

**RESOLUTION NO. 2017-04-\_\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY,  
TEXAS, AUTHORIZING THE APPROVAL OF THE CITY OF MCKINNEY  
2017-18 FEDERAL LEGISLATIVE AGENDA**

**WHEREAS,** the City Council of the City of McKinney, Texas, desires to adopt the 2017-18 Federal Legislative Agenda to provide guidance to the Texas Congressional Delegation and advocates of the City in the legislative process; and

**WHEREAS,** the City desires to promote federal issues, including lobbying, regulatory issues, assistance in obtaining federal funding, federal approval of City projects, and Federal legislative and regulatory initiatives; and

**WHEREAS,** the Texas Congressional Delegation will decide many significant issues that directly and indirectly impact residents and businesses of McKinney, their local government, and their quality of life.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

- Section 1. The City Council of the City of McKinney, Texas, hereby approves and adopts the 2017-18 Federal Legislative Agenda (Exhibit A).
- Section 2. The Mayor and Council hereby direct staff to distribute and communicate the approved 2017-18 Federal Legislative Agenda to its Federal legislative consultant.
- Section 3. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 4<sup>th</sup> DAY OF APRIL, 2017.**

CITY OF MCKINNEY, TEXAS

\_\_\_\_\_  
BRIAN LOUGHMILLER  
Mayor

ATTEST:

\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary  
DENISE VICE, TRMC  
Assistant City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER  
City Attorney

EXHIBIT A



**City of McKinney  
FY 2017/2018 Federal  
Priorities**

**Mayor**  
Brian Loughmiller

**Mayor Pro Tem**  
Randy P. Pogue

**City Secretary**  
Sandy Hart



**Council**  
Chuck Branch  
Don Day  
Tracy Rath  
Rainey Rogers  
Travis Ussery

**April 2017**

We are pleased to present you with the City of McKinney's Fiscal Year (FY) 2017/2018 Federal Agenda. Thanks to substantial support from the Texas Congressional Delegation, McKinney continues to improve the lives of our residents while maximizing the impact of Federal dollars in a cost effective manner.

With the 2016 Presidential Election impacting every policy discussion in Washington, the City understands the FY 2017 Agenda must be thoughtful and concise.

The FY 2017/2018 Agenda focuses on infrastructure for McKinney, including roads under the implementation of the Fixing America's Surface Transportation Act (FAST) Act, construction projects for McKinney National Airport, and water infrastructure, such as the rehabilitation of dams and construction of the Lower Bois d'Arc Creek Reservoir. The Agenda also highlights how keeping the tax exempt nature of municipal bonds is absolutely critical to the ability of McKinney and other local governments to raise money for community development projects, especially in a time of declining Federal dollars.

Our past success with leveraging Federal spending with local dollars has allowed the City to operate efficiently and effectively. The City's Agenda continues to include local needs and projects, especially with a focus on infrastructure, and hopes to match these needs with Federal competitive grant announcements.

The City of McKinney appreciates all that the Texas Congressional Delegation has done and continues to do for our community. We look forward to your feedback on our Agenda and working with the Congressional Delegation to better the lives of our residents.

Brian Loughmiller  
Mayor – City of McKinney

Paul Grimes  
City Manager – City of McKinney

## City of McKinney FY 2017 Federal Priorities

### I. McKinney National Airport

- A. FAA/TXDOT Grant Funding for Airport Projects
  - 1. Taxilane Construction, Including Land Acquisition.
  - 2. Relocation of Taxiway B3 Connector.
  - 3. Rehabilitate Taxilane A.
  - 4. Repair Erosion Damage and Enhance Storm Water Drainage.
  - 5. Hangar Taxilane Construction.
- B. FAA/TXDOT Issue re Discretionary Grant Funding for Texas Airports
- C. Federal Contract Tower Program
- D. FAA Reauthorization Bill in 2017
  - 1. Federal Contract Tower Program
  - 2. Federal Air Traffic Control Privatization
  - 3. Federal Grant Program Funding
  - 4. Non-Primary Entitlement Grant Management

