|  |  |  |
| --- | --- | --- |
| |  | | --- | | **Tuesday, August 6, 2013 130806-2**  **In this Issue:**  **PEPRA/13C Update** | | |
| **PEPRA/13c Update**  Metro Government Relations staff are continuing to advocate for a solution to this issue. Based on yesterday’s efforts in Sacramento a number of legislative options are under discussion. We have prepared a summary of the possible solutions below. We will continue our efforts to advance a solution to this issue in the remaining weeks of the legislative session.  Metro Government Relations staff will be in Sacramento tomorrow to continue to meet the members of the Los Angeles County Legislative delegation and with Governor Brown’s Administration to advance a solution.  **PEPRA/13 Possible Legislative Solutions**  Each solution must be able to pass both houses of the State Legislature, obtain the Governor’s signature and allow the United States Department of Labor (USDOL) to certify all grants, including Full Funding Grant Agreements.  **Option 1 - Pass the Alejo bill (AB 160)**  Issue - Although the bill has the support of labor and would appear to resolve the issue with USDOL the California Department of Finance has issued an oppose letter on the bill.  **Option 2 - One year exemption from PEPRA**  Issue - A one year exemption might allow preventive maintenance funding to be allocated and might allow for a lawsuit to resolve the issue. It is not clear if USDOL would allow just preventive maintenance funds to be allocated under this proposal. The Federal Transit Administration cannot sign a Full Funding Grant Agreement based on a one year exemption because FFGA’s are multi-year agreements.  **Option 3 - Require or authorize transit agencies to negotiate the implementation of PEPRA with transit unions in compliance with Section 13c of the federal transit law.**  Issue - This option would explicitly require or authorize transit agencies to negotiate the implementation of PEPRA. Although the unions might object to the actual implementation of PEPRA, Federal laws collective bargaining requirements could still be implemented.  **Option 4 - Modified Proposition 209 language**  Issue - Proposition 209 restricted the state’s ability to consider race, sex or ethnicity in contracting and other state services. Proposition 209 included a provision that the Proposition does not prohibit taking an action which must be taken to be eligible for federal funds. The language below could be modified for this situation. Provisions similar to this exist in most transit agencies’ governing statutes and in state law for highway funding.  Article 1, Section 31 of the State Constitution  (e) Nothing in this section shall be interpreted as prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the State. |
| [Metro.net Home](http://www.metro.net/) | [Press Room](http://www.metro.net/news_info/default.htm) | [Projects & Programs](http://www.metro.net/projects_plans/default.htm) | [Meeting Agendas](http://www.metro.net/board/mtgsched.htm) | [Riding Metro](http://www.metro.net/riding_metro/default.htm) | [Metro Library](http://www.metro.net/library)  Los Angeles County Metropolitan Transportation Authority  1 Gateway Plaza  Los Angeles, California 90012-2952  Phone: 213-922-6888 Fax: 213-922-7447 |