LB
06/18/15
Item No. 52

AN ORDINANCE 2015-06-18-0578

APPROVING THE CITY OF SAN ANTONIO'S 2015-2017 FEDERAL LEGISLATIVE PROGRAM FOR THE 114TH U.S. CONGRESS.

* * * * *

WHEREAS, development of the City's Federal Legislative Program (the "Program") began in November 2014 with collaboration between City departments and our federal consultants; and

WHEREAS, the proposed Program contains three federal priorities, focused on securing funding and/or legislative support to construct a new federal courthouse, Base Realignment and Closure, and aviation, and eight funding and policy categories; and

WHEREAS, the 114th Congress began on January 3, 2015 and through this proposed Ordinance the City is aligning its Federal Priorities with Congress and the Administration in an effort to secure the greatest amount of funding; and

WHEREAS, on March 10, 2015, the Intergovernmental Relations Council Committee recommended bringing the Program to City Council for consideration; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City of San Antonio's Federal Legislative Program for the 114th U.S. Congress is authorized and approved. A copy of the Program is attached to this Ordinance as **Exhibit I**.

SECTION 2. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

PASSED AND APPROVED this 18th day of June, 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek
City Clerk

APPROVED AS TO FORM:

for

Martha G. Sepeda
Acting City Attorney

Agenda Item:	**52 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 26, 28, 29, 30, 31, 32, 33, 34, 35A, 35B, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64A, 64B, 65A, 65B, 66A, 66B, 66C, 67A, 67B, 67C, 68A, 68B, 68C, 69A, 69B, 69C, 69D, 70A, 70B, 70C, 70D, 70E)**
Date:	06/18/2015
Time:	10:00:14 AM
Vote Type:	Motion to Approve
Description:	An Ordinance approving the City of San Antonio's 2015 - 2017 Federal Legislative Program for the 114th U.S. Congress. [Carlos Contreras, Assistant City Manger; Jeff Coyle, Director, Intergovernmental Relations]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Exhibit I

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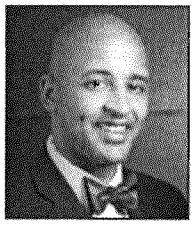
MAYOR AND CITY COUNCIL

Ivy R. Taylor
Mayor

Roberto C. Treviño
Councilmember
District 1

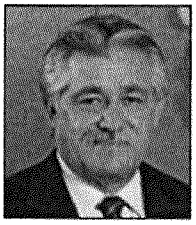


Alan E. Warrick, II
Councilmember
District 2

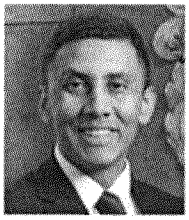
Rebecca J. Viagran
Councilmember
District 3

Rey Saldaña
Councilmember
District 4

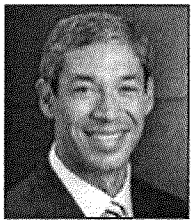
Shirley Gonzales
Councilmember
District 5



Ray Lopez
Councilmember
District 6



Cris Medina
Councilmember
District 7



Ron Nirenberg
Councilmember
District 8

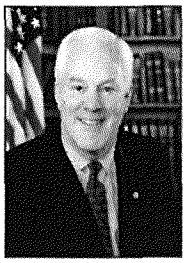
Joe Krier
Councilmember
District 9

Mike Gallagher
Councilmember
District 10

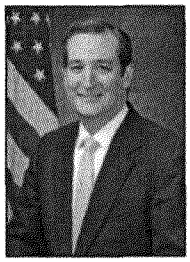
CITY MANAGER

Sheryl Sculley

CONGRESSIONAL DELEGATION



John Cornyn
Senator



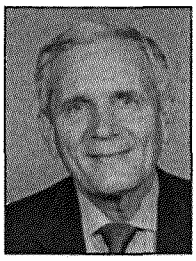
Ted Cruz
Senator

Joaquin Castro
Representative
District 20

Lamar Smith
Representative
District 21

Will Hurd
Representative
District 23

Henry Cuellar
Representative
District 28



Lloyd Doggett
Representative
District 35

To the Honorable Mayor and Council:

The City of San Antonio continues its efforts to enhance the quality of life of our residents as we focus on city priorities at the federal level. With this objective in mind, I present to you the proposed City of San Antonio's *114th United States Congress Federal Legislative Program*.

