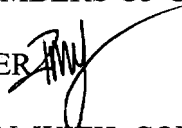


City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 22, 2012

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER 

SUBJECT: FEDERAL ISSUES FOR DISCUSSION WITH CONGRESSMAN JAMES P. MORAN

ISSUE: Federal issues for discussion with Congressman James P. Moran.

RECOMMENDATION: That City Council receive this report.

DISCUSSION: Each year, Council meets with Congressman James P. Moran, and presents him and the other members of our federal delegation with a list of federal issues of concern to the City. Many of these in the past have been specific items for which the City sought federal funding, although the City has always included non-earmark federal legislative requests. In the weeks following this Council meeting, City staff will also review these issues with staff for Senators Warner and Webb.

I. The Federal Budget and Social Safety Net Programs. Staff is reviewing relevant portions of the President's proposed budget. While the City realizes the need for budget reductions in order to reduce the federal budget deficit, there are certain funding proposals that would help important City programs benefitting City residents. When we met with Congressman Moran last year, we gave him a list of programs that we believed would be severely impacted by then proposed HR1, the House budget bill (which ultimately failed to pass). While the City understands that there will inevitably be reductions in future federal budgets, there are a number of programs, especially those that preserve a safety net for our most vulnerable residents, which need very careful consideration prior to any significant funding reductions.

1. Community Development Block Grants and HOME Funds. Alexandria in the past has used CDBG funds to fully or partially fund a number of City programs: the Home Rehabilitation Loan, RAMP (the Rental Accessibility Modification Program, which helps low and moderate income renters who have physical disabilities make accessibility modifications to their residences), Fair Housing Testing, Winter Shelter for the Homeless, Homeownership Assistance, Eviction Assistance and Furniture Storage, and Transitional Assistance. CDBG funding is also used to pay some of the Office of Housing administrative costs to run these programs.

Federal Home Investment Partnership funds (HOME) also provide funds to the Homeownership Assistance Program, the Housing Opportunities Fund and Office of Housing Program Administration.

In the federal FY 2012 (City FY 2013) budget, the City lost \$980,032 in CDBG and HOME monies, a combined reduction of 47 percent. To accommodate the funding loss, the City's homeownership programs are proposed for elimination, with the exception of loans to support purchases of resale restricted units and other special projects. Two Office of Housing staff positions associated with and funded by these programs are also proposed for elimination.

The National Association of Housing and Redevelopment Officials (NAHRO) recommend that both CDBG and HOME appropriations be restored to the FY 2011 enacted level: \$3.336 billion for CDBG (including \$3.329 billion for CDBG formula grants) and \$1.607 billion for HOME formula grants. The City believes that CDBG and HOME funds are especially helpful in preventing homelessness and assisting those who are homeless, and agrees with NAHRO that additional appropriations to these programs are needed.

2. Community Services Block Grants (CSBG). Alexandria uses CSBG funding for the direct client services to assist its residents. It helps to prevent homelessness and stabilize households by providing short-term rental assistance and utility assistance when other programs are not available and a household faces eviction or loss of heat otherwise. It also provides services such as short-term prescription assistance while getting families connected to other resources. Loss of funding from this important program is likely to mean an increase in the number of homeless people.

3. Low Income Heating and Cooling Programs (LIHEAP). LIHEAP is another program that provides financial assistance to those who would otherwise lose their heating or cooling programs. Beneficiaries of LIHEAP are often individuals with health problems that would be exacerbated by a loss of heating or cooling.

II. Reauthorization of Federal Transportation Programs. Reauthorization of federal transportation legislation is now several years overdue. The City recommends that Congress complete a reauthorization bill this Session, and that such a bill be multi-year (5 to 6 years is the norm for this) and provide sufficient funding to meet the nation's transportation needs, including those for transit. In this case, the bill now being considered in the Senate is superior to the House bill.

