



Board Report

File #: 2016-0983, **File Type:** Informational Report

Agenda Number: 42

**EXECUTIVE MANAGEMENT COMMITTEE
JANUARY 19, 2017**

SUBJECT: STATE AND FEDERAL REPORT

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE **State and Federal Legislative Report.**

DISCUSSION

**Executive Management Committee
Remarks Prepared By Raffi Haig Hamparian
Government Relations Director, Federal Affairs**

Chairman Fasana and members of the Executive Management Committee, I am pleased to provide an update on a number of federal matters of interest to our agency. This report was prepared on December 28, 2016 and will be updated, as appropriate, prior to the Executive Management Committee meeting on January 19, 2017.

Federal Grants for Fiscal Year 2017

I am pleased to share that on January 4, 2017 Metro is slated to formally celebrate the signing of a Full Funding Grant Agreement (FFGA) with the Federal Transit Administration to receive multi-year funding through the New Starts Grant Program in the amount of \$1.187 billion for the Westside Purple Line Extension Section 2. In addition to this discretionary grant award, Metro has also concluded a \$307 million TIFIA loan that is a part of the Purple Line Extension's funding package.

The FFGA for the Westside Purple Line Extension Section 2 means that the value of our total FFGA's signed recently exceeds \$3 billion - not including over \$1.8 billion in low interest federal Transportation Infrastructure Finance and Innovation Act loans we have secured from the U.S. Department of Transportation.

On another federal grant matter - the U.S. Department of Transportation recently announced a Notice of Funding Opportunity for the second round of the FASTLANE Grant Program which was created as part of the freight focused funding section of the FAST Act. Applications were due on December 15th. With the incredible work by our Planning Department, Metro submitted the following projects for

consideration: America's Global Freight Gateway: Southern California Rail Strategy, America's Global Freight Gateway: Southern California Highway Strategy, and the Interstate 5 Truck and HOV Lanes Project. Metro's Government Relations Department is and will continue to work closely with our Congressional Delegation to strongly advocate for these applications in 2017.

Federal Appropriations for Fiscal Year 2017

As Federal Fiscal Year 2016 came to a close on September 30th, Congress was unable to agree on passing a full year funding bill. On December 9, 2016, Congress approved a continuing resolution to fund the federal government at FY2016 levels until April 28, 2017.

We will be working to make sure the final federal spending bill includes \$100 million for the Regional Connector, \$100 million for Purple Line Extension (Segment 1), and \$100 million for Purple Line Extension (Section 2).

Local Hire

We are very pleased that our Board of Directors sent a letter several months ago calling on the Obama Administration - through the U.S. Department of Transportation - to make permanent their Local Hire Pilot Program.

At present, the U.S. Department of Transportation's (USDOT) Local Hire Pilot Program is slated to expire in March of 2017. Metro - through our America Fast Forward initiative - has been at the forefront of efforts to reform the USDOT's local hire rules. Specifically - in September of 2011 - our Board added the goal of reforming federal local hire rules to our existing America Fast Forward initiative. In November of 2013 Congresswoman Karen Bass introduced - after consulting with Metro - H.R. 3620 - The Local Hire Act. In December of 2014 - Congresswoman Bass was successful in embedding language in the Fiscal Year 2015 federal spending bill that permitted the use of local hire practices around the nation. The following year - in 2015 - the USDOT announced that they would be launching a Local Hire Pilot Program.

We look forward to securing a favorable reply to our Board's letter requesting that the Local Hire Pilot Program be made permanent.

New Administration and Congress

As 2017 begins - we look forward to working with the new Trump Administration and the new 115th Congress to explore innovative ways that we can work together to leverage Metro's local funds. As we did with the TIFIA program and the New Starts program - it will be our aim to smartly leverage Measure R and Measure M funds to build Metro's transit and highway capital projects.

Conclusion

I look forward to expanding on this brief report at the Executive Management Committee meeting with any new developments that occur in the days ahead.

