

AGENDA ITEM IRS #3

DATE 02-19-09



Memorandum

Community Relations

DATE: February 11, 2009

TO: Mayor and Council

FROM: Amber Wakeman, Government Relations Director (x8824)

THROUGH: Shelley Hearn, Community Relations Manager (x8906)

SUBJECT: 2009 Federal Legislative Program

Attached please find a copy of the 2009 Federal Legislative Program. This issue will go before Council at the February 19th Issue Review Session.

If you have any comments or questions please let me know.

Thank you.

Attachment



**CITY OF TEMPE
2009 FEDERAL LEGISLATIVE PROGRAM
FOR FISCAL YEAR 2010**

RIO SALADO

Tempe-Mesa Multi-Use Emergency Corridor

An approximately two (2) mile path and environmental restoration corridor would connect the terminus of the Rio Salado Habitat Restoration in Tempe to the Va Shly'ay Akimel Salt River Restoration project in Mesa. This project has joint support of Tempe, City of Mesa, Flood Control District of Maricopa County and the US Army Corps of Engineers. One mile of the path will be in Tempe and one mile in Mesa. The path and contiguous Salt River environmental restoration will improve access for flood control maintenance, flood response, local police and EMS access for emergency response, and remove serious vector control issues through improved drainage and flood flow capacity.

Corridor construction would include a concrete multi-use path, landscaping, lighting and pedestrian amenities (drinking fountains & benches). A segment adjoining Tempe MarketPlace has an existing gravel path and lighting for ½ mile. This corridor will utilize an existing maintenance drive under the ADOT Loop 202 and Loop 101 interchange minimizing the need for structured crossing through most of the freeway interchange. However, a pedestrian underpass at for approximately 150 feet underneath the Loop 202 transition to the Loop 101 is proposed. There is an opportunity to place unpaved hiking trails in the Salt River bottom. Grading and habitat enhancement of the river bottom will be used to address standing water that poses vector control (West Nile Virus) health issues, improve water quality and increase flood capacity. The path will serve nearby low and moderate income neighborhoods with an alternative transportation corridor.

Construction of the Va shly'ay Akimel first section from the Loop 101 Freeway to just east of Alma School Road could begin construction by as early as 2011. Tempe/Mesa seek to have the construction coincide with the authorization and construction schedule of Mesa's Va Shly'ay Akimel Salt River Restoration project. Maricopa Association of Governments (MAG) has awarded a design grant of \$142,000.00 for the path.

Congressional Action

The City of Tempe is seeking Congressional support for the Tempe-Mesa Multi-Use Emergency Corridor from Tempe to Mesa in the amount of \$2.8 million.

Papago Park- Town Lake ADA Accessibility

This project will connect disparate paths and public amenities into a cohesive gateway. A quarter mile addition of ADA compliant multi-use path would connect Tempe Town Lake north bank to existing sidewalks leading to Mill Avenue District, Cross Cut Canal Multi-use Path in Papago Park and the Center Parkway light rail station. This path would generally follow the LakeView Drive right-of-way but would add ADA grade connections rising up to north and southbound Mill Avenue. ADA parking spaces already exist along LakeView Drive and west of Mill Avenue. Town Lake's popularity for walking/biking events and activities will be enhanced by this connection, as will connectivity to light rail. Improvements would include a concrete multi-use path, street trees, lighting and pedestrian amenities (way-finding signage and benches).

Mill Avenue and Washington Street (aka Curry Road) are a gateway to Papago Park and Town Lake. Enhancements to the intersection would include gateway identification, intersection banner and enhanced landscaping at all four corners.

Congressional Action

The City of Tempe is seeking Congressional support for the Papago Park-Town Lake ADA Accessibility in the amount of \$2.3 million.

Pedestrian Bridge over Tempe Town Lake East Dam

A pedestrian bridge at the east dam of Town Lake is the last segment needed to complete a lakeside loop around Town Lake. The bridge would rest on the existing piers of the east dam, creating a separated multi-use (pedestrian, bike) crossing of the Salt River above the 100-year flood level. The bridge would be about 900 feet in length and would connect to established multi-use recreational paths on the north and south banks.

Congressional Action

The City of Tempe is seeking Congressional support to secure \$3.75 million for an east pedestrian bridge over Tempe Town Lake.

PUBLIC SAFETY

Public Safety Communications Interoperability

The City of Tempe has been working in partnership over the past decade with Valley agencies to build the Regional Wireless Network. This system covers over 1,000 metropolitan square miles and provides the ability to share critical public safety information seamlessly. Interoperability is a critical factor in responding with immediacy to prevent crime, to respond to emergencies, and to save lives. When completed, public safety agencies will be able to talk directly to members from other agencies on the same frequency. Inter-agency resources can be added to an incident as needed in a more timely, controlled and effective manner.