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- A. Transportation Alternatives Program Funding
- B. Congestion Mitigation and Air Quality Improvement Funding
- C. 10-Year Unified Transportation Program
  - 1. Custer Road (FM 2478)
  - 2. SH 5 (McDonald Street)
  - 3. US 380 Improvements and US 380 Bypass
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- A. Lower Bois d'Arc Reservoir: Expedite Army Corps Section 404 Permit
- B. Invasive Species
  - 1. Water from Lake Texoma
  - 2. Water from the Sabine River

### V. Flood Control

- A. Natural Resource Conservation Service Watershed Rehabilitation Program
  - 1. DR7158 NRCS Lake 2A Dam Rehabilitation
  - 2. DR5093 NRCS Lake 4 Dam Rehabilitation
  - 3. DR4319 NRCS Lakes 15 and 16 Dam Rehabilitation
- B. Federal Emergency Management Agency

### VI. Public Safety (Police, Fire, & Emergency Management)

- A. Federal Emergency Management Agency
- B. Homeland Security Grant Program
  - 1. State Homeland Security Program
  - 2. Urban Area Security Initiative
  - 3. Law Enforcement Terrorism Prevention Activities
- C. Assistance to Fire Fighter Grant Program
- D. Staffing for Adequate Fire and Emergency Response Grant Program
- E. National Fire Fighter Foundation Life Safety Initiatives

### VII. Other Federal Grant Programs

- A. Community Development Block Grant Program
- B. Housing Programs

### VIII. National Policy Issues

- A. Tax Exempt Status of Municipal Bonds
- B. Online Sales Tax – Main Street Fairness Act

**I. McKinney National Airport.**

**A. FAA/TxDOT Grant Funding for Airport Projects.**

The Federal Aviation Administration (FAA) has a grant program, known as the Airport Improvement Program (AIP), which funds construction projects at airports nationwide. For general aviation airports, such as McKinney National Airport, the FAA has a program, known as the State Block Grant Program, which allows a State to administer the AIP grants directly. Texas and several other states participate in this State Block Grant Program. The Texas Department of Transportation (TxDOT) Division of Aviation (TxDOT-Avn) administers the Block Grant Program through an agreement with the FAA Southwest Region's Airport Branch and the FAA's Texas Airport District Office in Fort Worth. The FAA can also supplement this State Block Grant Program with additional AIP discretionary grants each year.

The McKinney National Airport has several construction projects that it has discussed with TxDOT-Avn and for which grant funds will be requested.

**1. Taxilane Construction, Including Land Acquisition.**

The City presently has a request on file with TxDOT-Aviation for AIP funding to acquire land and construct a taxilane. When implemented, the City will acquire 27.8 acres of a 48.434-acre tract (or the entire 48.434 acres depending on the terms of the sale) currently owned by VTCR on the Airport's west side. The tract will be used to construct a 75-foot wide concrete taxilane with a minimum of 150,000 lbs. Dual Wheel (DW) weight-bearing capacity to accommodate the future construction of large box / executive and storage hangars by McKinney Air Center.

<b>Project Name</b>	<b>Total Cost</b>	<b>Federal Share</b>	<b>City Share</b>
Acquire Land	\$10,500,000	\$9,450,000	\$1,050,000
Construct	5,000,000	4,500,000	500,000
Totals	15,500,000	13,950,000	1,550,000

**2. Relocation of Taxiway B3 Connector.**

This is a safety project. The current Taxiway B3 Connector does not comply with FAA safety design standards as defined in Federal Aviation Administration AC 150-5300-13A (Airport Design) Chapter 4, Section 408c.

<b>Project Cost Estimate</b>	<b>Federal Share</b>	<b>Local Share</b>
\$669,000	\$602,100	\$66,900

**3. Rehabilitate Taxilane A.**

This project will strengthen and extend pavement life, and remove storm water slot drains to mitigate the possibility of additional propeller strikes and reduce liability. Taxilane rehabilitation is eligible for AIP funds, as stated in FAA Order 5100.38D, (AIP Handbook) Appendix H, H-2e.