This concludes my remarks before the committee. I would welcome the opportunity to answer any questions from you Mr. Chairman or from members of this committee.

**Executive Management Committee
Remarks Prepared By Michael Turner
Deputy Executive Officer Government Relations**

Chairman Fasana and members of the Executive Management Committee, I am pleased to provide an update on a number of state legislative matters of interest to our agency. This report was prepared on December 29, 2016 and will be updated, as appropriate, at the Executive Management Committee meeting on January 19, 2017.

California State Legislature Begins 2017-2018 Legislative Session

The California State Legislative session officially began on Monday, December 5, 2016. The first day, a number of new and re-elected members were sworn in to their offices and over 100 bills were introduced in the Senate and Assembly, collectively. Staff is reviewing all of the proposed legislation for potential impacts to Metro programs and projects and will keep the Board apprised through the legislative session as bills move through the legislative process. In a separate report, staff has prepared the annual updated State Legislative program for Board consideration for the coming year that outlines Metro's legislative priorities.

Post-election California State Legislative Changes

Following the November 2016 election, we now welcome new and re-elected members to the Los Angeles County State Senate and Assembly delegation. Members were sworn in on December 5, 2016. Of note, Democrats maintain a supermajority in both the Senate and Assembly, post-election. Governor Edmund G. Brown Jr. named U.S. Congressman Xavier Becerra (D-CA) to replace Attorney General Kamala D. Harris, who was elected to the U.S. Senate last month. The nomination, which is subject to confirmation by the California State Assembly and Senate, will be officially submitted after Attorney General Harris resigns to assume her post as California's newly elected U.S. Senator. Metro staff will continue to update the Board of Directors regarding changes in key leadership and the state Senate and Assembly delegation. The Senate and Assembly announced Committee assignments in late December.

Special Session on Transportation Funding

The legislature did not convene a meeting before the close of the 2015-2016 legislative session in Sacramento to act in special session on a transportation funding proposal. The Chairmen of both transportation policy committees have introduced new versions of their proposals under Senate Bill 1 and Assembly Bill 1. Each are continuing discussions on the elements of the newly introduced proposals and exploring the possibility of securing support in each house. Metro staff and advocacy team is actively briefing key offices on our priorities to support a robust funding package that aggressively addresses Metro's key priorities. At the close of the 2015-2016 legislative session, Metro shared a letter to the Los Angeles County State Senate and Assembly delegation that urges

the legislature to act and communicates Metro's strong support for prioritizing transit, freight and highway funding. The bills will be brought forward later in this Committee for Board consideration and will be monitored throughout the legislative process as the proposals are refined.

Conclusion

We will expand on this brief report at the Executive Management Committee meeting with any new developments that occur in the days ahead.

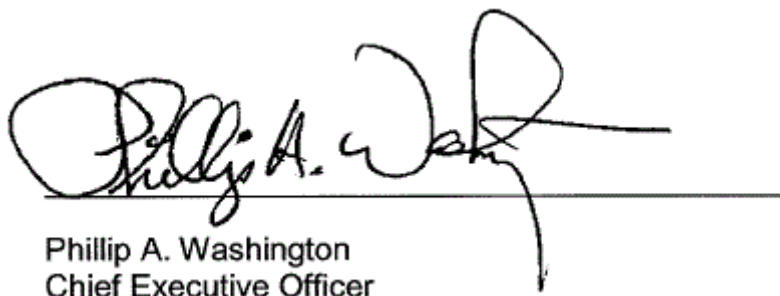
We welcome the opportunity to answer any questions from you Mr. Chairman or from other members of this committee.