In the case of a significant disaster, this system provides additional redundancy and security by connecting Tempe and dozens of other local, county, state and federal agencies to one another to provide cohesive emergency response.

Considerable progress on this system has been made with the help of the Community-Oriented Policing (COPS) grant in 2005 (\$5,503,525.00) and other federal funds (FY06 \$40,000.00 and FY08 \$681,000.00), which will allow Tempe to communicate with other law enforcement and fire agencies on a day-to-day basis.

Congressional Action

Tempe is seeking Congressional support for the remaining \$5.7 million needed for our interoperability system. Tempe and other public safety entities throughout the state will continue to work on efforts to address this critical communications interoperability issue, but funding for these costly solutions continues to be an obstacle.

TRANSPORTATION

Transit Investments in the Community – Working Together for Success

On November 2, 2004, voters in Maricopa County approved Proposition 400, extending the county-wide half-cent transportation tax for an additional 20 years. While the measure was approved by over 57 percent county-wide, Tempe voters approved the measure by 65 percent – demonstrating the strongest support for transportation improvements within the region.

The Regional Transportation Plan, which will be funded by the transportation tax, includes a diverse balance of transportation options that meet the differing needs of each community. For Tempe, that mix includes: commuter express bus service from neighboring cities to downtown Tempe and Arizona State University; increased bus frequency on major bus routes in Tempe and into neighboring cities; regional funding of American with Disabilities Act (ADA) paratransit (dial-a-ride) service; and extension of high capacity transit options to further serve the community.

The leaders of our region will continue to work together to plan and implement a multi-modal transportation system that will accommodate our region's transportation needs for the next 20 to 40 years. The success of this effort is only possible with the support of the Arizona Congressional Delegation.

Passage of Prop 400, combined with Tempe's successful 1996 transit election, the passage of Transit 2001 in the City of Glendale and Transit 2000 in the City of Phoenix, exemplify the significant local commitment our region has made toward developing a successful transit program throughout the Valley.

During 2005, Valley Metro Rail signed the full funding grant agreement with the Federal Transit Administration for \$587 million for the Central Phoenix/East Valley Light Rail

Project and started construction of the METRO light rail system connecting Phoenix, Tempe and Mesa. This project was also authorized in the "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" or "SAFETEA-LU", which passed in 2005. The METRO light rail project opened in December 2008.

Beyond the twenty-mile Central Phoenix/East Valley Light Rail Project, Valley Metro Rail will be pursuing 38 miles of rail extensions funded with the passage of Prop 400. These improvements include a high capacity corridor within the City of Tempe. Potential technologies being considered include commuter rail, light rail, bus rapid transit and modern streetcar.

Congressional Action

For the FY 2010 appropriations budget, the City of Tempe is seeking \$6,820,940 for Section 5309 Bus & Bus Facilities funds to support replacement vehicles for its successful Orbit neighborhood circulator buses. The current high floor, gasoline powered, light duty buses would be replaced with low floor, alternative fueled or electric hybrid, heavy duty buses.

In addition, The City of Tempe along with its Valley Metro partners have made joint annual federal appropriation requests for important regional transit projects since 1998. For fiscal year 2010, Valley Metro is requesting the following:

- \$143.21 million for Valley Metro Rail projects
- \$62.1 million for buses and bus facilities

Incorporated into these joint FY 2010 request for federal funding are the following Tempe items:

- \$90 million for the Central Phoenix/East Valley LRT project per the federal transit full funding grant agreement (FFGA).
- \$6.4 million for preliminary engineering for the Valley Metro Rail Tempe Extension.

Lastly, the City of Tempe is requesting reprogramming of FY 2008 and FY2009 Section 5309 Bus Facilities from East Valley Bus Operations and Maintenance Facility to other Tempe and Scottsdale projects to satisfy pre-award authority for Section 5309 funds.

CONGRESSIONAL SUPPORT

RIO SALADO

Brownfield Opportunities

The City of Tempe has identified 30 acres of property (which is one the last large remaining parcel of developable land in the City) which carries BLM patent restrictions as well as constraints due its location next to a navigation aid for Sky Harbor Airport. The City would like to create opportunities for indoor and outdoor recreation to promote both economic development and the quality of life in our Community.

Congressional Action

The City of Tempe will work with our federal lobbyist and Congressional Delegation to assist in creating these opportunities.

