



**EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
November 18, 2004**

**SUBJECT: CONSIDER GOALS AND ACTIVITIES CONTAINED IN
THE 2005 LEGISLATIVE PROGRAM**

**ACTION: ADOPT THE 2005 FEDERAL, STATE, LOCAL AND REGIONAL
LEGISLATIVE PROGRAM**

RECOMMENDATION

Adopt the proposed 2005 Federal, State, Local and Regional Legislative Program.

ISSUE

The 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 the agency's authority and the transportation interests of Los Angeles County.

POLICY IMPLICATIONS

The role of the 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 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.

OPTIONS

The 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 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 Board of Directors. The program is developed with input from the agency's technical staff and representatives in Sacramento, California and Washington, DC. This report contains the proposed 2005 Legislative Program. The program will serve as a blueprint and guide for pursuing the authority's legislative proposals and strategies.

In 2004, the agency faced a number of critical legislative challenges. All levels of government are currently working to address the severe economic challenges resulting from federal, state and local government shortfalls. This economic shortfall will likely color discussion and debate on almost every other issue facing the agency in 2005.

In the coming year, the United States Congress and the Executive Branch will consider the agency's FY 2006 transportation appropriations requests. Work continues on the Reauthorization of the Transportation Equity Act of the 21st Century (TEA-21). A Reauthorization bill will likely be voted in 2005. A major discrepancy in the amount of funding and policies in the Administration's Reauthorization proposal and both the House and Senate versions of the bill has been the primary focus of debate. Government Relations staff and legislative consultants have and will continue to strive to ensure that all of the agency's priorities are reflected in the Reauthorization bill signed into law by the President.

At the state level, the Schwarzenegger Administration and the Legislature will introduce measures at the beginning of the year related to the State Budget, the California Performance Review and the San Francisco Bay Bridge. 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 2005-2006 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 backed by tribal gaming revenues that will begin to repay loans made from transportation funds. Although these measures will begin the process of reestablishing transportation funding, it is anticipated that the State will continue to seek to utilize transportation funds to balance the budget. Additionally, it is possible that the Governor may recommend Mid-Year Spending Reductions. 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 State Legislative Program.

Locally, the agency 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, in close coordination with other departments, 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 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 local, state and federal levels. Staff also interacts with business and other organizations to build support and alliances for the agency's initiatives. This effort has been enhanced through the Mobility 21 program. The Legislative Program assumes that this coordination will continue and expand during 2005.

NEXT STEPS

Government Relations staff has in place plans to host a comprehensive briefing in Washington, DC and Los Angeles for Los Angeles County's Congressional Delegation and other key staffers on both the House and Senate Appropriations and Authorization committees. In addition, Government Relations staff will initiate, for the first time, a comprehensive briefing in Sacramento for the many new members of the State Legislature and their staffs in addition to our own delegation. Both briefings will be held in late January or early February. As always, the staff will continue to seek input from Members and their staff on the best strategy to achieve these goals. In Sacramento, Government Relations staff will be contacting legislators to author any legislative initiatives proposed by this program. In Washington, staff will keep in close contact with members of our Congressional delegation and key Authorizing and Appropriations staff to keep agency's projects at the forefront. At Los Angeles City Hall, staff will work closely with Council offices to ensure that the agency's best interests are represented. 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 the agency's 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.

The 2005-2006 State Legislative Session is due to convene on December 6, 2004. The United States House of Representatives and the United States Senate are scheduled to reconvene on January 3, 2005 for the 109th Congress.

ATTACHMENT

Attachment A – Legislative Program

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2005 FEDERAL PROGRAM – 109th CONGRESS

PRIORITY ITEM: Continue to work in close coordination with officials at the U.S. Department of Transportation, Members of Congress, California State Legislators, Board Members, local officials, and all other interested parties to ensure appropriations funding for the Full Funding Grant Agreement for the Eastside Light Rail Line. This effort includes:

GOAL #1: SECURE FUNDING IN THE FY 2006 TRANSPORTATION, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS BILL

Proposed Activities:

- Secure \$80 million funding for Eastside Light Rail Line Full Funding Grant Agreement; \$10 million funding 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 in Intelligent Transportation Systems funding in FY06.
- Continue to seek federal funding for priority highway, bus and rail projects.

