



Board Report

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EXECUTIVE MANAGEMENT COMMITTEE NOVEMBER 17, 2022

SUBJECT: 2023 LEGISLATIVE PROGRAM

ACTION: APPROVE STAFF RECOMMENDATIONS

RECOMMENDATION

CONSIDER:

- A. RECEIVING the State and Federal Legislative Report;
- B. ADOPTING the proposed 2023 Federal Legislative Program as outlined in Attachment A; and
- C. ADOPTING the proposed 2023 State Legislative Program as outlined in Attachment B.

ISSUE

On an annual basis, the Board of Directors adopts a legislative program for the upcoming state legislative and federal congressional sessions, which guides staff on legislative issues and policy as a means of advancing and protecting Metro's authority and the transportation interests of Los Angeles County. Pursuant to the goals outlined in the Long-Range Transportation Plan (LRTP), Equity Platform, and other board directives, we will continue to evaluate and consider long-term strategic advocacy and legislative goals for the agency as outlined in the plan. We will continue to work with the implementing departments within Metro to develop the broader objectives. We will bring to the Board authorization to pursue additional specific measures as they become sufficiently developed and ready for pursuit through legislative processes.

BACKGROUND

The role of the legislative program is to clearly define Metro's goals and objectives by securing necessary legislative authority, program funding, and regulatory actions needed at the state and federal levels. The program provides policy direction to our advocacy activities in Sacramento and Washington, DC. To achieve these important goals, Government Relations staff will implement a long-term legislative strategy of consensus building and coordination with transportation stakeholders throughout Los Angeles County, the State of California, and Federal officials. The Legislative Program directs staff to monitor and engage in several legislative and advocacy efforts. The [Government Relations Legislative Matrix <http://libraryarchives.metro.net/DB_Attachments/221031-](http://libraryarchives.metro.net/DB_Attachments/221031-)

[November%202022%20-%20LA%20Metro%20Legislative%20Matrix.pdf](#), updated and presented to the Board monthly, highlights several bills of interest to the agency.

DISCUSSION

A recap of legislative activities for the 2022 calendar year on the state and federal levels can be found below. The Federal and State Legislative goals, as outlined in attachments A and B, will inform the activities pursued by the Government Relations department for the upcoming calendar year. In addition to constant collaboration with the Board and other internal Metro departments, Government Relations will continue to ensure that our legislative priorities and efforts are also coordinated with our regional transportation partners, including Metrolink, Southern California Associations of Governments (SCAG), Municipal Operators, and Southern California County transportation commissions.

Federal Recap

In 2022, our agency continued to smartly and aggressively pursue our Board-approved federal legislative priorities in Washington, DC.

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law (P.L. 117-58). This historic legislation - overwhelmingly supported by the Los Angeles County Congressional Delegation - provides a record level of investments in roads, bridges, rail, transit, airports, ports, and waterways while helping the nation rebuild its electric grid, upgrade broadband infrastructure, improve access to safe drinking water, deploy electric vehicles and buses, improve disaster resilience, and much more.

Of particular interest to Metro, the Bipartisan Infrastructure Law significantly increased funding provided through key discretionary and formula grant programs such as Capital Investment Grants, Buses and Bus Facility Grants, Low or No Emission Bus Grants, State of Good Repair Grants, and Urbanized Area Formula Grants. Significantly, the bill also reformed federal Local Hire rules - permitting our agency to hire locally on projects funded in part or in whole by the Federal Government.

Our agency is grateful to the Biden-Harris Administration and the Los Angeles County Congressional Delegation - including our two U.S. Senators - for strongly backing the passage of the Bipartisan Infrastructure Law.

In addition to the Bipartisan Infrastructure Law, our agency was actively engaged with the Los Angeles Congressional Delegation as they considered the Inflation Reduction Act (P.L. 117-169) - which President Biden signed into law on August 16, 2022. This bill includes several key funding sources - including \$27 billion for the Greenhouse Gas Reduction Fund, and \$3 billion for the Neighborhood Access and Equity Grants, among other key provisions.

The annual appropriations process in Washington, DC, continues to be the subject of disagreement, and again Congress missed its annual September 30 deadline to pass a budget for the Fiscal Year 2023 to fund the various federal agencies and programs. While the U.S. House of Representatives approved several annual appropriations bills - including the Transportation, Housing, and Urban Development Appropriations Bill - the U.S. Senate could not approve any of their annual appropriations bills. As of the writing of this report, the Federal Government is operating on a Continuing Resolution through December 16, 2022. Metro continues to work closely with our Los Angeles County Congressional Delegation to advocate for the priorities included in the House and Senate Appropriations bills that would benefit our agency.

Lastly, Metro has worked hard in Washington, DC, to successfully advance our major transit capital projects through the Capital Investment Grant program. Staff has been engaged in advocacy with Congressional offices and the Biden-Harris Administration for each of these projects throughout 2022 - with an understanding that our number one priority project seeking a Full Funding Grant Agreement is the West Santa Ana Branch Transit Corridor Project. We are working to ensure this project secures either planning or design funding in the New Starts Report (Federal Fiscal Year 2024) that will be issued by the Federal Transit Administration early next year.

Through our efforts in Washington, DC, Metro continues to incorporate equity as a central component of our work. Metro staff has been engaged in an active dialogue with the Biden-Harris administration as they continue to roll out their Justice40 Initiative, with the goal of delivering 40 percent of the benefits from federal investments to disadvantaged communities across the United States.

Metro will continue to work closely with the Administration, the U.S. Department of Transportation, and Congress to leverage our local funding to advance transit, highway, and other effective mobility projects across Los Angeles County. The complete 2023 Federal Legislative Plan is outlined in Attachment A.