Veteran's Memorial

A Veterans Memorial is planned at Tempe Beach Park adjacent to the Historic Ash Avenue Bridge Abutment to honor all United States Veterans. Tempe Town Lake attracts over two million visitors each year.

The concept for the memorial has three components - Veterans Parade (Promenade), Overlook & Visitors Center, and Court of Service.

Veterans Parade: The promenade rise to the bridge abutment features a wall of eighty silhouette panels that will honoring the history of military service through the years. The panels put in motion figures representing Veterans of every service across the arc of history. The parade would include outlines of marching officers, enlisted men and women in full dress and in battle fatigues. Panels would be made of laser cut steel and attached to a steel frame. The eastern sideline of the parade route would feature shade trees and benched rest areas. The Parade is located on the historic Ash Avenue roadbed.

Overlook and Visitors Plaza: Visitors completing the wall along the Veteran's Parade would arrive at the Overlook to take in grand views of Tempe Beach Park, Town Lake and the Court of Service that honors Veterans. The overlook is the rehabilitation of the abutment of the historic Ash Avenue Bridge. Visitors would descend by stairs or ramp to the Visitor's Plaza. Housed under the Overlook would be a visitor information center, enclosed and secured within the posts of the restored bridge abutment. The visitor's center would provide information about Tempe, the park and Veteran's memorial and could also be used for other park functions.

Court of Service: A 100' diameter plaza paved with a five-pointed star of Arizona flagstone. At the center stand five rough boulders, each stone stand for one of the five branches of military services - Air Force, Army, Coast Guard, Marines and Navy. Each of the Service stones would be unique, and could be quarried at a significant site that represents the services it stands for. Ten flag poles with benches surround the stone court. The perimeter railing echoes the historic Ash Avenue bridge railing.

Congressional Action

The City of Tempe is seeking Congressional support to help secure funding (approximately \$2,655,000.00) for the Overlook, Visitors Center and Veterans Parade approach. The City of Tempe has set aside \$500,000.00 toward the Veterans Memorial.

ECONOMIC & COMMUNITY DEVELOPMENT

Community Development Block Grants (CDBG)

For more than 30 years, the CDBG program has successfully mobilized community resources to expand economic opportunity, strengthen local infrastructure and improve the quality of life for low- and moderate-income families and individuals. Despite this flexible program's proven track record, CDBG formula funding has declined by 17 percent since FY2004.

Congressional Action

The City of Tempe urges Congress to fund CDBG formula grants at \$10 billion. Further, to urge Congress to strongly reject the proposal by the President to "reform" the CDBG allocation formula to better target funds to communities most in need of assistance. Targeting areas most in need should be accomplished through providing additional CDBG resources for those areas but NOT at the expense of jurisdictions that are effectively using CDBG funds to serve their critical housing and community development needs.

HOME Investment Partnerships (HOME) Program

Because our nation is experiencing an affordable housing crisis, restoring HOME program formula funding - which has declined by 12 percent since FY2004 - is critically important. The proven and effective HOME program empowers states and localities to design and implement affordable housing strategies to respond to locally-determined needs. Since 1990, HOME has made possible the construction, acquisition or rehabilitation of 166,000 homeowner units, 347,000 homebuyer units and 311,000 rental units.

Congressional Action

The City of Tempe supports \$2 billion for HOME formula grants for FY2010.

Complementary Programs

Congress should also fund all of the complementary programs within Housing and Urban Development's (HUD) community and economic development toolkit, ensuring that HUD does not lose sight of the development component of its mission. To that end, the City of Tempe supports continued funding for the Section 108 loan guarantee program, the Brownfields Economic Development Initiative and the Rural Housing and Economic Development program. Each of these programs plays a unique role in building stronger, more economically viable communities, while enabling communities to leverage external financing in a way the CDBG program alone cannot do.

Congressional Action

For FY2010, the City of Tempe supports \$7 million for Section 108 and \$25 million apiece for BEDI and RHED.

Production of Affordable Housing Units

For several years Community Development advocates have called for a new federal program for the production of affordable units of rental and homeowner housing. The City of Tempe also strongly supports the National Affordable Housing Trust Fund Act. Tempe will work to ensure that the resources made available through any new affordable housing production program are accessible to local housing and community development agencies, including public housing authorities. As the present home mortgage crisis demonstrates, homeownership is not for everyone. Tempe values and supports the role that homeownership plays in meeting affordable housing needs, we believe that any new production program should prioritize efforts to address our nation's acute shortage of affordable rental housing.

Congressional Action

The City of Tempe favors a new production program that provides local communities and agencies direct access to federal funds with minimal federal regulation. Under this preferred model, 60 percent of the funds distributed under such a program would be allocated through a formula to local governments, with the remaining 40 percent allocated to states.