The legislative program supports federal regulations and legislation that benefit the City and opposes any regulations or legislation that would be adverse to City interests. The development of the legislative program was a collaborative effort between the Intergovernmental Relations Department (IGR), City Departments, and the City's Federal Consultant Team. The *114th Federal Legislative Program* focuses on the three City legislative priorities and eight funding and policy categories outlined below:

Federal Priorities

- Federal Courthouse
- Base Realignment & Closure (BRAC)
- Aviation
    - SAT to DCA Non-Stop Flight
    - Airport Improvement Program
    - Passenger Facility Charge
    - Noise Mitigation Program

Federal Funding & Policy Initiatives

- Body Cameras
- Cybersecurity
- Export-Import Bank
- Historic Preservation
- Municipal Bonds Tax Exemption
- Transportation
- UASI
- Workforce & Training

The aforementioned funding and policy initiatives focus on issues that align with City priorities and enhance our continued commitment to leverage national resources and partnerships. The City's federal legislative efforts include the protection of municipal interests, identification of federal funding to support local investments, and advocacy to ensure that federal resources continue to be available for San Antonio.

With the guidance and leadership of the Intergovernmental Relations Council Committee, the City will strategically pursue federal legislative and administrative efforts to advance our City's federal priorities.

Respectfully submitted,

Sheryl Sculley
City Manager

FEDERAL PRIORITIES

Federal Courthouse

The City supports a multipronged approach to secure federal funding for construction of a new federal courthouse for the United States District Court for the Western District of Texas, San Antonio Division.

The strategy includes pursuing public-private partnership (P3) authority for the General Services Administration (GSA) to be able to engage in P3 partnerships for new construction projects including federal courthouses. Additionally, the strategy will include requesting authority for GSA to be able to utilize rent and lease funding received in the Federal Buildings Fund for new construction funding.

Until recently, San Antonio was fourth in line and recommended for FY 2016 funding on the Five-Year Courthouse Project Plan for FY 2015 – 2019, as approved by the Judicial Conference of the United States, Administrative Office of the U.S. Courts (AOC). On September 16, 2014, under direction from the House Transportation and Infrastructure Committee, subcommittee on Economic Development, Public Building and Emergency Management, re-prioritized courthouses on the Five Year Courthouse Project Plan. The new plan altered the San Antonio courthouse's rank from fourth in line for funding to eighth. The Five- Year Courthouse Project Plan for FY 2016 – 2020 indicates that project priority is subject to change as needs are identified.

The City of San Antonio's multipronged courthouse funding strategy includes the following components:

- Request federal appropriations in FY 2016 for courthouse construction.
- Request authority for GSA to utilize funds previously deposited into the Federal Buildings Fund for new courthouse construction.
- Pursue public-private partnership (P3) authority for GSA to engage in partnerships for financing construction of the courthouse.
- Seek readjustment of the AOC's five-year courthouse construction plan to prioritize the San Antonio courthouse project.
- Make the courthouse project priority #1 for the Texas delegation during annual House-Senate conference negotiations.
- Seek line-item funding in the President's FY 2017 Budget for the San Antonio courthouse project.

Base Realignment & Closure (BRAC)

In preparation for a possible round of Base Realignment and Closure (BRAC) during the next several years, the City supports advocacy to place San Antonio in the best possible position with the intent of furthering San Antonio's and the country's economic and national security interests.

As a consequence of the Budget Control Act of 2011, the United States Army must reduce its force by approximately 70,000 soldiers by 2017 to meet budget reduction goals. The Army is conducting a Supplemental Programmatic Environmental Review (PEA) nationwide to review potential elimination of a significant number of military and civilian personnel due to the fiscal constraints imposed upon the Army that will require it to reduce its total personnel from 490,000 to 420,000. The potential workforce impact to San Antonio is 4,000 military and 2,000 civilian.

To address requirements for a reduced defense budget, the Department of Defense (DOD) has advocated for a future BRAC round. The planned reduction in both personnel and equipment will require less infrastructure support and therefore fewer bases. For example, the Air Force has indicated that it may be able to close one third of its installations.

Joint Base San Antonio (JBSA) is home to several high-priority missions, 24th Air Force "Cyber Command" and basic training for all enlisted Air Force personnel at JBSA-Lackland AFB, the Medical Education and Training Campus and home of Army medicine at JBSA-Ft. Sam Houston, and instructor pilot and Unmanned Aerial Vehicle (UAV) training at JBSA-Randolph AFB.

JBSA installations, with a footprint of 55,000 acres, 80,000 personnel, and a replacement plant value of over $32 billion, train over 152,000 students a year. In total, the DOD economic impact to the local community is $27.7 billion annually.

Federal Aviation Administration Reauthorization (FAA)

Perimeter Rule: Non-Stop Service from SAT to DCA

The City supports efforts for the expansion of the existing perimeter at DCA to 1,500 miles in upcoming legislation to reauthorize the FAA.