State Recap

During the 2022 State Legislative Session, the California Legislature and Governor Newsom primarily focused on continued economic recovery from the COVID-19 pandemic, inflation mitigation, high cost of living, and climate and housing issues. The legislature passed several proposals that focused on that state's climate change goals, transportation projects, workforce recovery, and funding to support efforts to end homelessness.

Metro staff continued to engage in the budget process by working with the LA County Delegation members to ensure that LA County would receive its proportionate share of transportation resources. Last December, Metro's Board of Directors issued the "Golden Opportunity Package" letter, outlining \$16.5 billion in transportation initiatives that would make a historic investment in mobility using the current budget surplus. These dollars would advance sustainability initiatives and create tens of thousands of jobs, support projects in preparation for the 2028 Olympics and Paralympic Games, and develop high-speed and commuter rail services. The Golden Opportunity Package became the centerpiece of Metro's budget advocacy throughout the budget process in 2022.

We are pleased to report that many of these recommendations were ultimately incorporated into the final budget package. For example, the final budget includes the following:

- A record one-time General Fund investment of over \$3 billion for public transit statewide.
- Record investments in zero emission vehicle funding.
- Record one-time investments in Active Transportation
- Record investments in our port infrastructure.

While these are historic one-time investments, more work needs to be done. As we progress into next year's budget process, Government Relations remains engaged in discussions with transit agencies statewide and working with our local partners to advance ongoing support for reduce fare initiatives. Governor Newsom recommended funding for reduced fare programs in his January budget proposal, but this was ultimately not incorporated into the budget the legislature adopted. The following details the budget history more specifically.

In January, Governor Gavin Newsom released his budget proposal for the upcoming fiscal year as the state faced a large budget surplus. The budget focused on five critical areas of investment: the pandemic, the climate crisis, homelessness, cost of living, and safety. The Governor's proposal included \$9.1 billion in new transportation spending, including \$2 billion for statewide transit projects and \$1.25 billion for transit projects in southern California. Also proposed was \$750 million for active transportation, \$500 million for grade separations, and \$400 million for climate adaptation related to transportation. Additionally, included in the proposal was a \$4.2 billion allocation for the High-Speed Rail Project. These funds were separate from a large proposal to increase zero-emission vehicles, including 1,700 new zero-emission transit buses. Additionally, the Budget proposed \$2.3 billion for supply chain investments, including \$1.2 billion for port, freight, and goods movement infrastructure and \$1.1 billion for other areas, including ZEV equipment and infrastructure related to the supply chain.

Governor Newsom issued the May Revision to his January Budget proposal in early May. The May Revision highlighted that the total state surplus is over \$97 billion, but the discretionary portion of that budget is approximately \$47 billion. For transportation, the Revision continued many of the same proposals included in the January budget. The proposal also included an allocation of \$750 million to support fare free transit for three months. The budget further included increases in existing programs such as cap and trade and the State Transit Assistance Account.

On June 26, 2022, the Governor and legislative leadership announced a budget deal for the next fiscal year. This year, the budget process has been unique, as the state contended with a historic surplus totaling nearly \$100 billion. The final budget deal included a four-year, \$10.8 billion transportation package that represented the most significant investment of state dollars into transportation in the state's history. The transportation budget includes \$3.65 billion for transit investments this year, with \$4 billion in transit capital funding in subsequent years. Of this \$3.65 billion, \$1.8 billion is set aside for transit projects, specifically in Southern California, administered through the Transit and Intercity Rail Capital Program. Of that amount, no less than \$900 million would be set aside for previously approved TIRCP projects that can leverage federal or local funds. Furthermore, of the \$3.65 billion, \$300 million is set aside for improvements to the Surfliner for improvements in San Diego, where the line is threatened by sea level rise. The total amount of

funding for Southern California under this proposal would be just over \$2.1 billion. A total of \$1.495 billion is set aside for projects in Northern California, with a similar \$900 million being set aside for projects that meet the same leveraging criteria. Another \$4 billion in transit capital funding will be allocated via a population formula in the out years. The funding provided in the trailer bill will allow Metro to make progress on its transit capital projects, including the pillar projects approved by the Board.

In early October, the California State Transportation Agency (CalSTA) released the draft guidelines for Cycle 6 of the Transit and Intercity Rail Capital Program (TIRCP). The draft guidelines are available for public and legislative comment until November 7, 2022. Final guidelines and a call for projects are expected on November 15. Under the proposed guidelines, the allocations for this round of funding would be announced at the end of January.

The Governor's focus on transportation and infrastructure expanded in August of this year with his appointment of former Los Angeles mayor Antonio Villaraigosa as his infrastructure advisor. On Tuesday, October 25, Metro CEO Stephanie Wiggins attended a roundtable discussion on infrastructure investments with Villaraigosa as he toured the state to hear the voices of various stakeholders across California. Metro staff look forward to engaging with the Governor's new advisor as we explore and collaborate on ways to accelerate project delivery and contain costs on our major capital projects.

In the 2022 legislative session, our advocacy efforts also focused heavily on Board-directed State Legislative Program goals and several proposals that would have impacted Metro programs. Metro's 2022 State Legislative priorities focused on sponsoring bills that would allow Metro to exercise local business preferences in competitive low-bid contracting, allow Metro to utilize job order contracting, as well as continuing to advocate for increased transportation funding for Los Angeles County.

