



Board Report

File #: 2016-0269, **File Type:** Federal Legislation / State Legislation (Position)

Agenda Number: 37

REVISED
EXECUTIVE MANAGEMENT COMMITTEE
APRIL 14, 2016

SUBJECT: STATE LEGISLATION

**ACTION: ADOPT STAFF RECOMMENDED POSITIONS
RECOMMENDATION**

ADOPT staff recommended positions:

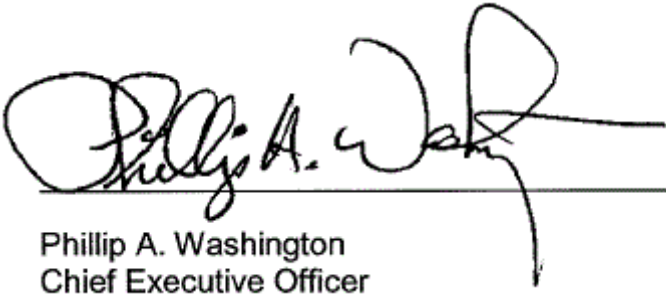
- A. AB 1595 (Campos) - Human Trafficking Training Requirements SUPPORT**
- B. AB 2222 (Holden) - Transit Passes ~~SUPPORT IF AMENDED~~**
- C. AB 2742 (Nazarian) - Public Private Partnerships SUPPORT**
- D. SB 824 (Beall) - Low Carbon Transit Operations Program SUPPORT**
- E. SB 951 (McGuire) - Golden State Patriot Pass Program SUPPORT**

ATTACHMENTS

- Attachment A - AB 1595 (Campos) Legislative Analysis
- Attachment B - AB 2222 (Holden) Legislative Analysis
- Attachment C - AB 2472 (Nazarian) Legislative Analysis
- Attachment D - SB 824 (Beall) Legislative Analysis
- Attachment E - SB 951 (McGuire) Legislative Analysis

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Phillip A. Washington
Chief Executive Officer

BILL: AB 1595

AUTHOR: ASSEMBLYMEMBER NORA CAMPOS
(D-SAN JOSE)

SUBJECT: EMPLOYMENT: HUMAN TRAFFICKING TRAINING – MASS TRANSIT
EMPLOYERS

STATUS: ASSEMBLY LABOR AND EMPLOYMENT COMMITTEE
HEARING SCHEDULED: APRIL 6, 2016

ACTION: SUPPORT

RECOMMENDATION

Staff recommends that the Board adopt a SUPPORT position on AB 1595 (Campos).

ISSUE

Assemblymember Nora Campos has introduced AB 1595, a bill that would establish a mandatory human trafficking awareness training program requirement for public and private mass transportation employers.

AB 1595 would require employers that provide mass transportation services to:

- Provide human trafficking awareness training for employees to recognize the signs of human trafficking and report incidents to the appropriate law enforcement agency.

The bill would also require that the Department of Justice:

- Develop guidelines for the training, including, but not limited to guidance on how to report human trafficking.

DISCUSSION

Human trafficking is an issue that seriously impacts the state of California, with the highest number of cases reported in the state as compared to other states across the nation. Assemblymember Campos has introduced this bill with the goal of providing specialized training that can have an immediate impact on transportation service providers and their employees by increasing the awareness and timely reporting of human trafficking.

In 2015, Metro took a proactive approach and created a training program for all employees and has partnered with the LA Sherriff's Department to deploy a specialized response team in cases of human trafficking. Metro has also designed and deployed a targeted advertising campaign to educate patrons on recognizing the signs of human trafficking through advertising space on buses and trains and by providing informational resources.

Metro's Talent Development department began Human Trafficking training for all Metro employees in July 2015. The training is mandatory for all Metro employees and is delivered via

an online learning module. The online training requires employees to take a quiz and achieve a passing score to receive completion status. Employees have the ability to access the training module for refresher learning at any time after completion.

According to Talent Development, as of March 30, 2016, Metro as an agency has a 74.08% success rate out of an employee population of 10,213. Outreach efforts continue to increase employee participation and increase awareness of human trafficking on the system. The agency believes it is important for each employee to be able to recognize the signs of human trafficking and work closely with the LA Sherriff's Department (LASD) to combat human trafficking.