For the most part, the President's budget proposes reasonable funding levels for transportation, but we strongly recommend that our delegation oppose his plan to reduce by 10 percent the capital funding that is earmarked for WMATA. Several years ago, Congress, as a result of bipartisan efforts strongly supported by the City's delegation, approved a 10-year plan to provide \$150 million annually to WMATA for unmet safety and maintenance needs, with a like amount to be provided jointly by Virginia, Maryland, and the District of Columbia. This 10-year plan needs to be fully funded by all parties to provide a safe transit system.

The City also requests an amendment to the New Starts program in the reauthorization of federal transportation legislation. We have been informed that infill subway stations are ineligible for New Starts funding. The City is making plans for a new WMATA station in Potomac Yard, and New Starts money would be helpful as a part of the funding package for this station. We request language in the reauthorization clearly stating that infill subway stations are eligible for New Starts grants.

III. Other Items in the President's Proposed Budget. Other items in the President's proposed budget that would help City programs include increased funding for several important public safety programs, such as Community Oriented Policing Services (COPS), Byrne Justice Assistance Grants; and firefighter hiring (SAFER) grants; and additional funding to support jobs for youth, and the long-term unemployed.

IV. Four Mile Run. Prior to the construction of a channel modification in the 1970's, flooding occurred frequently in Arlandria and other nearby areas near Four Mile Run, which forms a border between Alexandria and Arlington. The channel modification, authorized by Congress in 1974, accomplished its goal—flood protection—but it also severely compromised the aesthetic and environmental benefits of the stream. About ten years ago, Congressman Moran began working to provide funds and assistance from the Army Corps of Engineers to restore some of the environmental benefits of Four Mile Run.

Last year, Alexandria and Arlington were informed by the Corps that current restoration plans are not consistent with the 1974 congressional authorization for the flood control project, so the Corps cannot approve the proposed restoration project, even though the Corps agrees that the proposed project would be beneficial. The Corps has been a partner in the design of the stream improvements from the beginning, and never indicated that the design would not be acceptable. There appears to be an internal Corps conflict with the office that manages levees being most concerned, but that concern is more a national precedent concern rather than a Four Mile Run – specific concern. Since City and Arlington staff were advised of this problem, they have been working with Congressman Moran and his staff to find a way around this impasse.

Congressman Moran has now asked for a meeting with the Corps to resolve the issue. He has also expressed his willingness to the Corps to seek a legislative solution to the issue if needed (This could be as simple as rewriting the channel conveyance requirements to reflect more detailed data than was available in 1974.) The City thanks Congressman Moran for his work, and will continue to pursue measures to allow the restoration project to continue.

V. BRAC Issues. The City would like to discuss several BRAC issues.

Parking Limits at the Washington Headquarters Service (WHS) Garages. The 2012 Omnibus Appropriations Bill includes a provision long sought by Congressman Moran. It limits workers at the WHS to 2,000 spaces in the on-site garages unless the Secretary of Defense certifies that intersections in the area have not experienced failing levels of service. The City has yet to learn of the process that will be used by the Secretary of Defense to determine whether the Secretary is able to make such certification. In mid-January, City staff wrote to WHS staff, requesting

information about the process, as well as a contact person for discussions about this issue. WHS has not yet responded to the City's letter.

Beauregard Ellipse. One of the long-term improvements that should assist with traffic congestion in the area around the new Washington Headquarters Service (WHS) complex is the creation of an ellipse at the intersection of Seminary Road and Beauregard Street. An ellipse operates much like a traffic circle, in this case by rerouting those who wish to make a left turn, onto Beauregard from Seminary, so that they will proceed around a new half-circle, and then enter Beauregard without having to turn left (see Attachment 1). This will decrease delays and queues and improve safety for all drivers who use this intersection, whether or not they turn left. It will also provide safer and shorter pedestrian crossing routes, as well as facilities for bicyclists.

Construction of the ellipse will be expensive—it is projected to cost as much as \$30 million. Because this improvement will help traffic congestion caused by the WHS complex, we would appreciate DoD funding to help pay for a large portion of it.