Metro successfully advocated for the passage of three sponsored and co-sponsored measures. The advocacy efforts around each bill included stakeholder support and collaboration that helped to advance each measure. Staff would like to acknowledge the Board for its forward thinking and support of the measures. Staff would also like to note that the diligent staff support from the Diversity and Economic Opportunity Department, the Office of Equity and Race, County Counsel, and Program Management departments were integral to the success of the measures and coalition building efforts. The bills, which will become law on January 1, 2023, are summarized below:

- **Assembly Bill 2271:** Authored by Assemblymember Mike Gipson (D - Carson), this will allow Metro to exercise local small business enterprise (LSBE) preferences in competitive low-bid contracting. Specifically, local small businesses will now be eligible to receive a 5% reduction when bidding on contracts. Implementation of a small business local preference initiative is in addition to Metro's already-implemented Disadvantaged Business Enterprise (DBE), Small Business Enterprise/Disabled Veterans Business Enterprise (SBE/DVBE) programs, Medium-Size Business Enterprise (MSZ), and Small Business Prime (Set-Aside) programs. By boosting contracting opportunities for local businesses in LA County, this effort will continue to promote a stronger, more inclusive marketplace to best serve our communities and create more economic opportunities for those most in need. Metro currently has 2,238 SBE certified firms, of which 1,124 now have LSBE designations with

headquarters in Los Angeles County, that can take advantage of the new preference program.

- **Senate Bill 922:** Authored by Senator Scott Wiener (D - San Francisco), SB 922 was co-sponsored by Metro and will modify the statutory exemptions to the California Environmental Quality Act for clean transportation projects originally established by the Senator's 2020 legislation, SB 288. Without this bill, these exemptions would have expired on January 1st. Metro is working aggressively to deliver transit infrastructure projects to help Los Angeles County meet the transportation needs of the region's 10 million residents. Metro's growing network of bus rapid transit and active transportation projects will benefit from the statutory exemptions provided by SB 922. This bill will save critical time and money by extending statutory exemptions for projects that make streets safer for walking and bicycling while accelerating essential bus service in the public right-of-way. Additionally, with the enactment of the federal Bipartisan Infrastructure Investment and Jobs Act, such project streamlining will help California leverage new funding opportunities to support the state's economic recovery and curb greenhouse gas emissions.
- **Senate Bill 1161:** Authored by Senator Dave Min (D - Irvine), SB 1161 is an anti-harassment on transit bill co-sponsored by Metro and Stop AAPI Hate. SB 1161 will provide transit agencies around the state a crucial tool in the fight against street harassment by requiring the Mineta Transportation Institute at San Jose State University to develop a survey that agencies can use to collect data on harassment on their systems, which can then inform data-driven policies and programs to protect our riders.

Additionally, Metro sponsored a job order contracting bill. AB 2039 by Assemblymember Luz Rivas would have allowed Metro to utilize job order contracting as a project delivery method, similar to authority at other public agencies. Job order contracting provides a more efficient procurement process and will enable Metro to rapidly and efficiently address smaller construction projects at our properties. After enjoying broad support, the bill was pulled from consideration during a hearing in the Senate Transportation Committee in June, where it had been on the consent calendar. Metro understands that this decision was not due to the bill's merits. Staff will work to ensure that a measure authorizing job order contracting for Metro can proceed in the coming year.

Metro also formally supported AB 1919 by Assemblymember Chris Holden (D - Pasadena). This bill would have created the statewide Youth Transit Pass Pilot Program, including a flexible grant system that would distribute funds to transit agencies to implement youth transit pass programs. The bill would authorize grant funds to maintain an existing fare free program and/or partner with educational institutions. Though the bill passed the legislature, it was vetoed by the Governor due to not having any funds allocated to the measure in the budget process. Staff will continue to advocate for bills and programs in the 2023 legislative cycle that would support the implementation of a fareless system.

Metro's State Advocacy strategy continues to include a robust outreach and communications plan to inform and engage the Los Angeles County State Assembly and Senate delegation members in support of the Board-adopted Legislative program, Equity Platform, Customer Experience Plan, Zero-Emission Bus Plan, and LRTP goals. State advocacy efforts will continue to support Metro's Planning

Department policies and programs to secure discretionary and formula funding under Senate Bill 1 for Los Angeles County as administered by the CTC. Staff will also engage in discussions and advocate for state policies, and funding opportunities as the Board approves directives to implement new initiatives that would address Metro's goals to implement the Equity Platform, Fareless System Initiative, and Affordable Housing.

In addition to the above, staff will be working to address various other specific policy issues in the Legislative process, budget process, and various administrative processes in Sacramento (the entire 2023 State Legislative Program is outlined in Attachment B). These include but are not limited to the following:

- Sponsoring legislation to authorize Metro to use job-order contracting in procurements;
- Supporting legislative changes that would enhance Metro's TAP implementation and smart card system to allow for ease of access for determining eligibility for low-income riders;
- Explore and potentially sponsor legislation that would clarify provisions of state law that impact Metro's real property transactions and ground leasing for TOC developments, affordable housing, and other uses.
- Working with the California Public Utilities Commission and the California Air Resources Board to advance Metro's Zero Emission Bus Program;
- Working with the Gubernatorial Administration and key leadership in ensuring that the Governor's Executive Orders on Sustainability align with Metro's plans; and
- Supporting the allocation of cap and trade funds to Los Angeles County.

With Board approval, the 2023 State and Federal Legislative advocacy platform goals will guide Metro staff as we work with leadership in Sacramento and Washington, DC, to advance the priorities outlined by the Board and CEO to secure policy reforms and funding for the agency.

EQUITY PLATFORM

Adopting the 2023 State and Federal Legislative Program goals could positively impact moving policy forward that supports Metro's investments in Equity Focus Communities. Outlining Metro's policy priorities to leadership in Sacramento and Washington, DC, is an important tool in creating equitable transportation and economic outcomes for riders of the diverse communities of Los Angeles County. The Board's adoption of the 2023 State and Federal Legislative Program Goals authorizes Metro's staff to engage directly with the state and federal legislature members who are responsible for setting policy and funding targets for the LA county region. Legislation sponsored and supported by Metro as outlined in the Goals creates greater investment opportunities, supports a better customer experience, and accelerates project delivery in all Equity Focus Communities in LA County.