The LASD Transit Policing Division Deputy Sherriff's are trained to identify the signs of human trafficking. If an individual is a victim of human trafficking, deputies will detain the individual and contact a specialized response team to provide assistance in each case.

Should this measure pass, staff will work with the Department of Justice to ensure that the training program that is being developed is aligned with Metro's current efforts with respect to outreach, training and response.

Staff is recommending that the Board of Directors adopt a SUPPORT position on the measure AB 1595 (Campos).

DETERMINATION OF SAFETY IMPACT

Staff has determined that there is no direct impact to safety as a result of this proposal.

FINANCIAL IMPACT

Staff has determined that there is not an immediate fiscal impact to the agency as the result of the provisions outlined in this bill.

ALTERNATIVES CONSIDERED

The Board of Directors could consider adopting an OPPOSE position on this legislation; however, this would be inconsistent with our agency's current efforts in combatting human trafficking on Metro's system.

NEXT STEPS

Should the Board decide to adopt a SUPPORT position on AB 1595, staff will communicate the Board's position to the author and work to ensure the successful passage of the measure. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

REVISED ATTACHMENT B

BILL: AB 2222

AUTHOR: ASSEMBLYMEMBER CHRIS HOLDEN
(D-PASADENA)

SUBJECT: TRANSIT PASSES

STATUS: ASSEMBLY TRANSPORTATION COMMITTEE
HEARING SCHEDULED: APRIL 11, 2016

ACTION: SUPPORT ~~IF-AMENDED~~

RECOMMENDATION

Staff recommends that the Board adopt a ~~SUPPORT IF-AMENDED~~ position on AB 2222 (Holden).

ISSUE

Assemblymember Chris Holden has introduced AB 2222, a bill that would allocate \$50 million per year in Cap and Trade funds to a new Transit Pass Program.

AB 2222 would:

- Allocate \$50 million per year for a new Transit Pass Program.
- Provide that the program be administered by Caltrans.
- Allocate funds using the State Transit Assistance Account formula.
- Specify that funds can be used to support transit passes for students at public schools, community colleges, California State Universities and the University of California.
- Require Caltrans to work with the California Air Resources Board to develop guidelines.
- Require that 50% of the funds benefit disadvantaged communities.

DISCUSSION

AB 2222 provides an opportunity to expand Metro's student transit pass program through the use of cap and trade funds. This program could help to provide additional transit passes to students, encourage the use of public transit and therefore reduce greenhouse gas emissions.

The bill creates a program that could benefit Los Angeles County students however, we would suggest that the bill be amended to provide certainty to the program, ensure that Los Angeles County receives an appropriate share and ensure that the diversity of the student population is served.

Staff is recommending that the Board of Directors adopt a ~~SUPPORT IF-AMENDED~~ position on the measure AB 2222 (Holden).

DETERMINATION OF SAFETY IMPACT

Staff has determined that there is no direct impact to safety as a result of this proposal.

FINANCIAL IMPACT

Staff has determined that there is not an immediate fiscal impact to the agency as the result of the provisions outlined in this bill.

ALTERNATIVES CONSIDERED

The Board of Directors could consider adopting an OPPOSE position on this legislation; however, this would be inconsistent with our agency's current efforts at increasing mobility throughout the region and the development of a universal student transit pass program.

NEXT STEPS

Should the Board decide to adopt a SUPPORT IF AMENDED position on AB 2222, staff will communicate the Board's position to the author and work to ensure the successful passage of ~~that the Board approved amendments are incorporated in~~ the measure. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

BILL: AB 2742

AUTHOR: ASSEMBLYMEMBER ADRIN NAZARIAN
(D-LOS ANGELES)

SUBJECT: PUBLIC PRIVATE PARTNERSHIPS SUNSET EXTENSION

STATUS: ASSEMBLY TRANSPORTATION COMMITTEE
HEARING SCHEDULED: APRIL 11, 2016

ACTION: SUPPORT

RECOMMENDATION

Staff recommends that the Board approve a SUPPORT position on AB 2742 (Nazarian) which would extend the sunset date and allow Public Private Partnership (PPP) agreements to continue to be an option for transportation infrastructure to January 1, 2030.