Homeless Assistance Programs

The City of Tempe continues to support full funding for HUD homeless assistance programs. As Congress considers McKinney-Vento reauthorization legislation, the City of Tempe will advocate greater local flexibility, including an expanded definition of homelessness that will allow agencies to better respond to locally-determined needs. The City of Tempe supports at least \$1.636 billion for HUD's Homeless Assistance Grants for FY2010 and recognizes the need for appropriations to keep pace with the rising cost of renewals.

Congressional Action

Tempe advocates several changes to IRC Section 42, HUD and VA programs so that these complimentary funds can be used together to produce housing for the homeless. Funding for long-term case management services must be provided, or included as part of the tax credit basis.

SECTION 8 Housing Choice Voucher Program

The Housing Choice Voucher (HCV) program provides rental assistance to approximately 2 million low-income families. The flexibility of the HCV program's design has helped make it the optimal tool for meeting a wide variety of critical affordable housing needs. Administered by local and state housing agencies, the program helps families, seniors and persons with disabilities live stable and independent lives; helps the working poor to become self-sufficient; and enables families to live in neighborhoods where poverty is not concentrated.

Legislative Reform

The Section 8 HCV program has a demonstrated track record of success. Nonetheless, the HCV program can be further improved to provide PHAs with additional tools to help maximize the number of families served in their communities. Tempe supports legislative and regulatory reform proposals which addresses, among other things,

enhancements to current voucher subsidy and administrative fee funding distribution formulas; benchmarking important program goals and appropriations; rent simplification; increased self-sufficiency; improved housing affordability burdens and deconcentration of poverty for voucher assisted households; and improving the use of tenant-based vouchers for project-based assistance.

Regulatory Reform

The City of Tempe supports that HUD move forward with voucher program regulatory reforms to achieve cost savings and greater program efficiency. Such an effort is now underway. Tempe will work with HUD and our industry group partners to ensure full consultation with program stakeholders, as well as timely implementation of responsible regulatory and administrative reforms.

Congressional Action

The City of Tempe supports \$15.4 billion for FY2010 renewals of housing assistance payment contracts in the HCV program and no less than \$1.54 billion in funding in FY2010 for ongoing administrative fees.

EDUCATION ISSUES

University Funding

The City of Tempe will work with our federal lobbyist to support Arizona State University (ASU) in any federal opportunities that will assist ASU in furthering the mission of the University, specifically on the Tempe campus. This includes both the academic and research components of the University.

Federal Education Opportunities

The City of Tempe will work with our federal lobbyist to secure any available federal grants or support legislation for the following programs:

- Bridges Program – a cognition remediation program;
- International Baccalaureate (IB) Program - The (IB) program is geared towards advanced high school students. The IB program provides students with credit that can be used towards college degree- International or Domestic;
- Jobs for America's Graduates (JAG) – JAG is a drop out prevention program;
- After School Enrichment Programs;
- School Lunch Programs;
- Arts Education; and
- Kindergarten – 12th Grade and University Funding.

No Child Left Behind Act

The City of Tempe strongly urges Congress to support reauthorizing the Elementary and Secondary Education Act also known as "No Child Left Behind" (NCLB). The current reauthorization of the legislation is designed to include environmental education in state NCLB implementation and support growing state and local "No Child Left Inside" initiatives. Further, the legislation encourages states to develop specific plans to

support environmental education and stress the value of providing opportunities for teachers and students to improve their skills and learn in field-based and hands-on settings.

PUBLIC SAFETY

Homeland Security

Decisions by the U.S. Department of Homeland Security (DHS) have put future funding from the Urban Area Security Initiative (UASI) grant to the Maricopa County region at risk. UASI funds regional response teams, incident support teams and threat assessment teams, hardening of critical infrastructure, establishment of terrorism intelligence gathering systems and equipment, assists with overtime costs associated with orange alert periods, and is used to purchase personal protective equipment. Loss of UASI funds would have an adverse effect on Police and Fire Department resources, as well as the City's ability to prevent, respond to and mitigate man-caused and natural catastrophic events. Tempe and other Valley cities have engaged in discussions with DHS regarding its risk assessment, but is not satisfied that the region's concerns are being heard.

Congressional Action

Tempe and other public safety entities in Maricopa County will continue to work with our Congressional delegation to make procuring resources through UASI and other DHS programs a high priority.