<b>Project Cost</b>	<b>Federal Share</b>	<b>Local Share</b>
\$10,162,000	\$9,145,800	\$1,016,200

**4. Repair Erosion Damage and Enhance Storm Water Drainage.**

This project will enhance the management of all storm water flowing on the Airport to meet Federal guidelines that protect airfield equipment, including the Automated Surface Observation System (ASOS) and the Instrument Land System (ILS) components, and storm water channels, including headwalls and

culverts, and allow for the routine maintenance of airfield grounds in order to prevent the creation of wildlife habitats.

According to FAA Order 5100.38D (AIP Handbook) Table D-1 (Miscellaneous Project Requirements, Rows l and m, 1 thru 4), erosion and storm water systems are eligible for AIP financial assistance because these deficiencies affect other areas eligible for AIP assistance.

Project Cost	Federal Share	Local Share
\$5,000,000	\$4,500,000	\$500,000

## 5. Hangar Taxilane Construction.

McKinney Air Center (MAC) is the Airport's only Fixed Base Operator (FBO). MAC maintains and leases hangars, including 93 existing T-Hangars located on the Airport's main aircraft parking apron. It is MAC's intent to relocate the existing hangars to the Airport's southwest quadrant to make way for large storage, executive or maintenance hangars. Because it takes time to receive AIP funding through TxDOT-Avn, MAC has asked that a funding request be made this year in preparation of project implementation in the out years. The Airport's Engineer of Record has been asked to provide an opinion of probable costs. Understanding that private investment may be an alternative in the construction of hangars, this pavement may be used by a private developer as a method to reduce his costs and create a more favorable lease-back option to the Airport.

Project Cost	Federal Share	Local Share
\$6,000,000	\$5,400,000	\$600,000

**Recommendation:** Seek support from TXDOT and the FAA for grant funding for these Airport projects over the next several years.

## B. FAA/TxDOT Issue re Discretionary Grant Funding for Texas Airports.

All of the above project funding requests are, and may continue to be, tied up in Federal and State funding issues currently being addressed through the joint efforts of the North Texas Council of Governments (NCTCOG), its Air Transportation Advisory Committee (ATAC), and the Texas Airports Council (TAC). *TKI is represented in these efforts as members of both ATAC and TAC.* The Texas Airports Council (TAC) represents the interests of General Aviation (GA) airports in the State of Texas. The Air Transportation Advisory Committee (ATAC) of the North Central Texas Council of Governments (NCTCOG) represents the interests of airports in the Dallas – Fort Worth Metroplex and advises the NCTCOG (the local metropolitan planning organization) on matters pertaining to air transportation. Most ATAC members are also members of TAC.

In response to recent developments and discoveries relating to the Texas airport capital improvement program and funding for GA airports in the State of Texas, TAC and ATAC have developed and recommend a set of goals for changes in Texas GA airport capital improvement planning, programming, and grant funding. Of concern are funding levels and methods by which projects are selected for funding, with a focus on accountability and transparency of the project selection process as well as a concern with the low level of advocacy for increased Federal and State funding exhibited by TxDOT's Division of Aviation (TxDOT Aviation).

The key goals in this process are as follows:

- a. Increase Federal Airport Improvement Program Discretionary Grant Funding for Texas General Aviation Airports.
- b. Enhance the Airport Project Funding Selection Process to ensure transparency and fair and equitable allocation of grant funds.

- c. Increase the Aviation Division's professional staff to achieve optimum service levels.

These goals will all benefit McKinney's future Airport projects. Based on information received from the NCTCOG, TxDOT-Avn issues may be resolved just below the legislative level with the Texas Transportation Commission (TTC). However, the City of McKinney will continue to stay involved in this process and advocate for adoption and implementation of the above stated goals.

**Recommendation:** Continue working with TXDOT and the FAA and, where applicable, Congress to improve the grant process and to increase the overall amount of grant funds available to Texas general aviation airports, including McKinney National Airport.