Ensuring Metro's advocacy efforts are effective and equitable requires regular assessment of equity impacts for specific measures and proposals. Staff will continue to work with partners in the office of Civil Rights, Racial Equity, and Inclusion regularly to assess equity impacts and strategically communicate Metro's commitment to equitable transportation in our advocacy efforts.

DETERMINATION OF SAFETY IMPACT

Approval of this item will not have an impact on safety.

FINANCIAL IMPACT

A number of the proposed state and federal legislative initiatives may provide additional funding for countywide transportation programs and projects.

ALTERNATIVES CONSIDERED

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

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Adopting the 2023 State and Federal Legislation Program supports Goal #4 in the Vision 2028 Strategic Plan goals, specifically Goal #4.2: Metro will help drive mobility agendas, discussions, and policies at the state, regional, and national levels.

NEXT STEPS

Government Relations staff will continue to regularly sponsor briefings in Washington, D.C., and Los Angeles County for our Congressional Delegation and other key staffers on both the House and Senate Appropriations and Authorization committees and with officials in the Biden-Harris Administration. We have and will continue to emphasize briefings for professional staff members working for House and Senate committees with primary responsibility for authorizing and appropriations bills. Metro looks forward to being an active stakeholder as the Administration moves to implement the Infrastructure Investment and Jobs Act.

In Sacramento, we will continue to develop and strategically advance our agency's Board approved State Legislative Program through maintaining support and close relationships with the Los Angeles County State Legislative Delegation, key leaders in the Senate and Assembly Transportation Committees, as well as key stakeholders, including, the Governor, Caltrans Director, California Transportation Commission, and the California State Transportation Agency.

Government Relations staff will initiate briefings for the Gubernatorial Administration, members of the Legislature as well as committee staff. We will also work with state legislators to author any legislative initiatives proposed by this program. At the federal level, Government Relations will keep in close contact with new and existing members of our Congressional delegation and key Authorizing and Appropriations staff to keep our projects at the forefront. Staff will continue to engage in strategic advocacy and legislative efforts related to several transportation issues and inform the Board of those efforts. Pursuant to the Board adopted Board Advocacy Plan, we will also work closely with the Board to utilize Board members' relationships and experience in legislative matters.

ATTACHMENTS

Attachment A - 2023 Federal Legislative Program

Attachment B - 2023 State Legislative Program

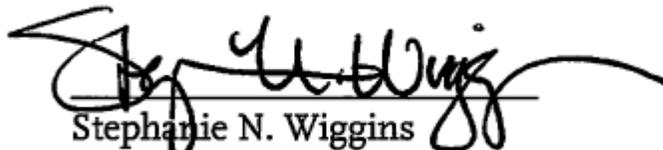
Prepared by: Michael Turner, EO, Government Relations, (213) 922-2122

Raffi Hamparian, Senior Director, Government Relations, (213) 922-3769

Maritza Romero, Senior Manager, Government Relations, (213) 922-7595

Alex Amadeo, Government Relations Officer, (213) 922-2763

Reviewed by: Nicole Englund, Chief of Staff, (213) 922-7950



Stephanie N. Wiggins
Chief Executive Officer

2023 FEDERAL LEGISLATIVE PROGRAM GOALS

GOAL #1: BUILD FEDERAL SUPPORT FOR METRO'S AMBITIOUS CAPITAL PROGRAM

Ongoing Activities:

Consistent with the Board-adopted Federal Legislative Program – Metro Government Relations aggressively and successfully worked to back Congressional efforts to increase Federal Funding for the Capital Investment Grant (CIG) Program – the primary Federal program to fund new transit capital projects. The Bipartisan Infrastructure Law signed into law by President Biden in November of 2021 effectively doubled funding for the CIG Program.

Over the last decade, our agency has been a national leader in securing federal funding through the CIG Program.

Proposed Activities:

In 2023, Metro will continue to aggressively prioritize and strongly advocate for our agency's New Starts transit capital projects to receive funding through the CIG Program – working in concert with all relevant stakeholders across Los Angeles County.

GOAL #2: CONTINUE TO ACTIVELY SUPPORT THE BIDEN-HARRIS ADMINISTRATION'S JUSTICE40 INITIATIVE – CREATING FEDERAL POLICIES THAT PROMOTE EQUITY AND BRING FEDERAL RESOURCES TO LOS ANGELES COUNTY IN SUPPORT OF EQUITABLE OUTCOME

Proposed Activity:

Continue our agency's leadership in working with the Biden-Harris Administration and the Los Angeles County Congressional Delegation to build awareness among federal policymakers about existing inequalities in our region and the potential for Metro projects and programs to provide access to opportunity. Using this equity lens, we will seek to encourage federal investments to benefit disadvantaged communities across Los Angeles County. This work will include, but not be limited to, efforts to embed Justice40 in the updated guidelines being drafted by the U.S. Department of Transportation for the CIG Program.

Maintain our positive and content rich work with the Biden-Harris administration as they continue to roll out their Justice40 Initiative, with the goal of delivering 40 percent of the benefits from federal investments to disadvantaged communities across the United States.

GOAL #3: WORK TO ADVANCE FEDERAL POLICY AND FUNDING OPPORTUNITIES IN SUPPORT OF METRO'S FARELESS SYSTEM INITIATIVE

Proposed Activities:

Continue to be a national leader in advocating for pending legislation that would establish grants in support of fare-free and reduced-fare transit programs. Previously, Metro successfully advocated for the inclusion of such funding as part of a new discretionary grant program (Affordable Housing Access Program) included in the Build Back Better Act. Staff will work with all relevant stakeholders across Los Angeles County to aggressively pursue federal funding for fare-free and reduced-fare transit services across Los Angeles County in any appropriate legislative vehicles during the upcoming 118th Congress.