Future Department of Defense and Civilian Agency BRACs. The administration and the House of Representatives have proposed initiatives about future BRAC-type processes to deal with excess federal military and civilian office space. The City has the following concerns about each of these initiatives:

- a. Department of Defense (DoD): The administration's FY 2013 proposed budget indicates a need to reassess base structure with two additional Base Realignment and Closure (BRAC Commission) processes. This is due to the projected need to reassess what emerges from a downsized military force structure. Some have suggested that any DoD BRAC processes should not start until FY 2014 when the nature of the downsizing is better known as a result of federal budget reductions. Modifications to the BRAC processes that were initiated by Congressman Moran have been recently enacted in federal legislation. These include the consideration of the impact of the traffic generated by new or expanded military bases, and the resulting mitigation costs, when DoD calculates whether a military base realignment meets a return on investment threshold. The Defense Access Roads program eligibility criteria also have been substantially modified to make this program more accessible for funding improvements that are needed for local roads near military bases.

In the 2005 BRAC process, DoD was able to use the BRAC process to move civilian employees from leased space to newly-constructed DoD-owned office space that was built with BRAC military construction funds. Former Senator John Warner argued unsuccessfully with DoD in 2005 that the BRAC law did not permit such leased-to-owned office space changes. The BRAC law was silent on the matter, and DoD's position was that it had such authority. Under the BRAC law, DoD was able to purchase the Mark Center property and to construct a new office building to house DoD civilian employees. This took the property off the City's tax rolls in perpetuity. The BRAC law should be amended so as to prohibit DoD from acquiring new non-federal privately-owned real estate (vacant or with improvements on it) to provide federal office space. With the BRAC office building on the Mark Center campus adjacent to other privately

owned office buildings, the City may be at risk for a future BRAC-related DoD acquisition of one or more of these privately owned office buildings.

- b. **Federal Civilian Agencies:** The House recently approved HR 1734, the Civilian Property and Realignment Act. It has now been referred to the Senate Committee on Environment and Public Works. This legislation proposes the creation of a BRAC-type process for civilian (i.e., non-military) federal agencies. A new commission (the Civilian Property Realignment Commission) would consider the sale of federal non-military government property (so long there is no reason to retain it related to national security), or the elimination and consolidation of leased federal office space. The process to be used under this legislation is similar to the DoD BRAC process, and it would be difficult for the President or Congress to influence its recommendations or their implementation. The purpose of creating such process is to take issues of downsizing and the sale of federal property out of the realm of direct political, parochial influence. This new Commission would receive the proceeds from the sale of property and be able to direct the use of those proceeds “for consolidation, co-location, exchange, redevelopment, reconfiguration of space and other actions recommended by the Commission for Federal Agencies.” The Commission is not explicitly authorized to acquire leased federal office space, but there is no such prohibition in HR 1734. As a result, the federal government may seek to buy property that is currently on local tax rolls but serving as federal leased office space. The federal government leases about 3.3 million square feet of office space in the City, consisting mostly of the U.S. Patent and Trademark Office. The PTO leased building provides the largest single tax payment in the City; the building has a value of nearly \$1 billion. While it is laudable for the federal government to economize and to sell excess property, Congress should explicitly prohibit any future civilian (or military) BRAC-type entity from acquiring privately owned property as part of its process. This would protect local governments from reductions in taxable property. Alternatively, the new Commission or a like entity could be authorized to recommend the acquisition of leased property, if it has the approval of a local government.

Staff notes that the former U.S. Courthouse on South Washington Street (now housing the U.S Bankruptcy Court for this federal court district) is a property that a civilian BRAC entity may decide to analyze.

The Obama Administration has previously proposed a concept similar to HR 1734, but has expressed concerns about many of the elements in HR 1734. Congressman Moran voted against HR 1734.

