



ITEM ID: 2023-354-0

TRANSMITTAL DATE: November 9, 2023

MEETING DATE: November 17, 2023

TO: Board of Directors

FROM: Paul Hubler, Chief Strategy Officer

SUBJECT: November Legislative Update

Issue

Staff provides a regular monthly update on current legislative affairs.

Recommendation

Receive and file.

Strategic Commitment

This report aligns with the Strategic Business Plan commitments of:

- **Connecting and Leveraging Partnerships:** We will forge new and enhanced relationships with our public and private partners to integrate and coordinate connecting services, providing residents throughout Southern California with better, seamless, sustainable alternatives to driving. This commitment is met by sharing news, information and the Authority’s legislative priorities with elected officials.
- **Advancing Key Regional Goals:** We will grow the role of regional rail in addressing climate change, air quality, and other pressing issues by advancing toward zero emissions, making rail a compelling alternative to single-occupant automobiles and advancing equity-focused opportunities for all communities throughout Southern California. This commitment is met by encouraging federal, state and local support for Authority priorities.

Background

Staff continues to engage with community, local, state, and federal stakeholders relating to Metrolink service and relevant policy initiatives.

Discussion

Local

On October 17 and October 24, 2023, Metrolink hosted the second of a series of by-line meetings highlighting the Ventura County Line. The first community by-line meeting was held in May and focused on the San Bernardino Line. The goal of these meetings is to hear directly from staff of station cities and elected officials about how we can collaboratively address issues important to them. Metrolink CEO and staff shared a presentation which focused on SCORE projects; noise impacts; quiet zones; maintenance-of-way issues such as graffiti and homelessness; sustainability efforts; and new fare products and ridership recovery. The Community Relations team will respond to information and action requests from elected officials and city staff and will also be attending community events at each of the cities on the Ventura County Line to provide local residents with an update regarding Metrolink service, fares options, and other benefits of riding Metrolink.

At the request of the City of San Fernando, Metrolink staff met with California Public Utilities Commission (CPUC) staff for an on-site walk-through to review the concerns regarding the proximity of Metrolink tracks to a local junior high school which is immediately adjacent to the railroad tracks and a request for the installation of pedestrian crossing gates at four crossings in the city. Metrolink shared that there presently is no funding in its capital budget to add additional gates at these crossings, and that each crossing is fully compliant with all required safety regulations. Metrolink advised the city of various options for securing funding through federal and state grant programs. Metrolink also offered support by providing new signage as needed and conducting a safety presentation to the local school. Metrolink will continue to support the city in future efforts to enhance safety at these crossings.

The increased service along the Antelope Valley Line as previously reported to the Board will result in additional late night and early morning trains arriving and being parked at the Central Maintenance Facility (CMF). Metrolink has advised community residents of these additional train arrivals via email and mail on October 11 and 12. Trains will be serviced during normal business hours unless circumstances require otherwise and the late-night trains are not expected to disrupt the community.

On October 23, 2023, Metrolink CEO and staff hosted a tour of the CMF for Los Angeles Councilwoman Eunisses Hernandez (CD-1), in whose district the facility is located. Metrolink shared with the Councilwoman the actions it has taken to mitigate community impacts, including the installation of sound monitors and sound barrier walls; the installation of ground power for train servicing; the installation of an electric car mover to re-position trains and other activities routinely undertaken on a daily basis. The goal is to share what Metrolink has done to improve community impacts at the CMF and to listen to community concerns and elected leaders to advise and enhance improvements at the facility.

State

The state Legislature remains on recess until Wednesday, January 3. In the days before the Governor's October 14 deadline to sign or veto bills, one potentially impactful proposed constitutional amendment, ACA-1, made its way through the Legislature with 2/3s vote threshold to pass and will appear on the November 2024 general election ballot. Among other provisions, ACA-1 would lower the voter threshold for approval of public infrastructure taxes from a two-thirds majority to 55%. Revenues could only be used for capital, and not operating, expenditures.

ACA-1 could increase the likelihood of passage of two potential ballot initiatives in Riverside and Ventura counties. Sponsored by the Riverside County Transportation Commission (RCTC), AB 1385 would increase sales tax cap from 1% to 1.5 %. SB 335 would authorize the County of Ventura to propose a ballot measure increasing the sales tax by 0.5 % for transportation.

The California Business Roundtable is proposing a counter-measure to ACA-1 which could appear on the November 2024 ballot. This measure would restore the 2/3s majority requirement as well as require citizens' initiative tax proposals to meet this threshold, overturning a state Supreme Court 2017 decision. In late September, Governor Newsom and the State Legislature filed an emergency petition with the state Supreme Court to remove the Business Roundtable initiative from the 2024 ballot, alleging that it unlawfully revises the state constitution and would cripple essential government functions. This extraordinary petition underscores the importance of the impact of the initiative should it pass on the ability of state and local government, through its elected representatives, to impose or raise taxes or fees. Mayors from numerous California cities have also urged the Court to review the initiative. Staff will keep the Board apprised of any developments related to the proposed initiative.

Federal

The House has been exclusively focused on electing a Speaker. Congress did pass a continuing resolution on September 30 to keep the federal government open under status quo funding through November 17. Unless the appropriations bills for the current fiscal year are passed by then – which is all but certain not to occur – another continuing resolution will need to pass by or before that date to avert a government shutdown.

As previously reported to you, there are significant differences in the House and Senate THUD appropriations bills marked up in Committee that will need to be resolved in conference once the Congress resumes regular business. This will significantly impact both formula funding and discretionary grant funding that Metrolink will receive and will be eligible for. The Senate bill proposes \$28.4 billion in USDOT discretionary funding, down just slightly from the \$28.7 billion current year funding level. The House bill proposes \$21.6 billion of discretionary funding, a reduction of \$7.1 billion reduction, or 25%, compared to current year levels. The majority of the reduction in discretionary funding in the House bill is achieved by decreasing or eliminating annual supplemental appropriations funding for grant programs that already receive advance appropriations from the IIJA Bipartisan Infrastructure Law passing in 2021. Metrolink and its partners including the Commuter Rail Coalition and the California Transit Association continue to advocate for full funding authorized by the Bipartisan Infrastructure Law in the final appropriations bill passing hopefully this year. We will keep you apprised as

this process unfolds.

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Attachment(s)

[Attachment A - November 2023 Bill Matrix](#)