GOAL #4: SECURE DISCRETIONARY GRANT FUNDING FROM MAJOR USDOT GRANT PROGRAMS

Proposed Activities:

Because federal grant and formula programs have grown demonstrably under the Bipartisan Infrastructure Law and the Inflation Reduction Act, our agency will work closely with Los Angeles County's Congressional Delegation – and other key stakeholders - to demonstrate strong support for grant applications that Metro submits to the U.S. Department of Transportation. These grant applications would be for, but not limited to, the INFRA Grant Program, RAISE Grant Program, Bus and Bus Facilities, the Low/No Grant Program and the Greenhouse Gas Reduction Fund.

GOAL #5: WORK CLOSELY WITH THE BIDEN-HARRIS ADMINISTRATION AND USDOT ON REGULATIONS AND PROPOSED RULEMAKING THAT IMPACTS METRO

Proposed Activities:

As the Biden-Harris Administration continues to implement the Bipartisan Infrastructure Law and the Inflation Reduction Act, staff will continue to work to ensure Metro's interests are well represented. This includes close coordination and submission of public comments, direct communication with agencies and agency officials, and encouraging Congressional involvement to help us accomplish our goals.

GOAL #6: WORK WITH THE U.S. DEPARTMENT OF TRANSPORTATION TO SUCCESSFULLY COORDINATE ON THE 2028 U.S. OLYMPIC AND PARALYMPIC GAMES BEING HELD IN LOS ANGELES

Proposed Activities:

Historically, the U.S. Department of Transportation has played a vital role in assisting and coordinating with regional transportation agencies to ensure enhanced mobility during Olympic and Paralympic Games held in the United States. In coordination with LA28 and other key stakeholders, Metro will work with officials at the White House and the U.S. Department of Transportation to ensure the free flow of information on the opportunity for the federal government to fund the many mobility enhancing projects being built and being planned across Los Angeles County by our agency.

GOAL #7: SEEK TO SAFEGUARD THE REFORMS TO FEDERAL LOCAL HIRE RULES THAT WERE EMBEDDED IN THE BIPARTISAN INFRASTRUCTURE LAW

Proposed Activities:

Work with the Biden-Harris Administration, Congress and other relevant stakeholders to safeguard the reforms included in the Bipartisan Infrastructure Law which permit Local Hiring. This would be done by highlighting the positive impact hiring locally is having on Metro's capital program.

GOAL #8: CONTINUE TO WORK WITH METROLINK TO SUPPORT FUNDING FOR STATE OF GOOD REPAIR AND CORE CAPACITY PROJECTS

Proposed Activities:

Work to support Metrolink's Board-approved State of Good Repair and Core Capacity project list by ensuring federal funding is applied to these important projects. Support legislation and funding programs that promote the accelerated certification of new rail vehicle technologies, prioritizing zero emission propulsion, and pilot programs which test

their viability and pursue funding opportunities to deploy such technology whenever and wherever they become available.

GOAL #9: ADVOCATE FOR POLICIES AND FUNDING TO ASSIST IN HELPING THE COUNTY REDUCE HOMELESSNESS

Proposed Activity:

Consistent with Board directives, Metro will support legislation, initiatives, and programs for additional funding, services, and resources to address the homelessness crisis, including any opportunities for direct assistance to Metro and our partner agencies.

GOAL #10: SUPPORT LEGISLATIVE ACTIONS THAT WILL IMPACT METRO'S ABILITY TO IMPLEMENT VISION 2028

Proposed Activities:

The Metro Vision 2028 Plan is the agency-wide strategic plan that creates the foundation for transforming mobility in LA County over the next 10 years. Future advocacy efforts will be guided by the Board-approval of the specific Vision 2028 activity.

Monitor legislation that would impact Metro's ability to implement the strategic goals outlined in Vision 2028, and Support legislation and initiatives that would increase Metro's ability to implement Vision 2028.

GOAL #11: WORK TO REFORM FEDERAL LAW TO PERMIT LOCAL PREFERENCE WITH RESPECT TO PROCUREMENTS

Proposed Activities:

Federal law (49 CFR § 661.21) currently prohibits the use of local procurement preferences on FTA-funded projects. In addition to this specific prohibition, the principle of federal preemption applies, whereby any provision of state/local law that contradicts a governing federal provision will be preempted by the federal provision when applicable. It is our understanding that any buy local procurement preference would violate broadly applicable Buy America requirements - which set forth a national preference instead of a local preference. The relevant USC provisions are 49 USC 5323(j) and 23 USC 313.

Given the Board's adoption of a motion regarding Local Preference on October 21, 2021, Metro Government Relations will continue to endeavor to change federal law to specifically allow buy local procurement provisions to be used alongside generally applicable Buy America provisions.

GOAL #12: CONTINUE TO WORK TO BRING A PERMANENT CENTER OF TRANSPORTATION EXCELLENCE INDUSTRIAL PARK TO LOS ANGELES COUNTY

Proposed Activities:

Work to encourage federal support for our CEO's goal of creating a Center of Transportation Excellence within Los Angeles County – which would result in having a rolling stock production facility in Los Angeles County. Our agency will, consistent with the relevant Los Angeles County Board of Supervisors resolutions, closely collaborate with Los Angeles County's CEO and their professional staff, in addition to other municipal leaders, in identifying viable locations, both short and long-term, for an industrial complex to potentially include rail and bus manufacturing plant in Los Angeles County. This complex may also include, but not be limited to, suppliers of rail and bus parts, a rail test track and a climate-controlled facility for testing purposes. As part of this work, Metro will work with the appropriate federal agencies, including but not limited to the U.S. Department of Commerce, to secure support for our Center for Transportation Excellence from funding made available through either the Bipartisan Infrastructure Law and/or the CHIPS and Science Act of 2022.