Emergency Response Training Programs - Burn Room Replacement

The Fire Training Center with the burn room was built in 1993. The extensive use of this facility and the significant benefits derived for our members have exceeded expectations. Because the building sustains damage with each live fire training exercise it limits the life of the building. The substantial use of the burn room for training necessitated the installation of fire resistant tiles in 2003. This installation was done as a temporary measure to extend the useful life of the building. Given the critical nature of this training for firefighter safety, it is essential that the burn room be kept in a functioning state. This facility is used for both basic and on-going fire attack and safety training is used by many different fire departments including the Maricopa and Salt-River Indian communities.

Congressional Action

Tempe will work with our federal lobbyist to help find federal monies (approximately \$500,000.00) to replace the burn room training facility.

Hazard Mitigation and Emergency Response Programs

Federally-mandated state and local emergency management responsibility continues to increase, while federal funding for hazard planning, training, and mitigation has actually been decreasing.

Congressional Action

Tempe will continue to work with our Congressional delegation to support efforts to secure adequate funding for hazard mitigation and emergency response programs, such as the Emergency Management Performance Grant, so that state and local governments can protect citizens when disaster occurs.

Technology and Capital for Emergency Response Programs

Federally-mandated state and local emergency management responsibility continues to increase. The Fire Department would focus on securing funds for: satellite communications, replace audio/visual delivery communication system and cabling, airport crash rescue apparatus, and emergency operations center mapping software and printers.

Congressional Action

Tempe will continue to work with our federal lobbyist and Congressional delegation to support efforts to secure adequate funding for hazard mitigation and emergency response programs, so that state and local governments can protect citizens when disaster occurs.

WATER

White Mountain Apache Tribe

Senator Kyl introduced the White Mountain Apache Tribe Water Rights Quantification Act (S. 313) on January 26, 2009. The Act confirms and authorizes federal participation in the settlement of the Tribe's water rights claims among Salt River water users including the City of Tempe. The Act also authorizes the Tribe to lease its Central Arizona Project (CAP) water. Tempe and other valley cities have negotiated long-term leases with the Tribe as part of the water settlement. In addition to resolving the Tribe's water rights claims, the Act provides for a domestic water supply system on the Reservation.

Congressional Action

Tempe will continue to work with our federal lobbyist, Senator Kyl, and the rest of our Congressional delegation to support passage of the White Mountain Apache Tribe Water Rights Quantification Act.

PARKS AND RECREATION

Urban Park & Recreation Recovery

The Urban Park and Recreation Recovery (UPARR) program was established in November 1978 by Public Law 95-625, authorizing \$725 million to provide matching grants and technical assistance to economically distressed urban communities. While authorized, UPARR has not had any appropriations since 2002. The purpose of the program is to provide direct Federal assistance to urban localities for rehabilitation of

critically needed recreation facilities. The law also encourages systematic local planning and commitment to continuing operation and maintenance of recreation programs, sites, and facilities.

Only cities and urban counties meeting established criteria are eligible for assistance. While Tempe has not previously received funding from this grant source, recent demographic changes within Tempe have created an opportunity for application should funding be restored.

Congressional Action

Re-establish funding to the UPARR program in FY2010. The City of Tempe will continue to work closely with our delegation, the National League of Cities, the League of Arizona Cities and Towns and other cities in the United States to persuade Congress and the Administration to re-establish funding.

Land and Water Conservation Fund (LWCF)

The Land and Water Conservation Fund (LWCF) was established in 1964 using royalties from Outer Continental Shelf oil and gas drilling leases for park land acquisition and the development of recreational facilities. The LWCF has two separate funding categories: federal land acquisition, and the state grants program. The state grants program provides block grants directly to states, which is shared with local governments, for the acquisition of park land and the development of recreational facilities. All dollars in the program must receive an equal match of state or local funds, thus maximizing the effectiveness of federal acquisition dollars. The program has been very effective in the past. Since the inception of the program in 1965, the City of Tempe has received over \$3.1 million for park acquisition and development. The City received funding for the Tempe Sports Complex, (2002 - \$487,269.00) and for McClintock Pool renovations, (1994 - \$370,000.00).

In FY2006 the program was allocated \$29,559,000.00, in FY2007 - \$29,622,000.00 and for FY2008 - \$24,610,000.00. Further, the LWCF state grant program was not included in the President's FY2009 budget.

Congressional Action

Restore funding for state grants and in addition, authorize the use of existing funds from the LWCF to provide more funding for LWCF state grants program. Significant fund balances exist within the LWCF from the revenue derived from existing leases. However, these funds can not be allocated towards their intended use without specific authorization from Congress. The City of Tempe will continue to work closely with our delegation, the National League of Cities, the League of Arizona Cities and Towns and other cities in the United States to persuade Congress and the Administration to provide more funding.