

Revised
EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
January 15, 2004

**SUBJECT: CONSIDER GOALS AND ACTIVITIES CONTAINED IN
THE 2004 LEGISLATIVE PROGRAM**

**ACTION: ADOPT THE 2004 FEDERAL, STATE AND LOCAL LEGISLATIVE
PROGRAM**

RECOMMENDATION

Adopt the proposed 2004 Federal and State Legislative Program.

ISSUE

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

POLICY IMPLICATIONS

The role of the MTA legislative program is to fulfill the agency's goals and objectives by securing necessary legislative authority, program funding and regulatory actions needed at the local, regional, state and federal levels. To achieve these goals, Government Relations staff will implement a legislative strategy of consensus building and coordination with transportation interests throughout Los Angeles County, the State of California and with Federal officials.

OPTIONS

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

FINANCIAL IMPACT

Some of the proposed legislative initiatives may provide additional funding for countywide transportation programs and projects.

BACKGROUND

Each year, staff prepares a legislative program for adoption by the MTA Board of Directors. The program is developed with input from MTA technical staff and MTA contract lobbyists. This report contains the proposed 2004 MTA Legislative Program. The program will serve as a guide for pursuing the authority's legislative proposals and strategies.

In 2003, the MTA faced several legislative challenges. All levels of government are currently working to address the severe economic challenges resulting from the state and federal government shortfalls. This economic shortfall will likely color discussion and debate on almost every other issue facing the MTA in 2004.

In the coming year, the United States Congress and the Bush Administration will consider the MTA's FY 2005 transportation appropriations requests. Work has already commenced on the Reauthorization of the Transportation Equity Act of the 21st Century (TEA-21). A Reauthorization bill will likely be crafted, debated, and voted on this year. A major discrepancy in the amount of funding in the Administration's Reauthorization proposal and both the House and Senate versions of the bill will be the primary focus of debate. MTA staff and legislative consultants will continue to strive to ensure that all of the MTA's priorities are reflected in the Reauthorization bill.

At the state level, the Schwarzenegger Administration and the Legislature will introduce measures at the beginning of the year. There will be significant focus and debate on efforts to revive the state's economy and, protect and preserve funds allocated for transportation purposes. The second year of the 2003-2004 State Legislative session will see a continuation of the unprecedented challenges as the State Budget is expected to experience continued deficits. The State Legislature recently approved a bond measure and balanced budget amendment to be put before the voters of California. Although these measures will begin the process of balancing the state budget, the state continues to seek to utilize transportation funds to balance the budget and the Governor has proposed a Mid-Year Spending Reduction Proposal that will significantly reduce transportation funding. Additionally, in the Mid-Year Spending Reduction Proposal, the Governor is recommending to remove the statutory authority to fund projects in the Traffic Congestion Relief Program (TCRP). Protecting against the impacts of the State Budget Deficit has become the principle legislative challenge for transportation agencies statewide and the main goal of this year's MTA State Legislative Program.

Locally, the MTA will continue to work to maintain and enhance support from local governments for the goals contained within the federal and state legislative programs. Government Relations staff will continue to work with the city of Los Angeles and the other 87 cities throughout Los Angeles County on many crucial issues, providing information and developing support for transportation programs and services.

The MTA regularly interacts with other transportation commissions and organizations representing transportation interests throughout the region to coordinate services and

regional transportation improvements. Regular interaction with these groups allows for coordinated policy development at the local, state and federal levels. MTA also interacts with business and other organizations to build support and alliances for MTA initiatives. This effort has been enhanced through the Mobility 21 program. The Legislative Program assumes that this coordination will continue and expand during 2004.

NEXT STEPS

MTA has already begun the process to develop a comprehensive briefing for the Los Angeles County's Congressional Delegation and other key staffers on both the House and Senate Appropriations and Authorization committees. The MTA will continue to seek input from Members and their staff on the best strategy to achieve those goals. In Sacramento, Government Relations staff will be contacting legislators to author any legislative initiatives proposed by this program. Staff will continue to monitor and track legislative efforts sponsored by other transportation interests and inform the Board of that legislation.

The State Legislature is due to reconvene on January 5, 2004. The United States House of Representatives and the United States Senate is scheduled to reconvene on January 20, 2004 for the second session of the 108th Congress.

ATTACHMENT

Attachment A: 2003-2004 Federal and State Legislative Program

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2004 FEDERAL PROGRAM – 108th CONGRESS

PRIORITY ITEM: Continue to work with Federal officials and stakeholders to secure, without delay, a Full Funding Grant Agreement for the Eastside Light Rail Line. This effort includes close coordination with officials at the U.S. Department of Transportation, Members of Congress, California State Legislators, MTA Board Members, local officials, and all other interested parties.