ISSUE

Existing law authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities for certain transportation projects until January 1, 2017. These agreements may include charging certain users of those projects tolls and user fees.

This bill would:

- Extend the sunset date for Public Private Partnership agreements and allow PPPs to continue to be an option for transportation infrastructure through January 1, 2030.
- Clarify that the Santa Clara Valley Transportation Authority is eligible to use this mechanism.

DISCUSSION

The proposed legislation would extend legislative authority and continue to provide expansion of design-build contracting authority to additional state facilities. The 2009 legislation authorized up to 15 design-build transportation projects, under prescribed circumstances. The original PPP enabling legislation authorized the California Department of Transportation (Caltrans) and local and regional transportation agencies to enter into an unlimited number of PPP agreements until January 1, 2017.

Extending this law would allow Metro to further develop its PPP program encouraging private investment and development for projects that would otherwise be difficult to build using standard design-bid-build procurement methodology.

Metro recently conducted an Industry Forum and issued a new Unsolicited Proposal Policy to both spur innovation and encourage private sector innovation in transportation. Metro has an agency-wide focus on innovation, including support of alternative delivery methods such as public private partnerships. Extending this authorizing is a key component to the success of these efforts.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed the legislation to identify any impacts to safety at Metro and have found that the measure has no negative impacts.

FINANCIAL IMPACT

There is no immediate financial impact related to Metro's support of this legislative action.

ALTERNATIVES CONSIDERED

Staff has considered adopting either an oppose or neutral position on the bill. However, an oppose position would be inconsistent with past Board positions and a neutral position would foreclose Metro's ability to enact legislation that could improve mobility in our region.

NEXT STEPS

Should the Board decide to adopt a SUPPORT position on this bill, staff will work with author to pursue successful passage of the legislation and continue to keep the Board informed as this issue is addressed throughout the legislative session.

BILL: SB 824

AUTHOR: SENATOR JIM BEALL
(D-SAN JOSE)

SUBJECT: LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)

STATUS: SENATE TRANSPORTATION AND HOUSING COMMITTEE
HEARING SCHEDULED: APRIL 12, 2016

ACTION: SUPPORT

RECOMMENDATION

Staff recommends that the Board adopt a SUPPORT position on SB 824 (Beall).

ISSUE

Senator Jim Beall, Chair of the Senate Transportation and Housing Committee, has introduced SB 824, a bill that would authorize create funding management tool for transit agencies in the Low Carbon Transportation Operations Program (LCTOP). The LCTOP was created as a formula based program to provide operating and capital assistance to transit agencies under the state's Cap and Trade program.

SB 824 would authorize local transit agencies to:

- Retain funding shares across fiscal years.
- Loan or transfer funds to other agencies.
- Reallocate funds to other projects or programs in the agency's expenditure plans
- Apply to Caltrans for a Letter of No Prejudice to allow expenditure of local funds prior to LCTOP funds being made available.

DISCUSSION

SB 824 (Beall) would implement funding management tools for the LCTOP program that would create greater flexibility for transit agencies.

The state allocates Cap and Trade funds to transit agencies for a variety of uses. The LCTOP program annually allocates 5% of these funds to transit agencies using the State Transit Assistance Account formula. Agencies must submit an expenditure plan to the state and verify that they expenditures resulted in a reduction of greenhouse gas emissions.

The tools that would be authorized by SB 824 are similar to those that were implemented for the transit funds that were allocated in Proposition 1B. The mechanisms will allow agencies to use these funds in a more flexible manner which will support a wider variety of uses for these funds. The changes to the formula program proposed in this measure would allow recipient transit agencies to more easily implement programs and complete projects that maximize GHG reduction and benefits.

California Transit Association has voiced their support for the measure.

Staff is recommending that the Board of Directors adopt a SUPPORT position on this measure.