GOAL #13: ADDITIONAL PRIORITIES

Proposed Activities:

1. Work to mitigate impacts of the US Department of Labor determination regarding PEPRA in coordination with all relevant state and federal partners;
2. Per Board direction, seek to secure federal funding for a I-710 South Clean Truck Program;
3. Work to ensure that any legislation adopted by Congress and signed into law by the President concerning autonomous vehicles does not compromise safety by weakening state and local traffic laws;
4. Work with Metro's regional partners to advance career education and training programs that will ensure the needed workforce to operate and maintain our transit system is ready and available;
5. Work with the Biden Administration to avoid negative impacts as a result of the implementation of tariffs on steel and various rolling stock parts and materials;
6. Work to support funding for active transportation such as bikeshare and other first/last mile mobility solutions;
7. Work with USDOT – consistent with Board policy – to address congestion pricing opportunities with respect to potential funding and regulations;
8. Work with Congress to allow art and non-functional landscaping expenses related to transit projects to be eligible for federal funding;
9. Support legislation that would create new financial incentives to facilitate the development of affordable housing around transit;
10. Seek to ensure tax benefits and credits that are important to Metro remain in the U.S. tax code.
11. Monitor and support legislation that would authorize the cities and unincorporated areas of Los Angeles County to develop and implement strategies to reach Vision Zero goals of improving safety and eliminating traffic-related fatalities.
12. Identify, monitor, and support legislation that will advance the implementation of Metro's Street Safety, Data Sharing, and Collaboration Policy goals.

2023 STATE LEGISLATIVE PROGRAM GOALS

GOAL #1: ENSURE THE STATE CONTINUES TO SECURE, PROTECT, AND FULLY FUND THE MAJOR TRANSPORTATION PROGRAMS

Proposed Activities:

Protect Metro's key fund sources to deliver and advance equitable transportation options;

Secure proportionate share of state fund allocations under the various transportation funding programs created and expanded under the provisions of Senate Bill 1 for Los Angeles County;

Support and preserve key funding sources under Senate Bill 1;

Communicate the importance of stable transportation funding to improve mobility in Los Angeles County, foster economic development and create jobs;

Protect Public Transportation Account revenues which have been funded by the sales tax on diesel fuel;

Secure proportionate share of federal funds allocated via state mechanisms, such as CMAQ and alternative transportation programs; and

Oppose any legislation and/or statewide initiatives that would jeopardize funding or repeal key components of Senate Bill 1.

GOAL #2: SUPPORT LEGISLATIVE INITIATIVES AIMED AT INCREASING FUNDING FOR LOS ANGELES COUNTY TRANSPORTATION PROJECTS AND INITIATIVES

Proposed Activities:

Support transportation funding proposals and ensure that they are structured to support Metro's priority projects, initiatives and programs;

Work with statewide partners on any efforts to develop new transportation-related fees or taxes to fund mobility improvements in Los Angeles County;

Support legislation that authorizes, clarifies or expands the implementation of innovative funding mechanisms for regional transportation planning agencies and the County of Los Angeles;

Support legislation that protects Metro’s authority to collect dedicated local sales tax revenues and clarifies the State’s implementation of the Wayfair Decision;

Monitor the California Department of Tax and Fee Administration’s efforts to implement the Wayfair Decision; and

GOAL #3: WORK TO ENSURE IMPLEMENTATION OF METRO’S BOARD- ADOPTED LONG-RANGE TRANSPORTATION PLAN (LRTP)

Proposed Activities:

Pursue strategies and funding opportunities to implement the various modal programs in the Board-adopted LRTP;

Work to secure additional funds through the various state funding programs including but not limited to, Local Partnership Program, Active Transportation Program, Solutions for Congested Corridors Program, State Highway Maintenance and Rehabilitation Program, Transit and Intercity Rail Capital Program, Low Carbon Transit Operations Program, State Transportation Improvement Program, State Highway Operations and Preservation Program, freight corridor programs and bond funds;

Support legislation that would better position Metro to receive funding through various state programs; and

Support legislation that facilitates and/or clarifies the use of public private partnerships and other innovative project delivery mechanisms for transit projects.

GOAL #4: SUPPORT LEGISLATION, REGULATORY ACTION, AND FUNDING INITIATIVES THAT SUPPORT TRANSIT RIDERS AND ENHANCE THE CUSTOMER EXPERIENCE

Proposed Activities:

Support legislation and appropriate levels of funding from the state budget to support implementation of a fareless transit system.

Support legislation, initiatives, and programs for additional funding, services and resources to address the homelessness crisis, including any opportunities for direct assistance to Metro and our partner agencies;

Monitor legislation and funding opportunities that impact and incentivize the development of affordable and transit-adjacent housing;

Support any efforts to increase funding and expand eligibility to transit agencies to aid in the fight to end homelessness;

Support legislation that incorporates elements of Metro's transit-oriented communities strategies in regional housing planning and development;

Increase flexibility for Metro to deliver transit-supportive, community supported, and neighborhood appropriate uses;

Support legislation that would support or expand Los Angeles County's existing Commuter Benefits Programs;

Support legislation, regulation, and state budget action that support Metro's goals of eliminating disparities, meaningfully engaging communities, advancing equitable outcomes, and increasing access and mobility options for marginalized and vulnerable people;

Support legislation and explore potential funding mechanisms that would impact Metro's ability to implement the goals and objectives in studies currently underway at Metro, such as the Better Bus Initiative and improving the customer experience; and

GOAL #5: SUPPORT EFFORTS TO IMPROVE SAFETY AND IMPROVE SERVICE ON THE REGION'S COMMUTER RAIL SYSTEM

Proposed Activities:

Advocate for additional state funding to increase the safety of the commuter rail system in Los Angeles County and the entire Metrolink service area;

Support legislation and actions that would benefit Metrolink's SCORE program of capital projects;

Support additional funding for enhanced commuter rail safety, especially for automatic train stop/positive train control systems, grade separations and double tracking single track portions of Metrolink's service area; and

Support legislation and funding programs that promote the accelerated certification of new rail vehicle technologies, prioritizing zero emission propulsion, and pilot programs which test their viability, and pursue funding opportunities to deploy such technology whenever and wherever they become available.