VI. FEMA Snow Storm Reimbursements. In November 2009, changes were made to the Federal Emergency Management Agency’s (FEMA) policy for its Public Assistance Program as it relates to winter storm events. These changes resulted in far less funding being made available to Alexandria and other communities to deal with severe snowfalls. The new policy limits federal reimbursement for snow removal activities to 48 hours after the event. It also limits reimbursement to winter snowfalls that exceed or are within ten percent of the previous record snowfall. Alexandria’s response and cleanup for the February 2010 snowfall, which closed the federal government for five days, lasted much longer than 48 hours, and cost nearly \$8,200,000. If we had experienced a disaster such as a hurricane, with similar damage, our

recovery would have been about seventy to eighty percent of our expenses. In the case of this snowfall, it was no more than half that. The City understands that the cost of snow removal under normal circumstances should be the responsibility of the local and state governments. The December 2009 and February 2010 snowstorms, however, were clearly disasters similar to hurricanes and tornados and should be treated as such. We ask that legislation be enacted to require FEMA to treat major winter snow storms the same as other weather disasters, such as hurricanes and tornadoes.

ATTACHMENT:

Attachment 1: Beauregard Plan: Shaping the Future—What is the Proposed Ellipse?

STAFF:

Bernard Caton, Legislative Director



BEAUREGARD PLAN: Shaping The Future

WWW.ALEXANDRIAVA.GOV/BEAUREGARDPLAN

WHAT IS THE PROPOSED "ELLIPSE"?

A time saving Traffic Circle

The intersection of Seminary Road at Beauregard Street is a busy intersection in the West End of Alexandria.

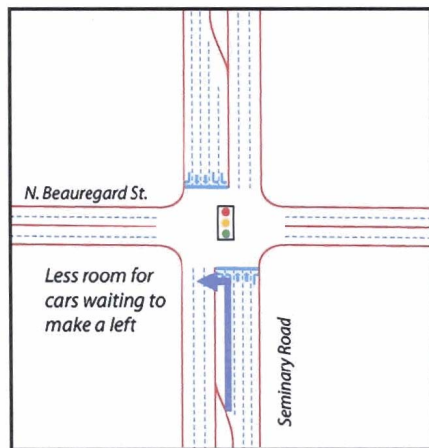
What's wrong with the intersection today?

- Wide intersection for pedestrians to cross
- Confusing triple left turn
- No bicycle facilities
- Long wait to make left turns
- During peak periods have to wait through more than one light cycle

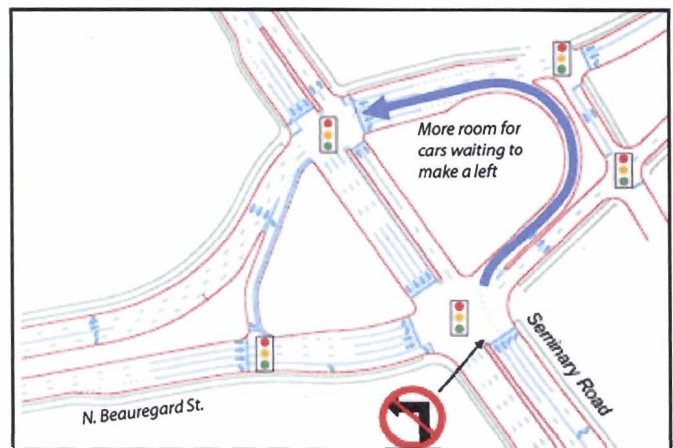
How will the Proposed Ellipse help?

- Operates similarly to a traffic circle
- Shorter pedestrian crossing with pedestrian refuges
- Eliminates most left turns
- Saves drivers time
- Improves safety
- Decreases delay driving through the intersection
- Includes bicycle facilities
- More green space

TYPICAL LEFT TURN CONFIGURATION



PROPOSED ELLIPSE CONFIGURATION



WHY RIGHT TURNS WORK:

UPS Right Turn Policy – UPS maps out routes for all drivers to reduce the number of left turns they make. In 2007 alone, this translated to:

- **Saves time** – 39 million miles shaved off delivery routes
- **Saves gas** – 3 million gallons of gas saved, and
- **Reduces Emissions** – CO² emissions reduced by 32,000 metric tons, the equivalent of removing 5,300 cars from the road for an entire year.



The working draft of the Beauregard Small Area Plan is available for review online or at Room 1900 in City Hall, Burke Library, and Beatley Library. The public's comments are encouraged as the City and community continue to refine the Plan.