The perimeter rule for Ronald Reagan National Airport (DCA) limits flights to within a 1,250 mile perimeter. Over the years, additional "slots" have been approved by Congress as part of the Federal Aviation Administration (FAA) Reauthorization process. This makes any new opportunities for beyond-the-perimeter slots subject to approval as part of FAA Reauthorization.

As Congress considers legislation to reauthorize the FAA, we support expansion of the existing perimeter rule at DCA by 250 miles. The current perimeter restricts non-stop flights from beyond 1,250 miles of DCA, which is especially unfavorable for the economy of the City of San Antonio, which lies just beyond the perimeter.

The City of San Antonio is the 7th largest city in the U.S. and is the largest medium-hub market located outside the perimeter that is not served by a non-stop flight to DCA. Non-stop access to DCA for markets beyond the perimeter is an important economic driver for business and tourism market growth. A non-stop route serving the San Antonio International Airport (SAT) to DCA is also a key link for the federal government due to the presence of significant civilian and military agencies in San Antonio.

In the past, as part of the FAA Reauthorization process, Congress has approved exemptions to the perimeter rule (or slots) to promote competition and provide nonstop access at DCA to beyond perimeter markets. These markets have primarily been large hub airports located in the western United States. However, medium hub airports located just beyond the perimeter, such as the City of San Antonio, are equally in need of access to DCA.

It is essential that the statute governing access to DCA continues to enhance economic activity and air service competition for all markets. This may be accomplished by expanding the current perimeter at DCA to 1,500 miles in the FAA reauthorization. This would allow a limited number of markets to compete for existing inside perimeter slots.

Airport Improvement Program (AIP)

The City supports legislation that increases Airport Improvement Program (AIP) funding and allows airports greater flexibility in the use of AIP funds.

The Airport Improvement Program (AIP) provides grants to public agencies for noise mitigation and planning and development of public-use airports that are included in the National Plan of Integrated Airport Systems (NPIAS). Eligible projects include improvements related to enhancing airport safety, capacity, security, and environmental concerns.

The San Antonio International Airport (SAT) anticipates pursuing entitlement and discretionary grant funding through the AIP for continued airfield upgrades to improve safety, enhance operations, and maintain existing infrastructure. The current overall cost estimate of SAT's planned airfield improvements is $347.2M for FY 2014 through FY 2025. The major components of these improvements include reconstruction of runways along with new and rehabilitated taxiways.

In the next two years, SAT will pursue approximately $29.3 million in federal grant funds for the following projects estimated at a total cost of $39 million: reconstruction of taxiways; construction of an apron taxiway; construction of connector taxiways; and airfield perimeter road reconstruction and airfield program design.

Passenger Facility Charge (PFC)

The City supports increasing the Passenger Facility Charge (PFC) cap to $8.50 to provide the same purchasing power as in 2000.

In addition to federal grants, commercial airports controlled by public agencies may collect Passenger Facility Charges (PFC) from every boarded passenger to fund FAA-approved projects that enhance safety, security, or capacity; reduce noise; or increase air carrier competition. PFCs may also be used for airport passenger and baggage conveyance areas that are ineligible for AIP funding, such as terminal gates, bag claim/makeup and loading bridges.

In 2000, the PFC was raised and capped at $4.50. The PFC has not been adjusted in 15 years. Construction cost inflation has since stripped the PFC of almost half its value. This program, which is used by the great majority of U.S. airports, is important in addressing infrastructure needs at the San Antonio International Airport.

Noise Mitigation Program

The City Supports legislation to authorize the Secretary of Transportation to direct the Administrator of the Federal Aviation Administration to allow the San Antonio International Airport to continue the acoustical treatment of homes located within the 2009 FAA-approval boundaries, including the Neighborhood Equity areas as set out in the Wyle Noise Exposure map update of 2009.

The City of San Antonio initiated its noise mitigation program in 2005 and to-date has successfully completed 1,463 homes and 216 apartment building individual units. The program identifies the impacted homes within the noise contour lines and also established neighborhood equity areas to ensure neighborhoods were addressed in a block fashion. In 2014 an update of the noise map was completed as required by the FAA and in January 2015 the FAA approved revised noise lines that eliminated 1,500 homes from the noise contour areas and the neighborhood equity area. Residents who have patiently waited for their homes to be treated are now told that due to a change in the approach to treating homes, they are no longer eligible for the program. A mature program such as San Antonio's 10-year program should not be changed to now treat the remaining residents differently than others in the program.