ATTACHMENTS

Attachment A - January 2017 - Legislative Matrix

Prepared by: Michael Turner, DEO, Government Relations, (213) 922-2122
Raffi Hamparian, Director, Government Relations, (213) 922-3769

Reviewed by: Pauletta Tonilas, Chief Communications Officer, (213) 922-3777



Phillip A. Washington
Chief Executive Officer

Los Angeles County Metropolitan Transportation Authority (Metro)
State and Federal Legislative Matrix
JANUARY 2017
Metro Government Relations

STATE LEGISLATION

Bill ID/Topic	Location	Summary	Position
AB 1 Frazier D Transportation funding.	12/5/2016-A. PRINT 12/6/2016-From printer. May be heard in committee January 5.	Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.	
AB 17 Holden D Transit Pass Program: free or reduced-fare transit passes.	12/5/2016-A. PRINT 12/6/2016-From printer. May be heard in committee January 5.	Would create the Transit Pass Program to be administered by the Department of Transportation. The bill would require the Controller of the State of California to allocate moneys made available for the program, upon appropriation by the Legislature, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students.	
AB 28 Frazier D Caltrans: NEPA Delegation Authority	12/5/2016 – A. PRINT 12/06/16 From printer. May be heard in committee January 5.	Existing law gives the Department of Transportation full possession and control of the state highway system. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law, until January 1, 2017, provided that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would reinstate the operation of the latter provision. This bill would declare that it is to take effect immediately as an urgency statute.	

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AB 46 Cooper D Employers: wage discrimination.	12/5/2016-A. PRINT 12/6/2016-From printer. May be heard in committee January 5.	Under current law, an employer or other person who violates or causes a violation of that prohibition, or who reduces the wages of any employee in order to comply with that prohibition, is guilty of a misdemeanor. This bill would define "employer" for those purposes to include public and private employers. The bill would specify that a public employer is not subject to the misdemeanor provision.	
AB 52 Cooper D Public employees: orientation and informational programs: exclusive representatives.	12/5/2016-A. PRINT 12/6/2016-From printer. May be heard in committee January 5.	Current law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, as well as provisions commonly referred to as the Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. This bill would require the public employers regulated by the acts described above to provide all employees an orientation. The bill would also require these public employers to permit the exclusive representative, if applicable, to participate.	
SB 1 Beall D Transportation funding.	12/5/2016-S. RLS. 12/6/2016-From printer. May be acted upon on or after January 5.	Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.	
SB 20 Hill D Vehicles: buses: seatbelts.	12/5/2016-S. RLS. 12/6/2016-From printer. May be acted upon on or after January 5.	Current law prohibits a person from operating a motor vehicle on a highway unless that person and all passengers 16 years of age or over are properly restrained by a safety belt. Existing law makes the violation of this provision an infraction. This bill would also require a passenger in a bus that is equipped with safety belts to be properly restrained by a safety belt. The bill would also require a bus operator to inform passengers of the requirement to wear a seatbelt and would authorize a bus driver to post, or allow to be posted, signs or placards informing passengers of the requirement to wear a seatbelt, as specified.	

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SB 21 Hill D Law enforcement agencies: surveillance: policies.	12/5/2016-S. RLS. 12/6/2016-From printer. May be acted upon on or after January 5.	Would, beginning July 1, 2018, require each law enforcement agency, as defined, to submit to its governing body at a noticed hearing, open to the public, a proposed plan for the use of all surveillance technology and the information collected, as specified. The bill would require that the law enforcement agency submit an amendment to the surveillance plan, pursuant to the same open meeting requirements, for each new type of surveillance technology sought to be used. This bill contains other related provisions and other existing laws.	
SB 22 Hill D Firearms: law enforcement agencies: agency firearm accounting.	12/5/2016-S. RLS. 12/6/2016-From printer. May be acted upon on or after January 5.	Would require a law enforcement agency, as defined, to adopt a written procedure to account for firearms that are owned, acquired, maintained, sold, loaned, lost, stolen, or in any way possessed by that agency or by an employee of that agency if used or carried for purposes of carrying out the official duties of his or her employment, as specified. The bill would require that the acquisition of firearms by an agency employee for use within the course of his or her employment be entered into the AFS, and would require that a record of firearms that are lost, stolen, or otherwise disposed of be entered into the AFS.	
SB 53 Hueso D Natural gas vehicles.	12/5/2016-S. RLS. 12/6/2016-From printer. May be acted upon on or after January 5.	Current federal law authorizes a vehicle operated by an engine fueled primarily by natural gas to exceed these weight limits, up to a specified maximum, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. This bill would authorize a vehicle operated by an engine fueled primarily by natural gas to exceed these weight limits, up to a specified maximum, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system.	
SB 54 De León D Law enforcement: sharing data.	12/5/2016-S. RLS. 12/6/2016-From printer. May be acted upon on or after January 5.	Current law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters. This bill would repeal those provisions. This bill contains other related provisions and other current laws.	