GOAL #1: SECURE FUNDING IN THE FY 2005 TRANSPORTATION, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS BILL

Proposed Activities:

- FY '05 secure the following funding: \$80 million funding for East Los Angeles transit corridor light-rail project; \$10 million funding for the MTA for clean fuel buses and for bus maintenance facilities improvements and support funding for Los Angeles County Municipal Operators for similar improvements; and \$5 million of ITS funding for Universal Fare System.
- Work cooperatively with local governments, local transit agencies, community leaders, business owners, organizations, trade associations, residents and riders groups, as well as with other transportation agencies throughout the United States to secure funding for transportation projects and operations in Los Angeles County.

GOAL #2: IDENTIFY LEGISLATIVE AND FUNDING OPPORTUNITIES IN TEA-21 REAUTHORIZATION PROPOSALS

Proposed Activities:

- Continue to educate Congress on the countywide consensus proposal, which includes principles and priority projects, and resolutions from Mobility-21 for the reauthorization of TEA-21 in 2003. Distribute copies of MTA proposals to members of California's Congressional Delegation and members of House and Senate authorizing committees.
- Support the American Public Transit Association (APTA) policy positions in favor of increasing transit funding, reducing federal mandates and duplicative regulations.
- Continue to work with the Federal Transit Administration (FTA) to improve the New Starts Program by expanding the definition of mobility improvements under "Transit System User Benefits" to include greater travel speeds and travel timesavings, and to extend contract authority to New Starts projects.

- Examine opportunities for federal funding for soundwall construction under the Transportation Enhancements Program, and advocate to include ferryboat mileage in the National Transit Database (NTD) and in formulas for urbanized grants and allocations.
- Encourage and promote: (1) Coordinated land use and transportation planning that emphasizes transit-supportive land use for major transit capital investments; (2) More flexible use of federal funds for transit support and development activities; and, (3) Expanded authority for transportation agencies to preserve corridors for future transportation uses.
- Monitor any changes to 13(c) provisions or make provisions more restrictive that affect the MTA and/or member agencies.
- Continue to support the creation of a new “Small Starts” Program that would fund Bus Rapid Transit projects.
- Support legislation or rule making that exempts or waives non-profit ADA providers from Section 5333(b) requirement.
- Support legislative proposals, such as TEA-A Legacy for Users (LU), which would greatly enhance funding for freight inter-modal connectors, create a new program to fund projects of regional and national significance and funds a major National Corridor Infrastructure Improvement program. Also support effort to fund the construction of dedicated truck lanes.
- Support streamlining notification and hearing requirements for FTA transit projects.
- Support adjusting federal gasohol excise tax to level of other highway vehicle fuels.
- Continue to support expanded uses of Congestion Mitigation and Air Quality (CMAQ) program including amending current law that limits the length of time CMAQ funds could be used for such purposes and oppose efforts to modify current distribution percentages.
- Work to expand the definition of the LOSSAN Corridor from San Diego to San Luis Obispo and educate legislators on the importance of this corridor.

Other Proposals

- Work to change rules so that design-build can be used for transit projects (currently limited only to highway projects).
- Support efforts to secure funding for the completion of major highway and mass transit programs and projects in Los Angeles County.

- Support the creation of a National Rail Infrastructure Program.
- Study enabling legislation for Mid-Wilshire Subway Extension.
- Explore grant provisions and opportunities for Brownfields in or around MTA transit properties.

GOAL #3: 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 MTA bus and rail facilities and Municipal Bus Operators' bus facilities.
- Work to encourage new funding for the Department of Homeland Security grants.

2004 STATE PROGRAM

GOAL #1 OPPOSE CONTINUED EFFORTS TO BALANCE THE STATE BUDGET BY UTILIZING TRANSPORTATION FUNDS AND OPPOSE ANY EFFORT TO REPEAL FUNDING FOR PROJECTS IN THE TRAFFIC CONGESTION RELIEF PROGRAM.

- Closely monitor state budget negotiations related to the current and next budget year deficit. The MTA Legislative strategy should be guided by the following principles:
 1. Long term and immediate preservation of Proposition 42 funds including repayment of loans and suspensions.
 2. Preservation of funds for Los Angeles County transportation projects.
 3. Support for additional statewide revenues that would offset any reductions made through a suspension of Proposition 42.
 4. Support reduction of the vote threshold for passage of local sales taxes.
 5. Support for legislation or administrative actions which enhance the state's ability to support the TCRP projects; provide funding priority to projects which are in the more advanced stages of project development; limit funding to non-essential projects and advance development efforts.

Proposed Activities:

- Seek approval of legislation that will clarify that those TCRP projects that were moved into the State Transportation Improvement Program are eligible for TCRP funding when loans made from TCRP funds are repaid.

Although the State Budget will dominate the 2004 Legislative Session, the following traditional goals of the MTA Legislative Program will still be maintained. Proposed activities reflect those issues anticipated to come before the State and general principles guiding legislative actions.