### **C. Federal Contract Tower Program.**

The FAA provides air traffic control services for most commercial service airports by having FAA employees in the airport control towers. For General Aviation airports that have a high level of aircraft traffic, including McKinney National Airport, the FAA provides air traffic control services through contracts with companies that hire the controllers. This program, known as the Federal Contract Tower Program, has been found to be cost-effective and covers a total of 253 airports from 46 states, including 23 airports in Texas. The Program saves McKinney approximately \$675,000 in annual payments that the City would otherwise have to make in order to have air traffic controllers in the Airport's Control Tower.

**FY 2017 Funding.** Congress provides annual funding for the Contract Tower Program. The current funding level for FY 2017 is \$159 million. Congress has not yet decided on the final funding bill for government operations for FY 2017. It will be important to have Congressional support to ensure that the final appropriations bill provides the full \$159 million for the Contract Tower Program.

**FY 2018 Funding.** In the next few months, Congress will consider funding levels for FY 2018, which begins on October 1, 2017. The current estimated funding needed for the Contract Tower Program in FY 2018 remains at \$159 million. It will be important to have Congressional support to ensure that this funding level is maintained.

**Effects of Sequestration.** In early 2013, sequestration resulted in large cuts to Federal programs. Due to the way that the Contract Tower Program was funded, the FAA tried to impose disproportionate cuts that would have eliminated funding for 149 control towers, including McKinney's tower.

With strong Congressional support, the funding was reinstated for FY 2013 and the control towers were kept open. Congress has since specifically designated the funding for the Program in a way that would protect it from disproportionate reductions under sequestration. Sequestration is scheduled to resume in FY 2018. Continued Congressional support will be needed to ensure that the Contract Tower Program is not adversely impacted if sequestration does happen.

**Recommendation:** Continue to work with McKinney's Congressional delegation and others in Congress to ensure that the FAA's Contract Tower Program is fully funded and maintains its status as a specifically designated account.

### **D. FAA Reauthorization Bill in 2017.**

Every several years, Congress passes a multi-year bill that reauthorizes and revises Federal aviation funding programs. Since the current legislation expires on September 30, 2017, Congress is expected to consider a new FAA Reauthorization Bill this year. The issues that may affect McKinney include the following;

### **1. Federal Contract Tower Program.**

The FAA uses a benefit/cost analysis to determine eligibility for the Contract Tower Program. The FAA has proposed to revise this benefit/cost analysis and the airport community is concerned that the revisions will force a number of airports out of the Program. In response, the airports have been seeking Congressional support for provisions in the FAA Reauthorization Bill that any such revision reasonably account for the benefits and the costs of being in the Program.

### **2. Federal Air Traffic Organization Privatization.**

The House Transportation and Infrastructure Committee has a proposal to transfer the FAA's Air Traffic Organization (ATO), which includes the Contract Tower Program, to a private entity, which would operate the system. There are concerns that such a private entity could decide to close control towers, including towers in the Contract Tower Program. In addition, privatization of the system could mean the imposition of unreasonable fees or other financial and operational burdens on the General Aviation community that would negatively impact air traffic and operations at TKI and other General Aviation airports. Consequently, it is recommended that McKinney oppose any proposal to privatize the FAA's Air Traffic Organization.

### **3. Federal Grant Funding Program.**

Since McKinney benefits from FAA Airport Improvement Program grants, it is recommended that we recommend the City support a fully authorized and appropriated, multi-year Program under the FAA Reauthorization Bill.

### **4. Non-Primary Entitlement Grant Management.**

In addition, TxDOT-Avn has been advocating a legislative proposal that would ease restrictions on the State's management of so-called Non-Primary Entitlement grant funds, i.e., an annual \$150,000 that many General Aviation airports receive under the FAA's grant program. TxDOT-Avn's proposal could substantially increase Federal funding available for the highest and best use within the Texas Airport System.

**Recommendation:** Continue to work with McKinney's Congressional delegation and others in Congress to implement the foregoing initiatives in order to continue and improve the Contract Tower Program and the FAA's grant program, both of which benefit the McKinney National Airport.