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FEDERAL		
BILL/AUTHOR	DESCRIPTION	STATUS
H.R. 3620 Bass D	Would permit transportation agencies to consider the hiring of local workers in the evaluation of bids and proposals for highway and transit projects where federal funds are being used.	January 2014 – SUPPORT Referred to House Transportation and Infrastructure Subcommittees on Highways and Transit and Railroads, Pipelines, and Hazardous Materials
H.R. 680 Blumenauer D	Would gradually increase the federal gas tax by 15-cents, index the gas tax to inflation and seek to replace the federal gas tax with a more stable alternative by 2024. <i>Board previously supported HR 3636 bill last session.</i>	May 2015 – SUPPORT Referred to the House Committees on Ways and Means and House Transportation and Infrastructure

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<p>H.R. 935 Hahn D-CA</p>	<p>Would direct 5% of all import duties collected by Customs and Border Protection (CBP) at Ports of Entry to be spent on freight transportation through the creation of the National Freight Network Trust Fund.</p> <p><i>Board previously supported HR 5101 bill last session.</i></p>	<p>May 2015 – SUPPORT WORK WITH AUTHOR</p> <p>Subcommittee on Rail, House Transportation and Infrastructure Committee</p> <p>House Ways and Means Committee</p>
<p>H.R. 990 King R-NY</p>	<p>Would authorize and bring parity between the parking and transit commuter tax benefits available for employees, including cash payments from employers, to the level of \$235 per month. The legislation also includes a tax benefit for bicycle commuters in the amount of \$35 per month.</p>	<p>May 2015 – SUPPORT</p> <p>House Ways and Means Committee</p>
<p>H.R. 1308 Lowenthal D-CA</p>	<p>Would establish a Freight Transportation Infrastructure Trust Fund and create a freight specific formula and competitive grant program for multimodal projects.</p> <p><i>Board previously supported HR 5624 bill last session.</i></p>	<p>May 2015 – SUPPORT WORK WITH AUTHOR</p> <p>Subcommittee on Water, House Transportation and Infrastructure Committee</p> <p>House Ways and Means Committee</p>

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<p>H.R. 1461 Massie R-KY</p>	<p>Would end the longstanding practice of the mass transit account receiving funding through the Highway Trust Fund. Additionally, it repeals the Transportation</p>	<p>May 2015 – OPPOSE</p> <p>House Transportation and Infrastructure Committee</p> <p>House Ways and Means Committee</p>
<p>H.R. 1551 Sanford R-SC</p>	<p>Would phase out the Mass Transit Account from receiving any funding through the Highway Trust Fund by incrementally decreasing funding from 2016-2020.</p>	<p>May 2015 – OPPOSE</p> <p>House Ways and Means Committee</p>

