Fiscal Year 2014 New Starts Report. Parallel to this effort, we will continue to secure non-New Starts federal funding including, but not limited to, funds made available through grant opportunities (TIGER) or through a new surface transportation authorization bill.

**GOAL #3: PURSUE LEGISLATIVE PRIORITIES AS CONGRESS ACTS TO AUTHORIZE A NEW SURFACE TRANSPORTATION BILL FOLLOWING THE ANTICIPATED EXPIRATION OF MAP-21 ON SEPTEMBER 30, 2014**

Proposed Activities:

In order to increase the amount of programmatic and project funds derived by us through MAP-21, Government Relations will work to generate a set of consensus principles that would be used as a guide as members of California's Congressional Delegation and members of House and Senate authorizing committees begin consideration of a new surface transportation bill. We will continue to aggressively encourage authorizers in the House and Senate to adopt a bill that includes robust funding increases, particularly for the New Starts program, the Congestion Mitigation

and Air Quality Program, reform of the rail modernization program, a strong goods movement program, high speed rail, creative public private initiatives, and other federal programs that benefit our agency. We will continue to regularly visit Capitol Hill to encourage members of the Los Angeles County Congressional Delegation who serve on transportation authorization committees to advance our specific project and programmatic priorities. We will continue to strengthen the consensus on reauthorization principles we have generated previously with Mobility 21 stakeholders in Orange, Riverside, San Bernardino and Ventura Counties. We will continue to work cooperatively with local governments, local transit agencies, community leaders, business owners, organizations, trade associations like the American Public Transportation Association, transit rider groups, as well as with other transportation agencies throughout the United States to secure funding for transportation projects and operations in Los Angeles County in the next reauthorization bill. Work to support the inclusion of a provision in the authorization bill that would allow public transit agencies to use a portion of their federal transit funding for day-to-day operating expenses.

**GOAL #4: WORK WITH METROLINK AND REGIONAL TRANSPORTATION AGENCIES TO SUPPORT THE APPLICATION OF FEDERAL FUNDS FOR POSITIVE TRAIN CONTROL TO SIGNIFICANTLY IMPROVE THE SAFETY OF COMMUTER RAIL SERVICE IN LOS ANGELES COUNTY AND ADJOINING COUNTIES**

Proposed Activities:

Work in close cooperation with U.S. Senators Feinstein, Boxer, members of the Los Angeles County Congressional Delegation and other key stakeholders to ensure that rail safety provisions included in H.R. 2095 (which was signed into law on October 16, 2008) is aggressively implemented by the U.S. Department of Transportation.

**GOAL #5: SECURE FUNDING IN THE FY2014 TRANSPORTATION, TREASURY AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS BILL**

Proposed Activities:

Work in close coordination with officials at the U.S. Department of Transportation, Members of Congress, Board Members, California State Legislature, local officials and all other interested parties to secure Full Funding Grant Agreements for the Regional Connector and the Westside Extension;

Work to explore opportunities to secure Small Starts/Very Small Starts funding for our agency;

Continue to seek federal funding for priority highway, bus, rail and bike projects.

**GOAL #6: PURSUE, AS A TOP LEGISLATIVE PRIORITY, EFFORTS TO SECURE FEDERAL FUNDING FOR A NATIONAL FREIGHT NETWORK PROGRAM**

Proposed Activities:

Continue working with Senator Boxer and members of the Environment and Public Works (EPW) Committee and the House Transportation & Infrastructure Committee to support the creation of a fully funded federal program for goods movement projects.

Work with surrounding counties; pursue federal funding for improved freight movement from the twin Ports of Los Angeles and Long Beach to Southern California and the rest of the nation. Focus funding priority on highways of national significance, inland ports and identified freight corridor with an emphasis on congestion relief air quality improvement and safety.

**GOAL #7: SECURE POSSIBLE HOMELAND SAFETY AND SECURITY FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY.**

Proposed Activities:

Support increased funding for improved safety and security systems on Metro bus and rail facilities and Municipal Bus Operators' bus facilities. These funds are available through competitive grants issued by the U.S. Department of Homeland Security; and

Work to encourage Congress to provide robust funding for federal transportation security grants.

**GOAL #8: ADDITIONAL PRIORITIES**

Proposed Activities:

Aggressively advocate for the renewal of the alternative fuels excise tax credit.