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. Continue to distribute copies of legislative proposals to members of California's Congressional Delegation and members of House and Senate authorizing committees.
- 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 to ensure that transit and highway interests are well represented.
- Continue to support expanded uses of Congestion Mitigation and Air Quality (CMAQ) program funds 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 ensure CMAQ apportionments are not diluted by changing the weighting factors assigned to non-attainment areas.
- Monitor current proposals in the Senate bill to reauthorize TEA-21 that would increase apportionments to high population density states, but excludes California due to the fact that our State's density is less than 370 persons per square mile. Our goal is to lower that threshold number to 200 persons per square mile, which would then allow California (221 persons per square mile), and a number of other states to qualify for additional federal funds under this proposed program.
- 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.
- Monitor discussion to adjust the minimum guarantee language in TEA-21 to ensure that any change provides additional federal resources for the State of California.
- 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.
- 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 agency 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 streamlining notification and hearing requirements for FTA transit 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.
- 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.

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 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.
- Work to encourage Congress to provide robust funding for federal transportation security grants to be allocated directly to local transportation agencies, thereby eliminating the need to go through the State.

GOAL #4: ADDITIONAL GOALS

- Work with the Southern California Regional Transit Training Consortium on its FY06 legislative efforts to obtain federal funds to streamline bus maintenance training for alternative fuel buses.
- Work with intercity, commuter and urban passenger rail operators to support improved funding for rail rehabilitation and modernization funds.

2005 STATE PROGRAM

Although the State Budget will dominate the 2005-2006 Legislative Session, the following traditional goals of the Legislative Program will still be maintained. Proposed activities reflect those issues anticipated to come before the State and general principles guiding legislative actions.

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 (TCRP).

Proposed Activities:

- Closely monitor state budget negotiations related to the current and next budget year deficit. The legislative strategy should be guided by the following principles:
 1. Preserve long term and immediate funds from Proposition 42 including repayment of loans and suspensions. Initiate legislation in coordination with statewide transportation interests to remove the suspension clause from Proposition 42 and replace with loan provisions applicable to the State Highway Account.
 2. Preserve funds for Los Angeles County transportation projects.
 3. Support 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 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.
 6. Maintain ability to receive repayment of funds advanced for the Metro Orange Line and the Metro Gold Line Eastside Extension.

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, 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, and California Transit Association (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 legislation and policies that enhance the efficiency of goods movement.
- 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 authority where necessary to improve security for customers, employees and property.
- 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 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 ABILITY TO DELIVER TRANSPORTATION
SERVICES IN LOS ANGELES COUNTY.**

Proposed Activities:

- Sponsor legislation that revises and streamlines current procurement processes and policies.

- Advocate for correction of northern and southern California transportation funding inequities through legislative proposals introduced in the Legislature and through administrative actions at the California Transportation Commission. Seek support from other Southern California transportation agencies for specific legislation to correct these inequities through application of the North/South Split on transportation funding programs such as the State Highway Operations Protection Program.
- Work with Southern California delegation to monitor use of funds provided for completion of the seismic retrofit of the San Francisco Bay Bridge. Oppose any effort to utilize additional statewide transportation funds to complete the Toll Bridge Seismic Retrofit Program.
- Support initiatives from the California Performance Review proposal to facilitate project delivery and infrastructure planning while not compromising the State Transportation Improvement Process and the authority of the California Transportation Commission and the county transportation commissions.
- Seek legislation to expand the flexibility of the use of Grant Anticipation Revenue Vehicle Program (GARVEE Bonds).
- 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.
- Support efforts to repeal regulations imposing strict meal and rest periods on transit operators.
- Preserve the authority of the agency 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 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 agency's role.

2005 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 in Los Angeles County and regional agencies regarding:
 - ◆ FY '06 Federal Transportation Appropriations
 - ◆ State Transportation Funding
 - ◆ Bus and Rail System Improvements
 - ◆ TEA-21 Reauthorization
- 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 agency programs and initiatives among local elected officials by holding Quarterly Legislative Briefings for Los Angeles County officials and their aides, distributing Legislative Briefs, hosting periodic briefings for elected officials and their staff on special projects, and organizing informal briefings and public hearings.
- Regularly meet with and develop support among key organizations for agency 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 and Commerce Association (VICA), Southern California Association of Governments (SCAG), Regional Transportation Agency Coalition (RTAC), Regional CEO's meeting, Northern Corridor Cities, the Los Angeles Area Chamber of Commerce, Mobility21 and other chambers of commerce.
- Work closely with the City of Los Angeles on plans regarding transportation enhancements to the Los Angeles International Airport including improved security.