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<p>H.R. 2485 Torres D-CA</p>	<p>The Regional Infrastructure Accelerator Act of 2015 would, if enacted into federal law, create a two-tiered grant program aimed at increasing private investment in public infrastructure projects. The legislation seeks to establish and fund regional infrastructure accelerator organizations to provide regional analysis of potential Public-Private Partnership (P3) Infrastructure projects. The regional accelerators would then have the ability to provide technical expertise and funding to states, cities and public entities for pre-development activities on a potential P3 project. This legislation authorizes, subject to appropriations, funding in the amount of \$25 million for the two-tiered grant program outlined in the Regional Infrastructure Accelerator Act of 2015.</p>	<p>June 2015 – SUPPORT 5/21/15 Subcommittee on Water Resources and Environment for House Transportation and Infrastructure Committee</p>
<p>H.R. 2495 Waters D-CA</p>	<p>The TIGER Grants for Job Creation Act would, if enacted into federal law, provide an emergency supplemental appropriation of \$7.5 billion over the next 6 years for the Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program.</p>	<p>June 2015 – SUPPORT 5/21/15 House Appropriation and Budget Committees</p>
<p>H.R. 2410 DeFazio D-OR</p>	<p>The GROW America Act would, if enacted into federal law, authorize a six-year \$478 billion surface transportation bill. H.R. 2410 represents President Obama’s surface transportation bill that his Administration has transmitted to Congress through his Fiscal Year 2016 Budget. The authorized funding level of \$478 billion in the bill is the same funding figure that the U.S. Department of Transportation has determined is needed to assist in funding our nation’s state-of-good-repair backlog maintenance as well as continue to invest in new transportation projects required to properly address America’s future population growth.</p> <p>Co-sponsors of H.R. 2410 from the Los Angeles Congressional Delegation include Congresswoman Grace Napolitano (D-32) and Congresswoman Julia Brownley (D-26).</p>	<p>June 2015 - SUPPORT</p>

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H.R. 4343	H.R. 4343 (Blumenauer) – The Bikeshare Transit Act of 2016 would, if enacted into federal law, clarify the definition of bikeshare projects that qualify as an “associated transit improvement” under Title 49 of U.S. Code, add bikeshare projects to the definition of “capital project” under Title 49 of U.S. Code, and make bikeshare projects eligible for funding under the Congestion Mitigation and Air Quality Improvement Program (CMAQ) under Title 23 of U.S. Code. The legislation seeks to add bikeshare projects to the formal definition of transit projects as well as make clear to states that administer Federal Highway Administration funding that bikeshare is eligible to receive federal funding.	MARCH 2016 - SUPPORT
S. 650 Blunt R-MO	Extends the national deadline by five years to implement PTC, from December 31, 2015 to December 31, 2020. Two one year extensions beyond 2020 are included in the legislation, but the extensions are at the discretion of the Secretary of the U.S. Department of Transportation.	MAY 2015 – OPPOSE Senate Commerce, Science and Transportation Committee
S. 797 Booker D-NJ	Amends the Railroad Rehabilitation and Improvement Financing Program (RRIF) to expand the eligibility for financing transit oriented development.	May 2015 – SUPPORT WORK WITH AUTHOR Senate Commerce, Science and Transportation Committee

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S. 880 (Schatz-D-HI)	Amends the TIFIA program, as authorized in MAP-21, to include TOD as an eligible expense to finance through the TIFIA program.	May 2015- SUPPORT Senate Environment and Public Works Committee
S. 1006 (Feinstein-D-CA)	Extend the national deadline to implement Positive Train Control by one year	MAY 2015 – SUPPORT Senate Commerce, Science and Transportation Committee
Omnibus Appropriations Bill For Fiscal Year 2016	An omnibus appropriations bill that keeps all federal programs, agencies, and services funded until September 30, 2016.	Signed into law by President Obama, December 18, 2015
HR 22 (formerly known as the DRIVE Act) Fixing America’s Surface Transportation Act (FAST Act)	Fixing America’s Surface Transportation Act (FAST Act), the long-term surface transportation authorization bill authorizes approximately \$305 billion for Highway, Transit and Railroad programs over 5 years (\$61 billion per year).	Signed into law by President Obama, December 4, 2015

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