Work to extend the commuter tax benefit to remain at \$230 per month for transit users;

Work with the Southern California Regional Transit Training Consortium on its FY2013 legislative efforts that support bus maintenance training for alternative fuel buses;

Work to ensure that the upcoming transportation authorization bill, or any other relevant legislation, continues to clarify that ferryboat miles between mainland Los Angeles and Catalina Island are counted for purposes of Los Angeles County's annual apportionment from the Section 5307 Urbanized Area Formula Program (UAFP);

Work to support legislation that would allow public transit agencies to use a portion of their federal transit funding for day-to-day operating expenses;

Work with the U.S. Department of Transportation to permit the use of federal transportation funds for noise abatement purposes (soundwalls) on highways;

Work to secure federal funds to advance Metro's bicycle program, including but not limited to, bike stations near our transit stations; and

Work with the State of California to implement policies within MAP-21.

## 2013 STATE LEGISLATIVE PROGRAM

The passage of Proposition 30 provided significant relief to the State Budget and prevented significant automatic cuts to education amongst other state services. Although a smaller deficit is projected for the Budget Year, this deficit is not as significant as past deficits and is not expected to threaten transportation funding.

The California Transportation Commission (CTC) has completed its Statewide Transportation System Needs Assessment and identified ten year total transportation needs of \$536 billion and available funding of only \$242 billion leaving a deficit of \$294 billion in transportation funding. The CTC is looking at developing potential funding options for transportation projects while acknowledging local agencies are contributing 65% of the funds available for transportation improvements in our state. The combined contribution of both State and Federal sources is barely half of the local agencies' contributions. Additionally, the state has now created a single Transportation Agency which oversees, Caltrans, the California Transportation Commission and the California High Speed Rail Commission. The new Agency Secretary has expressed a strong desire to work with local agencies and we look forward to a continued partnership with his office.

The key issues this coming year, for transportation, will be the implementation of California State High Speed Rail Project, the Federal Surface Transportation Program, the LOSSAN Corridor JPA implementation and the continued discussion of the State CEQA reform.

Additionally, transportation stakeholders in the state have begun to discuss potential new sources of funding for a sustainable transportation system. Metro State Advocacy team will also be focused on educating over a dozen new delegation members on Metro's 2013 State Legislative program and projects.

### **GOAL #1: MINIMIZE IMPACTS OF THE EXPECTED STATE BUDGET DEFICIT ON TRANSPORTATION FUNDING**

Proposed Activities:

Vigorously oppose the continued use of transportation funds to balance the State Budget;

Communicate the message that continued use of transportation funds to balance the State Budget adversely impacts our long-term ability to improve mobility in Los Angeles County;

Protect the transportation funding system established by the sales tax/gas swap legislation.

Protect Public Transportation Account revenues which have been funded by the sales tax on diesel fuel.

**GOAL #2: PURSUE LEGISLATIVE INITIATIVES AIMED AT INCREASING FUNDING FOR LOS ANGELES COUNTY TRANSPORTATION PROJECTS**

Proposed Activities:

Work with statewide partners on any efforts to implement new transportation related fees or taxes and ensure these revenues are allocated in proportion to LA County's needs and at the discretion of local agencies;

Support legislation that would enhance opportunities for Infrastructure Financing Districts or related concepts and mechanisms to fund transportation infrastructure or promote Transit-Oriented Developments;

**GOAL #3: WORK TO ENSURE IMPLEMENTATION OF METRO'S BOARD ADOPTED LRTP**

Proposed Activities:

Pursue strategies and funding opportunities to implement the Highway Program in the LRTP;

Work to secure additional funds through the STIP, SHOPP and bond funds; and

Pursue Public Private Partnerships and Design Build opportunities for projects in Metro's Long Range Transportation Plan.

**GOAL #4: SUPPORT EFFORTS TO IMPROVE SAFETY ON THE REGION'S COMMUTER RAIL SYSTEM**

Proposed Activities:

Advocate for additional state funding to increase the safety of the commuter rail system in Los Angeles County and the entire Metrolink service area;

Support additional funding for enhanced commuter rail safety, especially for automatic train stop/positive train control systems, grade separations and double tracking single track portions of Metrolink's service area;

Support actions by the Public Utilities Commission (PUC) which would allow or approve implementation of automatic train control systems.

**GOAL #5: MAXIMIZE OPPORTUNITIES FOR FUNDING LOS ANGELES COUNTY'S TRANSPORTATION PROJECTS AND PROGRAMS THROUGH IMPLEMENTATION OF PROPOSITIONS 1A AND 1B**

Proposed Activities:

Work with Caltrans and the CTC to ensure that Propositions 1A and 1B funds flow to Metro projects and support full allocation of these propositions in future budget actions;

Work with the Los Angeles County Delegation to ensure that bond implementation legislation allocates a fair share of funding to Los Angeles County; and

Support projects submitted through the CTC process.