## **II. Roads.**

McKinney's population has dramatically increased over the past several years and is expected to continue to increase at a sizable rate for the next 15 to 20 years. Transportation is an ever increasing issue for McKinney in order to provide adequate roadways to transport McKinney and non-McKinney residents to and through the City. Current projects that are slated to have Federal dollars to assist in funding include:

### **A. Transportation Alternatives Program Funding.**

Pedestrian Safety Enhancement at Various Locations in Proximity to Schools – The goal of this project is to enhance pedestrian safety at various school sites along four-lane divided roadways. McKinney is installing additional signage and constructing missing links of sidewalks.



## **B. Congestion Mitigation and Air Quality Improvement Funding.**

US 380 and Airport Drive Intersection Improvements –This project will add a second westbound left turn lane on US 380 at Airport Drive. There is severe congestion on US 380 and the goal of the project is to add additional capacity.

## **C. 10-Year Unified Transportation Program.**

Funding Approved by the North Central Texas Council of Government's Regional Transportation Council and forwarded to the Texas Transportation Commission for consideration.

### **1. Custer Road (FM 2478) – From US 380 to North of FM 1461.**

Texas state funding has been earmarked for Right-of-Way acquisition. Custer Road in its current state as a two-lane rural roadway is nearing capacity. There are safety concerns related to the speeds on the roadway and no shoulders with growing traffic volumes. The new roadway will support additional development that is occurring in the City's northwest sector.

### **2. SH 5 (McDonald Street) – From McKinney's Southern City Limits to McKinney's Northern City Limits.**

This roadway needs improvements in several sections to address additional capacity requirements. Through the heart of McKinney, the infrastructure is aging and needs replacement. The enhancement of the roadway would support economic growth that has been started by the redevelopment of the City's Historic Town Center.

### **3. US 380 Improvements and US 380 Bypass. (\*\*PROJECT OF REGIONAL SIGNIFICANCE\*\*)**

US 380 is at capacity and a conversion to a controlled access facility is needed. The Bypass of US 380 is needed to avoid significant displacement of residential and commercial properties through McKinney.

### **4. SH 121 (Spur 399) Extension – From SH 5 to US 380 East of Princeton. (\*\*PROJECT OF REGIONAL SIGNIFICANCE\*\*)**

This is an extension of the SRT as a non-tolled controlled access facility to help alleviate the congestion on US 380.

The Administration has spoken about a large, multi-year Infrastructure Program, but has not released details, such as how such a program would be funded. While Congress seems interested, in general, the funding issue will be critical in whether or not such an Infrastructure Program moves forward. In addition, when Congress passed the five-year Fixing America's Surface Transportation Act (FAST Act) in 2015, it provided funding only for the first three years, FY 2016 to FY 2018. Consequently, Congress is expected to consider funding for FY 2019 and FY 2020 next year. An Infrastructure Program and continued funding for FAST Act programs could provide funding for McKinney's road projects.

**Recommendation:** Monitor developments in Congress and work with McKinney's Congressional delegation and others in Congress to: (1) support an Infrastructure Program with appropriate funding mechanisms, and (2) ensure continued funding under the FAST Act.

### III. Transit.

#### A. Federal Transit Administration Grant Program.

The Federal Transit Administration (FTA) apportions Federal transit funding to rural and urbanized areas throughout the nation. As a small urban area within Texas, the McKinney Urbanized Area (MUZA) was allocated approximately \$2.6 million in FY 2016 in Section 5307 Urban Area Formula funds for the Federal share of eligible expenses for transit-related capital, planning, and operating activities which occur within the MUZA. Determining the recipient of Section 5307 Urban Area Formula funds for a UZA is a collaborative process between the FTA, the Texas Department of Transportation (TxDOT), and the local Metropolitan Planning Organization, which is the North Central Texas Council of Governments (NCTCOG). As the Direct Recipient, the Grantee receives Federal funding directly from FTA.

In January, 2017, McKinney filed a request to replace the Texoma Area Paratransit System (TAPS) as the Direct Recipient for the MUZA funding, thereby allowing the City to direct Federal funding in order to provide some level of public transit within McKinney. The City recently received the FTA's approval to be the direct recipient.

#### B. FY 2018 Appropriations for FTA Programs.

Congress has not determined the final FY 2017 funding levels for Federal agencies, including the FTA, and preliminary indications are that there will be efforts to reduce Federal funding for non-defense related programs, such as the FTA's grant programs, which provide funding for McKinney's public transit system.