GOAL #6: MAXIMIZE OPPORTUNITIES FOR FUNDING LOS ANGELES COUNTY'S TRANSPORTATION PROJECTS AND PROGRAMS THROUGH IMPLEMENTATION OF THE STATE'S CAP AND TRADE PROGRAMS

Proposed Activities:

Ensure Cap & Trade funds are allocated to transportation, that Los Angeles County receives a proportionate share; and

Support Legislation that would allocate additional Cap & Trade funds to support key Metro priorities, such as Metro's transit capital and operations program, fare-free transit, zero-emission bus conversion, and zero-emission vehicle charging infrastructure expansion, including funding to support zero-emission trucks in heavily-traveled freight corridors.

GOAL #7: COORDINATE WITH OUR LOCAL AND STATE PARTNERS TO INCORPORATE THE REGION'S NEEDS IN EMERGING CLIMATE CHANGE AND SUSTAINABILITY PROGRAMS

Proposed Activities:

Monitor continued implementation of AB 32, SB 743, and SB 375 (including sustainable community strategies and related initiatives/documents);

Work in partnership with the Governor's Office of Planning and Research (OPR), California Air Resources Board (CARB), California Transit Association (CTA), California Energy Commission (CEC), Strategic Growth Council (SGC), Southern California Air Quality Management District (SCAQMD) to support Metro's projects and programs;

Advocate the connection between transit operations funding, SB 375 and other state global warming policies, programs and initiatives;

Support initiatives that promote greenhouse gas emissions reduction strategies such as vehicle miles travelled reduction, active transportation, and operational efficiency best practices;

Encourage development and utilization of regulations and technologies that would enhance the ability to expand, deploy and operate Metro Bike Share;

Support continued efforts to encourage smart growth and other connectivity and livability principles and their interaction with transit and highway investments while preserving authority of local agencies;

Support legislative efforts to fund programs affecting environmentally sensitive stakeholders and clean air programs in our region, particularly with regards to regional transit planning, construction, and procurement efforts;

Support legislation that would allocate funding for climate resiliency planning and implementation for transit;

Support new initiatives that encourage the use of advanced, environmentally friendly and cost-effective strategies in the construction and retrofit of transit facilities including infrastructure related to renewable energy, low impact development, sustainable construction practices, and similar technologies;

Advocate for funding for Metro's first/last mile, bike and pedestrian projects under the State's Active Transportation and Local Planning Grants programs;

Monitor and support legislation that would authorize the cities and unincorporated areas of Los Angeles County to develop and implement strategies to reach Vision Zero goals of improving safety and eliminating traffic-related fatalities;

Identify, monitor, and support legislation that will advance the implementation of Metro's Street Safety, Data Sharing, and Collaboration Policy goals; and

Support new and existing initiatives that complement the development and subsequent implementation of Metro's Zero-Emission Bus Strategic Plan and other Board directives.

GOAL #8: ACTIVELY WORK WITH STATE, REGIONAL AND LOCAL TRANSPORTATION INTERESTS AND ENHANCE TRANSPORTATION AND INFRASTRUCTURE FUNDING AND PROGRAMS STATEWIDE

Proposed Activities:

Support efforts to secure funding and/or obtain authority to generate additional funding for bus transit capital, operations, security needs, corridor projects, soundwalls, bike projects, Service Authority for Freeway Emergencies (SAFE) and other important transportation projects and programs;

Work with other agencies and the State to seek remedies to increase funding for Metro's Freeway Services Patrol (FSP) operations;

Oppose any efforts to modify Senate Bill 1 (Beall, 2017) programs that would reduce funding for Los Angeles County;

Work cooperatively with other transit agencies throughout the State, including the CTA, to secure and increase funding for transportation services, projects and programs;

Identify and pursue opportunities for funding and to enhance authority where necessary to improve security and safety for customers, employees and property.

GOAL #9: SUPPORT LEGISLATIVE AND REGULATORY ACTIONS THAT ENHANCE AND PROTECT METRO'S ABILITY TO DELIVER INNOVATIVE TRANSPORTATION PROJECTS AND SERVICES IN LOS ANGELES COUNTY

Proposed Activities:

Support efforts to clarify the oversight responsibilities of the PUC with respect to rail transit;

Oppose legislation that would seek to restructure the Metro Board of Directors;

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 our authority in regional transportation funding decisions including those granted through SB 45;

Support legislation that would support or enhance Metro's long-term plans for energy resiliency;

Continue to advocate for California Environmental Quality Act (CEQA) reforms for and specified exemptions for transportation projects with continued collaboration of statewide stakeholders and organizations;

Support initiatives and legislation to enhance Metro's ability to ensure safety of development and construction activities within or adjacent to Metro's infrastructure and right-of-way, in coordination with local municipalities, developers, and utility companies.

Monitor the implementation of pension reform (PEPRA) so that Metro is able to maintain federal funding, a stable work force, and ensure adequate succession planning;

Monitor the implementation of AB 5 (Gonzalez, 2019) and continue to evaluate the potential impacts on Metro's programs and services.

Monitor regulations and legislation that would clarify the State's distribution of sales tax revenues to Los Angeles County and Metro;

Coordinate with regional partners and monitor the State's autonomous vehicle regulations and ensure that federal, state and local regulations are aligned;

Support efforts to enhance the use of electronic fare payment or smart card technology and allow for ease of access for qualification for low-income riders;

Support legislation that would authorize and promote the use of technology to enhance safety, security and operations for our bus and rail operations;

Explore and pursue opportunities to accelerate and reduce costs on Metro projects;
and

Support legislation and funding opportunities that enhance Metro's ability to deliver the transformative transportation infrastructure and operational enhancement projects needed in Los Angeles County to support the mobility of the region in the 2028 Olympic & Paralympic Games.