LEGISLATIVE AND REGULATORY

Export-Import (Ex-Im) Bank

The City supports the reauthorization of the Export-Import (Ex-Im) Bank to ensure the competiveness of San Antonio manufacturers and exporters.

The Export-Import (Ex-Im) Bank is the official export credit agency of the United States federal government. It finances and insures foreign purchases of United States goods for U.S. customers unable or unwilling to accept credit risk. The mission of the Bank is to create and sustain U.S. jobs by financing sales of U.S. exports to international buyers. The current Ex-Im Bank reauthorization was temporarily extended to June 30, 2015.

The Ex-Im Bank is one of the most important tools at the disposal of U.S. companies to increase exports and create jobs. In fiscal year 2013, the Ex-Im Bank provided financing or guarantees for $37.4 billion in U.S. exports, thereby supporting more than 200,000 American jobs.

Municipal Bonds Tax Exemption

The City opposes any changes to the tax-exempt status of municipal bonds.

The City is concerned about possible efforts in Congress to cap or eliminate the tax-exempt financing associated with municipal bonds as a means to increase federal revenue and reduce the deficit. Municipal bonds provide a low-cost and efficient way for cities and counties to finance critical infrastructure including schools; hospitals; airports; water and sewer systems; and roads and bridges. The concern is that any limitation on the tax-exempt status would impact the cities, counties, and state governments' ability to finance infrastructure projects and create jobs.

In the last decade, state and local governments financed more than $1.65 trillion in infrastructure investment using tax-exempt bonds – nearly all in just six categories: $514 billion in primary and secondary schools; $288 billion in hospitals; $258 billion in water and sewer facilities; $178 billion in roads, highways and streets; $147 billion in public power projects; and $106 billion in mass transit.

FUNDING INITIATIVES

Body Worn Digital Recording Devices (Body Cameras)

The City supports funding for Body Worn Digital Recording Devices (Body Cameras).

Body camera proponents argue that recording police interactions with citizens would help protect police departments from spurious lawsuits, protect citizens against possible police misconduct, and provide evidentiary support in criminal cases. The San Antonio Police Department (SAPD) initiated a Body Camera pilot program in March 2014. The equipment was tested by officers from the Downtown Bike Unit and the Westside Patrol Substation. The pilot was designed to gather data on the technology's effects on citizen and police behavior, evidentiary value, operational feasibility, program costs, compatibility with patrol vehicle video, and other factors.

The results of the pilot program demonstrated the value of Body Cameras for law enforcement purposes. SAPD found that most of the systems demonstrated an ease of use and the ruggedness required for field deployment. The video provided by the cameras added an extra layer of critical documentation which would be of great value to the Department. Overall the pilot program demonstrated that body cameras were easy to use and that video generated by the body cameras provided additional evidence which could be used to protect Officers and citizens, reduce frivolous or false complaints, and generate evidence critical to prosecuting criminal cases.

Cybersecurity Programs

The City supports advocacy for legislation in support of federal funding for cybersecurity-related programs or initiatives through the Department of Defense (DOD), the Department of Homeland Security (DHS), National Security Agency (NSA) and other departments seeking to secure critical infrastructure, protect consumers, and train and connect a workforce to critical roles in navigating the global cybersecurity landscape.

Federal programs resulting in expansion or relocation of Federal cyber missions throughout the United States represent an opportunity to further strengthen the critical mass of local cyber security operations and expertise. Programs seeking to develop workforce training funding to prepare San Antonio's workforce to fill these critical roles will be essential to meet the scope and scale of the training needs of the region. Innovation and research opportunities including by not limited to: security of cyber physical systems, digital forensics, insider threat, digital signal processing, and wireless security are currently competencies and opportunities for growth in San Antonio.

San Antonio enjoys a critical mass of military cybersecurity operations in the United States including: Air Force Cyber Command (24th Air Force), Air Force Intelligence, Surveillance, and Reconnaissance, Defense Information Systems Agency Mega Center, Navy Information Systems Texas Command, Texas Cryptologic Center. In addition, the University of Texas at San Antonio is an NSA/DHS National Center of Academic Excellence in Information Assurance Education & National Center of Academic Excellence in Information Assurance Research. Finally, the cybersecurity industry continues to grow in importance with local industry leaders organizing themselves to guide and support San Antonio's development in this increasingly important space in the global economy.

Historic Preservation

The City supports Reauthorization of the Historic Preservation Fund and enhancement of the Historic Tax Credit.