**Recommendation:** Continue to work with the FTA to maintain direct recipient status in the years ahead. Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding for the FTA's transit programs in FY 2017 and beyond.

### IV. Water Supply.

#### A. Lower Bois d'Arc Reservoir – Expedited Army Corps Section 404 Permit.

The North Texas Municipal Water District (NTMWD) is planning to build the Lower Bois d'Arc Reservoir (Reservoir) in order to meet the increasing water needs of North Texas. The Reservoir is a critical component in the region's long-range water supply plan. This new source will provide much needed water to meet growing demands and also enable the NTMWD to maximize its existing water supplies. With the Reservoir, the NTMWD will be able to:

- Meet its projected water supply deficit through 2040.
- Utilize additional water from Lake Texoma.
- Support continued economic growth in the region.

With the new fresh water supplies and additional water from Texoma, this project is the foundation for NTMWD's needs through 2040.

In order to build the Reservoir, the NTMWD needs a Section 404 permit from the Army Corps of Engineers. The NTMWD and McKinney have been concerned with delays in the processing of permit application. The Congressional delegation has been very supportive of moving the process forward and was successful in having a provision, Section 1147, included in the recently-enacted Water Infrastructure Improvements Act for the Nation. Section 1147 requires the Army Corps to expedite the review process and to report to Congress by June 30, 2017, on the status of the application.

**Recommendation:** Continue to support the NTMWD's efforts to effectively and efficiently gain expeditious approval for the required section 404 permit from the Army Corps of Engineers in order to prevent any future water supply issues for the City of McKinney.

## **B. Invasive Species.**

### **1. Water from Lake Texoma.**

Zebra mussels are a highly invasive freshwater species that can have a devastating impact on the environment and the economy. Zebra mussels were first detected in our Lake Texoma water supply in 2009. Due to an error in revising the boundary line between Texas and Oklahoma, the line was moved south to include NTMWD's water pump station on the Oklahoma side of Lake Texoma. Since the Federal government's Lacey Act prohibits the transportation of invasive species across state lines, NTMWD had to immediately cut off our water supply from Lake Texoma to prevent a violation of Federal law. To regain access to our water supply, our Congressional delegation obtained the enactment of an exemption to the Lacey Act that allowed NTMWD to use water from Lake Texoma. This required NTMWD to construct a 46-mile, \$300 million pipeline from Lake Texoma to our Wylie Water Treatment Plant where the water could be treated for zebra mussels before allowing it to mix with other water supplies.

The next step in this process is to have the boundary line between Texas and Oklahoma adjusted so that NTMWD's intake plant is once again solely within the State of Texas.

**Recommendation:** Continue to work with the NTMWD to obtain Congressional support for correcting the boundary line between Texas and Oklahoma so that NTMWD's intake plant is once again solely within the State of Texas.

### **2. Water from the Sabine River.**

The NTMWD is seeking to resolve similar issues involving restrictions under the Lacey Act that impact the use of water from the Sabine River.

**Recommendation:** Support the NTMWD's efforts to enact legislation concerning the use of water from the Sabine River.

## **V. Flood Control**

### **A. Natural Resources Conservation Service Watershed Rehabilitation Program.**

The mission of the Natural Resources Conservation Service (NRCS) is to improve, protect, and conserve natural resources on private lands through a cooperative partnership with state and local municipalities. While its primary focus has been agricultural lands, it has made many technical contributions to soil surveying, classification and water quality improvement.

Since 1948, NRCS has assisted local sponsors in constructing more than 11,900 dams. The Watershed Rehabilitation Program helps project sponsors, such as the City of McKinney, rehabilitate aging dams that are reaching the end of their 50-year design lives. This rehabilitation addresses critical public health and safety concerns.

If the City agrees to take over operation and maintenance, the NRCS will provide 65% of the funding. Since 2002, McKinney has received over \$6.5 million to rehabilitate eight NRCS dams (in addition to those shown below) in McKinney to

address critical public health and safety concerns. McKinney recently completed one dam rehabilitation project and the rehabilitation of another dam is currently under way. McKinney also has plans to rehabilitate additional dams. Below is a summary of three projects.