GOAL #10: OPPOSE ANY LEGISLATION THAT COULD NEGATIVELY IMPACT METRO'S ABILITY TO OPERATE THE EXPRESSLANES PROGRAM AND SUPOPORT LEGISLATION THAT ALLOWS FOR FUTURE EXPRESSLANES EXPANSION AND OTHER PRICING STRATEGIES

Proposed Activities:

Support legislation that -

1. Encourages development and utilization of regulations and technologies that would enhance the ability to verify vehicle occupancy and toll collection/payment.
2. Enhances Metro's ability to enforce the ExpressLanes Board adopted toll policy.
3. Amends or clarifies California vehicle code sections to authorize Metro to establish and enforce occupancy requirements in the ExpressLanes;
4. Amends Streets and Highways codes that impact Metro's ability to perform toll related functions including interoperability with other California toll agencies.
5. Supports and enables Metro's ability to expand Metro's ExpressLanes network upon Board approval.
6. Provides clarification of AB 194 regarding roles and responsibilities of Metro and Caltrans.
7. Supports and authorizes flexibility in how net toll-revenues are re-invested in support of an expanded corridor network of ExpressLanes in Los Angeles County.
8. Explore and support legislation that would authorize Metro to expand the use of pricing in Los Angeles County in partnership with local municipalities.

Oppose legislation that would:

1. Negatively impact Metro's ability to manage ExpressLanes demand utilizing congestion pricing.

2. Negatively impact financial viability and local control of ExpressLanes revenues.
3. Limit Metro's ability to operate and expand the ExpressLanes network.
4. Redirect SHOPP funding for maintaining the corridor.

GOAL #11: ADVOCATE FOR POLICIES AND FUNDING THAT INCREASE THE SUPPLY AND AFFORDABILITY OF HOUSING IN LOS ANGELES COUNTY AND OTHER TRANSIT SUPPORTIVE USES NEAR METRO CORRIDORS

Proposed Activities:

Support legislation, initiatives, and programs that aim to –

- Reduce the costs and time to deliver affordable housing;
- Complement Metro's TOC Policy (including anti-displacement and anti-gentrification policies);
- Reduce Surplus Land Act impacts to Metro's Joint Development Program;
- Stabilize and enhance housing affordability in existing communities;
- Provide resources to Metro, LA County jurisdictions and other partner agencies to develop more collaborative land use policies that support equitable transit-oriented communities; and

Identify and pursue opportunities for additional funding and policy reform for Southern California transportation infrastructure and transit oriented housing projects;

Support legislation and funding opportunities that incentivize, support, and accelerate the development of affordable and transit-adjacent housing;

Work with legislators and the Governor's office to preserve and increase the ability of the Joint Development Program to deliver on its portfolio approach to achieving housing goals;

Identify and pursue opportunities to consolidate and streamline applying for transportation infrastructure and transit-oriented development and housing grants;

Seek to program modifications that recognize Metro's land discount as a significant contribution to affordable projects; and

Support legislation that would enhance opportunities for Opportunity Zones, Value Capture or related concepts and mechanisms to fund transportation infrastructure or promote Transit-Oriented Developments and Metro's Transit Oriented Communities strategy.

GOAL #12: SUPPORT EFFORTS TO IMPLEMENT HIGH SPEED RAIL (HSR) IN LOS ANGELES COUNTY

Metro supports the California High Speed Rail Project.

Metro is encouraged by the efforts to incorporate a blended corridor concept in its planning and to continue to evaluate and identify the need to connect the project to Los Angeles County.

Metro has identified a series of investments in Los Angeles County that would support future high-speed rail and would provide current benefits to commuters across the region. These investments are on shared corridors and create independent utility.

We encourage the State to make specific commitments to funding the segment connecting to Los Angeles County and to maintain this segment as a high priority in future plans.

Metro supports the allocation of funding to elements of the blended corridor concept in Los Angeles County to support the ultimate completion of the High Speed Rail project.

Proposed Activities:

Advocate for the full allocation of funding to the Link Union Station project Phase A and Phase B and other corridor enhancements in Los Angeles County which support the ultimate completion of the High Speed Rail project;

Ensure timely implementation of Proposition 1A including allocation of connectivity funds;

Support legislation that preserves “book-end” funding for early-action projects identified as vital to the delivery of the HSR project in Southern California;

Support efforts to ensure that NEPA assignment authority for highway and transit projects is preserved; and

Support streamlining project approvals under Caltrans’ NEPA assignment authority.

GOAL #13: SUPPORT EFFORTS TO ESTABLISH THE I-710 CLEAN TRUCK PROGRAM AND SECURE APPROVAL OF KEY FREIGHT PROJECTS AT THE CALIFORNIA TRANSPORTATION COMMISSION

Proposed Activities:

Support efforts to fund goods movement and freight projects through the CTC;

Advocate that Los Angeles County receive a proportionate share of funding through the State's Trade Corridor Enhancement Program and other state funding for zero-emission heavy-duty trucks;

Advocate for the deployment of clean-fuel trucks funded by the State in Los Angeles County;

Support regional and statewide efforts to secure and preserve funding for freight corridors; and

Support regional and statewide efforts to fund innovations in clean-freight technology including the deployment of on-dock rail improvements, clean vehicle charging infrastructure, and zero-emission trucks.

GOAL #14: SPONSOR LEGISLATION THAT WOULD ENHANCE METRO'S ABILITY TO DELIVER ITS PROGRAMS AND SERVICES

Proposed Activities:

Sponsor legislation to authorize Metro to use job-order contracting.

Explore and potentially sponsor legislation that would clarify provisions of state law that impact Metro's real property transactions and ground leasing for transit-oriented developments, and affordable housing and other agency uses.