GOAL #2: ACTIVELY WORK WITH STATE, REGIONAL AND LOCAL TRANSPORTATION INTERESTS TO SECURE, PROTECT AND ENHANCE TRANSPORTATION FUNDING AND PROGRAMS STATEWIDE.

Proposed Activities:

- Initiate efforts to secure funding and/or obtain authority to generate additional funding for bus transit capital, operations, security needs, corridor projects, soundwalls, SAFE, FSP, and other important transportation projects and

programs. Work cooperatively with other transit agencies throughout the state, and CTA to increase funds for transportation services, projects and programs.

- Work with the Schwarzenegger Administration, the Legislature and other transit agencies on any comprehensive workers compensation reform efforts to ensure that administrative reforms and cost saving measures are included in such proposals, whether through legislation or initiative.
- Work with the Schwarzenegger Administration to preserve and increase flexibility in the use of transportation funds.
- Work with intercity, commuter and urban passenger rail operators to support improved funding for rail rehabilitation and modernization funds.
- Support efforts of SCAG and other county transportation commissions in the region to secure new funding for regional rideshare services.
- Identify and pursue opportunities for funding and to enhance MTA's authority where necessary to improve security for MTA customers, employees and property.
- Support efforts to expand statewide a pilot program that grants a right-of-way to buses.
- Support efforts to encourage the interoperability of smart card technology.
- Support efforts to encourage smart-growth and transit-oriented development, which also preserve the authority of local agencies.
- Support efforts to clarify and the oversight responsibilities of the Public Utilities Commission with respect to rail transit and improve the administration of PUC regulations.

**GOAL #3 SUPPORT LEGISLATIVE AND REGULATORY ACTIONS
WHICH ENHANCE THE MTA'S ABILITY TO DELIVER
TRANSPORTATION SERVICES IN LOS ANGELES COUNTY.**

Proposed Activities:

- Work with Southern California delegation to monitor use of funds provided for completion of the seismic retrofit of the San Francisco Bay Bridge, and to identify and pursue opportunities for additional funding for Southern California transportation projects.

- 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 the authority of the MTA in regional transportation funding decisions.
- Protect and enhance the authority of local agencies granted through SB 45.
- Work with Governor Schwarzenegger, his Administration, the Legislature and the California Transportation Commission to support MTA initiatives and transportation issues of importance to Los Angeles County. Work with and brief leadership, the chairs and new members of legislative committees and members of the Los Angeles County delegation on transportation issues relative to Los Angeles County and the role of MTA.
- Support efforts to repeal regulations imposing strict meal and rest periods on transit operators.
- Initiate legislation to clarify that appeals from assessments in Benefit Assessment Districts may only be filed within one year of the assessment.
- Seek legislation that makes a transit provider immune from liability based on a decision on where to place a bus stop.

2004 REGIONAL AND LOCAL PROGRAM

GOAL #1: ESTABLISH AND MAINTAIN SUPPORT AND EFFECTIVE LIAISON WITH LOCAL ELECTED OFFICIALS, REGIONAL AGENCIES POLICY BOARDS AND MUNICIPAL ORGANIZATIONS TO SECURE, PROTECT AND ENHANCE TRANSPORTATION FUNDING FOR COUNTYWIDE TRANSPORTATION PROGRAMS.

Proposed Activities:

- Inform and solicit support from elected officials of the County of Los Angeles, the City of Los Angeles, the 87 cities of Los Angeles County and regional agencies regarding:
 - ◆ FY '04 - '05 Federal Transportation Appropriations
 - ◆ FY '04 and FY '05 State Transportation Appropriations including potential revenue generating proposals
 - ◆ Bus System Improvements
 - ◆ TEA-21 Reauthorization
 - ◆ Increase transit-operating funds at the state and federal levels.
- Develop effective communication, coordination and cooperation with regional agencies, all cities in Los Angeles County and other local government entities to build and maintain support, and enhance the delivery of transportation services and projects.
- Increase understanding and support about MTA programs and initiatives among local elected officials by holding semi-annual luncheons or other events for mayors, distribution of Legislative Briefs, periodic briefings for elected officials and their staff, and informal briefings and public hearings.
- Regularly meet with and develop support among key organizations for MTA transportation issues and projects including the California Contract Cities Association (CCA), League of California Cities – Los Angeles County Division, Independent Cities Association (ICA), Valley Industry & Commerce Association (VICA), Southern California Association of Governments (SCAG), Councils of Governments (COGs), Regional Transportation Agency Coalition (RTAC), Northern Corridor Cities, the Los Angeles Area Chamber of Commerce, and other chambers of commerce.
- Work closely with the City of Los Angeles and Mayor Hahn on plans regarding transportation enhancements to the Los Angeles International Airport including improved security.