**1. DR7158 NRCS Lake 2A Dam Rehabilitation.**

Recently completed. Construction from December 2014 to December 2016. Total cost: \$4,100,000. NRCS contribution: \$2,700,000.

**2. DR5093 NRCS Lake 4 Dam Rehabilitation.**

Currently under design and preparing for construction. Construction expected from 2017 to 2018. Estimated total cost: \$5,600,000. Estimated NRCS contribution: \$3,600,000.

**3. DR4319 NRCS Lakes 15 and 16 Dam Rehabilitation.**

Anticipated Cost: \$2,260,000. The plan is to request grant funding from the NRCS and contributions from a developer. The design work for these dams is expected to begin in 2019 and the construction is expected to begin in 2020. Congress has not determined the final FY 2017 funding levels for Federal agencies, including the NRCS, and preliminary indications are that there will be efforts to reduce Federal funding for non-defense related programs, such as the NRCS's grant programs, which provide funding for McKinney's dam rehabilitation projects.

**Recommendation:** Work with the NRCS to obtain grant funding for McKinney's upcoming dam rehabilitation projects. Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding for the NRCS's Dam Rehabilitation Program in FY 2017 and beyond.

**VI. Public Safety.**

**A. Federal Emergency Management Agency.**

On February 14, 2017, the International Association of Emergency Managers (IAEM) presented a statement titled ***The Future of FEMA: Stakeholder Recommendations for the Next Administrator*** to the Subcommittee on Emergency Preparedness, Response, and Communications of the U.S. House of Representatives Committee on Homeland Security.

As a current member of IAEM, the McKinney Office of Emergency Management supports the following key policy positions for consideration as outlined in IAEM's statement document:

1. Congress should work with President Trump to reinstate the Administrator of FEMA as a designated member of the President's cabinet, as provided for in Section 503 of the *Department of Homeland Security Appropriations Act of 2007*, Pub. L. No. 109-295, (6 U.S.C. 613).
2. The FEMA Administrator must have the authority to coordinate Federal government disaster response on behalf of the President, with the elevated role as principal advisor to the President for emergency management. The authority is critical for effective disaster management and coordination of the entire Federal government.
3. All functions of the emergency management cycle (preparedness, response, recovery, and mitigation) must remain intact within FEMA. Duplicate offices should not be created in other parts of DHS or other Federal agencies.

4. Congress should protect the use of the Disaster Relief Fund (DRF) for its intended purpose of providing disaster response and recovery assistance to state and local governments and should oppose efforts to amend the Stafford Act to allow redirection of funds to other departments and agencies for Federal activities.
5. Congress should continue to build emergency management capability and infrastructure at the state and local levels by increasing funding for the Emergency Management Performance Grant (EMPG) Program for FY 2018. The EMPG Program, which provides important support for local government emergency management, has been appropriated \$350 million annually since FY 2014 and should be increased as soon as it is feasible to do so. In addition, EMPG is, and should continue to be, a separate grant program and should not be combined with any other grant program.
6. Congress should increase funding for the Emergency Management Institute (EMI), which delivers high quality emergency management training through EMI's academies. The pending appropriation for EMI for FY 2017 is \$20.5 million, the same amount as FY 2016.

**Recommendation:** Work with FEMA and McKinney's Congressional delegation in support of the International Association of Emergency Managers' policy positions, as set forth above.

## **B. Homeland Security Grant Program.**

The purpose of the Homeland Security Grant Program (HSGP) is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation.

The HSGP consists of three grant programs: State Homeland Security Program (SHSP); Urban Area Security Initiative (UASI); and Operation Stonegarden (OPSG).

### **1. State Homeland Security Program.**

The State Homeland Security Program (SHSP) grants enhance local, State and Tribal preparedness activities that address high-priority preparedness gaps across core capabilities where an association to terrorism exists.