Historic Preservation Fund (HPF)

The National Historic Preservation Act of 1966, which authorizes the Historic Preservation Fund (HPF), is due to be reauthorized in 2016, the 50th anniversary of its enactment. The HPF funds the State Historic Preservation Office (SHPO) and the Certified Local Government Program (CLG). In partnership with the federal government, the SHPO carries out the primary functions of the National Historic Preservation Act, including: finding and documenting historic places, making nominations to the National Register, providing assistance on rehabilitation tax credit projects (federal and state), reviewing impacts of federal projects, working with local governments and preservation commissions, administering Certified Local Government grants, and conducting preservation education and planning.

Historic Tax Credit

Federal Preservation partners are promoting legislation to enhance the federal Historic Tax Credit. The federal Historic Tax Credit (HTC) was created in 1976 as a tool to drive economic development through the restoration and reuse of America's historic buildings. Since its inception, the HTC has been a widely used redevelopment tool, helping revitalize cities, towns and rural communities all across the country. The HTC has a proven track record for stimulating economic growth through private investment that creates jobs.

Transportation

The City supports transportation funding to help achieve the community goals outlined in SA2020 for San Antonio's transportation system to be recognized as a model of efficiency and environmental sustainability. The City will pursue funding for transportation priority projects via TIGER and MAP-21 allocations.

Additionally, the City supports passage of a six year reauthorization upon expiration of the Moving Ahead for Progress in the 21st Century Act (MAP-21) to allow for improved planning, increased federal transportation infrastructure investment, and to streamline the federal aid process with direct funding to large cities. On July 6, 2012, MAP-21 was signed into law, enacting a two-year reauthorization of the nation's surface transportation programs. On May 22, 2015, the Senate sent a two month highway and transit reauthorization bill to the President in order to avert a May 31st shutdown, allowing Congress until July 31st to develop a new plan.

Urban Area Securities Initiative (UASI)

The City supports advocacy for legislation in support of federal funding for the U.S. Department of Homeland Security's (DHS's) Urban Areas Securities Initiative (UASI) and for Regional Fusion Centers.

UASI funds promote a multi-jurisdictional, multi-disciplinary approach to regional prevention, preparedness, response, and recovery from a terrorist attack or natural disaster. Funds allow national security coordination among law enforcement, fire service, emergency management, public health and medical, public works, and similar special operation capabilities.

Fusion Centers work with federal, state, regional, and local law enforcement and serve as the state repository for homeland security information and incident reporting. They aim to provide real-time intelligence support to law enforcement and public safety authorities, and consolidate information and data on suspicious activities and threats from all jurisdictions and disciplines as well as the public. The Southwest Texas Regional Fusion Center (SWTFC) is a partnership between South Texas regional law enforcement, fire, and emergency management agencies and services. This partnership functions to enhance the safety and security of the region by serving as an all crimes & all hazards information sharing center. The Southwest Texas Regional Fusion Center prioritizes intelligence sharing on organized criminal gangs, border violence and terrorism through a strategy of information collection, analysis and dissemination to partners in the region.

Workforce and Training

The City supports funding for education, workforce, and training programs that will build the highly skilled workforce in San Antonio that is crucial for success in the 21st century.

The U.S. Department of Labor's (DOL's) Trade Adjustment Assistance Community College and Career Training (TAACCCT) Grant Program provides community colleges and other institutions of higher education with funds to expand and improve their ability to deliver education and career training programs that can be completed in two years or less, and prepare participants for employment in high-wage, high-skill occupations. Additionally, the American Apprenticeship Grants Program is a $100 million annual DOL program to enable grantees to develop and implement innovative, high-quality registered apprenticeship programs. These resources help

community colleges and other institutions develop, improve, and provide education and training for high demand fields for eligible workers. With these resources, community colleges across the country can: Work with businesses; Create education partnerships; Teach basic skills; Utilize technology and provide Student personalize services.

OMNIBUS POLICY

The City supports federal regulations or legislation which would clearly benefit the City and opposes any regulations or legislation that would clearly be adverse to the City's interests.

In 1995 Congress created a mechanism that would place obstacles in the path of imposing new, unfunded federal mandates on the taxpayers of the nation's cities and towns. The law created a mechanism to force Congress and the White House to acknowledge the impact of proposed unfunded mandates on state and local governments. However, it left untouched federal authority to preempt traditional municipal rights, responsibilities, and revenue resources.

The City of San Antonio has historically endorsed legislation that would clearly benefit the City and opposed bills that meet one or more of the following criteria:

- Undermines the principles of self-government;
- Mandates increased costs to cities, including environmental mandates;
- Results in the loss of revenue to cities or changes the authority of the City to generate revenues;
- Diminishes the fundamental authority of cities to operate in a manner consistent with the best interest of the health, safety and welfare of the general public; and/or;
- Preempts municipal authority, municipal code development, and interferes with municipal control.