DETERMINATION OF SAFETY IMPACT

Staff has determined that there is no direct impact to safety as a result of this proposal.

FINANCIAL IMPACT

Staff has determined that there is not an immediate fiscal impact to the agency as the result of the provisions outlined in this bill.

ALTERNATIVES CONSIDERED

Metro could consider adopting a WORK WITH AUTHOR position on this legislation; however, this would be inconsistent with our agency's effort to improve mobility in the region and to secure funding for future transportation projects.

NEXT STEPS

Should the Board decide to adopt a SUPPORT position on SB 824, staff will communicate the Board's position to the author and work to ensure its successful passage. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.

BILL: SB 951

AUTHOR: SENATOR MIKE MCGUIRE
(D-HEALDSBURG)

SUBJECT: TRANSPORTATION: GOLDEN STATE PATRIOT PASS PROGRAM

STATUS: SENATE ENVIRONMENTAL QUALITY COMMITTEE
HEARING SCHEDULED: APRIL 6, 2016

ACTION: SUPPORT

RECOMMENDATION

Staff recommends that the Board adopt a SUPPORT position on SB 951 (McGuire).

ISSUE

Senator Mike McGuire has introduced SB 951, a bill that would establish the Golden State Patriot Passes Program to provide veterans in the state of California with increased access to transit services.

SB 951 would:

- Create a pilot program funded annually through the Greenhouse Gas Reduction Fund to provide veterans with free access to transit services.
- Require Caltrans to select three transit operators to participate in the pilot program.
- Designate \$3 million annually from the Greenhouse Gas Reduction Fund for the program.
- Require the selected transit operators to provide a local match to any funds received for their participation in the program.
- Require the selected transit operators in partnership with Caltrans to report to the legislature on cost, ridership, and estimated reductions in greenhouse gas emissions.

The bill also specifies that the Golden State Patriot Passes pilot program would be funded through January 1, 2022.

DISCUSSION

According to Senator Mike McGuire, there is a dire need for greater access to services for the states 2 million military veterans. Los Angeles County, specifically, is home to over 325,000 veterans, with the number increasing annually. The Department of Veteran Affairs finds that over 30 percent of all disabled veterans aged 35-52 live in poverty nationwide, with limited access to transportation and other services. The Golden State Patriot Passes Program, as outlined by the author would provide veterans with access to transit services at no cost; with valid proof of veteran benefit status (Veterans' ID card).

SB 951 would create the Golden State Patriot Passes pilot Program that would match state funds with local dollars to provide free access to transit for all veterans in specified rural, suburban, and urban counties. Veterans would simply need to show a Veterans' ID card upon entering the transit system. The pilot program would authorize Caltrans to select three transit service providers to participate and award funds in varying amounts, based on service area and need.

Metro would be eligible to participate in this pilot program, and if selected, the Greenhouse Gas (GHG) Reduction funds would become available with a local match requirement. The bill specifies that a transit agency that serves an urban area is to be selected and awarded no more than \$2 million to implement the program. Sonoma County has implemented a similar program in 2014, and notes an increase in veteran ridership by 34 percent.

The bill successfully passed the Senate Transportation Committee with a vote of 10-0. It now moves on to the Senate Environmental Quality Committee for a vote.

Staff is recommending that the Board of Directors adopt a SUPPORT position on the measure SB 951 (McGuire).

DETERMINATION OF SAFETY IMPACT

Staff has determined that there is no direct impact to safety as a result of this proposal.

FINANCIAL IMPACT

Staff has determined that there is not an immediate fiscal impact to the agency as the result of the provisions outlined in this bill. There could be potential impacts as a result of potential funding received from the state to implement the Golden State Patriot Passes program and the local match requirements, if Metro is selected to participate in the program.

ALTERNATIVES CONSIDERED

The Board of Directors could consider adopting an OPPOSE position on this legislation; however, this would be inconsistent with our agency's efforts to increase mobility in the region and reduce GHG emissions.

NEXT STEPS

Should the Board decide to adopt a SUPPORT position on SB 951 staff will communicate the Board's position to the author and work to ensure the successful passage of the measure. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.