**GOAL #6: COORDINATE WITH OUR LOCAL AND STATE PARTNERS TO INCORPORATE THE REGION'S NEEDS IN EMERGING CLIMATE CHANGE AND SUSTAINABILITY PROGRAMS**

Proposed Activities:

Monitor continued implementation of AB 32 and SB 375 (including sustainable community strategies and related initiatives/ documents);

Advocate the connection between transit operations funding, SB 375 and other state global warming policies, programs and initiatives;

Support initiatives that promote greenhouse gas emissions reduction strategies such as vehicle miles travelled reduction, active transportation, and operational efficiency best practices;

Support continued efforts to encourage smart growth and other connectivity and livability principles and their interaction with transit and highway investments while preserving authority of local agencies;

Support legislative efforts to include (programs affecting environmentally sensitive stakeholders and clean air programs) in our region, particularly with regards to regional transit planning, construction, and procurement efforts; and,

Support new initiatives that encourage the use of advanced, environmentally friendly and cost-effective strategies in the construction and retrofit of transit facilities including infrastructure related to renewable energy, low impact development, sustainable construction practices, and similar technologies.

**GOAL #7: ACTIVELY WORK WITH STATE, REGIONAL AND LOCAL TRANSPORTATION INTERESTS TO SECURE, PROTECT AND ENHANCE TRANSPORTATION FUNDING AND PROGRAMS STATEWIDE**

Proposed Activities:

Work with the Brown Administration to preserve and increase flexibility in the use of transportation funds;

Identify and pursue opportunities for additional funding for Southern California transportation projects, including, but not limited to, mechanisms to reinvigorate the State's infrastructure bank;

Support efforts to secure funding and/or obtain authority to generate additional funding for bus transit capital, operations, security needs, corridor projects, soundwalls, bike projects, Service Authority for Freeway Emergencies (SAFE), Freeway Service Patrol (FSP) and other important transportation projects and programs;

Work cooperatively with other transit agencies throughout the State, including the California Transit Association, to secure and increase funds for transportation services, projects and programs;

Support efforts to secure new funding for regional rideshare services; and

Identify and pursue opportunities for funding and to enhance authority where necessary to improve security and safety for customers, employees and property.

**GOAL #8: SUPPORT LEGISLATIVE AND REGULATORY ACTIONS THAT ENHANCE THE ABILITY TO DELIVER TRANSPORTATION PROJECTS AND SERVICES IN LOS ANGELES COUNTY**

Proposed Activities:

Support efforts to clarify the oversight responsibilities of the PUC with respect to rail transit and improve the administration of PUC regulations;

Support efforts to broaden the use of design-build and public private partnerships;

Work with the Administration, CTC and Caltrans to advocate for correction of Northern and Southern California transportation funding inequities through legislative proposals introduced in the Legislature and through administrative actions at the CTC;

Oppose legislation that would seek to restructure the Metro Board of Directors;

Oppose legislation that would preempt collective bargaining, impose benefits in collective bargaining agreements or restrict the rights of local agencies in the collective bargaining process;

Preserve our authority in regional transportation funding decisions including those granted through SB 45;

Continue to advocate for California Environmental Quality Act (CEQA) reforms for transportation projects with continued collaboration of statewide stakeholders and organizations;

Monitor and work with implementation of pension reform so that Metro is able to maintain a stable work force and ensure adequate succession planning;

Support the allocation of cap and trade revenues to transportation projects and programs.

Continue to explore legislation authorizing three position bicycle racks.

**GOAL #9: SUPPORT EFFORTS TO IMPLEMENT HIGH SPEED RAIL (HSR) IN LOS ANGELES COUNTY**

Proposed Activities:

Continue the following set of principles to guide our advocacy relating to High Speed Rail -

- a) Metro supports the California High Speed Rail Project.
- b) Metro is encouraged by the efforts to incorporate a blended corridor concept in its planning and to continue to evaluate and identify the need to connect the project to Los Angeles County.
- c) We encourage the State to make specific commitments to funding the segment connecting to Los Angeles County and to maintain this segment as a high priority in future plans.
- d) Metro supports the allocation of funding to elements of the blended corridor concept in Los Angeles County to support the ultimate completion of the High Speed Rail project.
- e) Ensure timely implementation of Proposition 1A including allocation of connectivity funds as required by law.
- f) Support actions necessary to construct the Los Angeles to Anaheim segment.

**GOAL #10: LOSSAN CORRIDOR – RETURN TO LOCAL CONTROL**

Proposed Activities:

Continue to support the implementation of the established local governance for the LOSSAN Rail Corridor.