The SHSP is intended to support investments, organized around five (5) mission areas – Prevention, Protection, Response, Recovery and Mitigation, that improve the ability of jurisdictions to:

- Prevent a threatened or an actual act of terrorism;
- Protect its citizens, residents, visitors, and assets against the greatest threats and hazards;
- Respond quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident;
- Recover through a focus on the timely restoration, strengthening, accessibility and revitalization of infrastructure, housing, and a sustainable economy, as well as the health, social, cultural, historic, and environmental fabric of communities affected by a catastrophic incident; and/or
- Mitigate the loss of life and property by lessening the impact of future catastrophic events.

Although McKinney does not have any pending grant applications, the program is an important one and the City might have future projects.

## 2. Urban Area Security Initiative.

The Urban Area Security Initiative (UASI) Program assists high-threat, high-density Urban Areas in efforts to build, sustain, and deliver the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. The Dallas/Ft. Worth/Arlington area received \$15,302,000 in FY 2016 funding under this program.

### Current Projects:

- **FY 2015 Aircraft Rescue and Fire Fighting Training Simulator: \$250,000** (Estimated completion: August, 2017).  
The McKinney Fire Department provides fire and rescue services for McKinney National Airport and Aero Country, which is located within the City's extra-territorial jurisdiction. McKinney's Airport averages approximately 326 operations per day and 288 aircraft are based there. Fire Station #4 is located immediately outside airport property and is continuously staffed with an engine company and Aircraft Rescue and Fire Fighting (ARFF) crash vehicle. The ARFF Unit responds to all aircraft emergencies, spills, medical and fire related calls, and hazardous conditions at the Airport.  
The ARFF Training Simulator replicates an actual aircraft and provides a wide variety of training scenarios. The simulator provides firefighters a real-world training experience in a safe environment, allowing for aircraft familiarization, tactical vehicle positioning, skills training and skills retention.
- **FY 2016 Emergency Operations Center (EOC) Digital Enhancement \$145,736** (Estimated completion: August, 2018).  
The EOC digital enhancement project will increase capabilities to effectively handle a terrorist incident by upgrading outdated EOC analog infrastructure with expandable digital technology, integrating with existing digital technology, and meeting current technology standards. Intended impacts of this project include reducing capability gaps by enhancing situational awareness data analysis, resolving visual display variances, and increasing information sharing in the EOC, thereby improving the level of coordination and communication during a human-caused, technological, or natural hazard threat amongst responding agencies.

## 3. Law Enforcement Terrorism Prevention Activities.

At least 25% of funds allocated under HSGP must be dedicated towards Law Enforcement Terrorism Prevention Activities (LETPA). The allocation can come from SHSP, UASI, or both. The LETPA grants support preparedness initiatives that build law enforcement capabilities to prevent, avoid, or stop a threatened or actual act of terrorism.

The City is working on developing a project for which it will request grant funding.

The Administration's initial Budget Proposal plans to reduce or eliminate funding for the Homeland Security Grant Programs. The exact nature of the reductions will be known once the detailed Budget Proposal is released in the next several weeks.

**Recommendation:** Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding in FY 2017 and beyond for the State Homeland Security Program, the Urban Area Security Initiative Program, and the Law Enforcement Terrorism Prevention Activities Program.

### C. Assistance to Firefighters Grant Program.

The Assistance to Firefighters Grant (AFG) Program, which is administered by FEMA, provides grant funding to fire departments for critically needed resources to equip and train emergency personnel to recognized standards, enhance operational efficiencies, and foster interoperability.

Although McKinney does not have any pending grant applications, the program is an important one and the City might have future projects.

**Recommendation:** Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding in FY 2017 and beyond for FEMA's Assistance to Firefighters Grant Program.

### D. Staffing for Adequate Fire and Emergency Response Grant Program.

The Staffing for Adequate Fire and Emergency Response (SAFER) grant program, which is administered by FEMA, assists local fire departments with staffing and deployment capabilities in order to respond to emergencies, and assure that communities have adequate protection from fire and fire-related hazards.

**Current Projects:** Applied for FY2016 SAFER grant for nine firefighters and currently awaiting a response. The program is an important one and the City might have future projects.

**Recommendation:** Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding in FY 2017 and beyond for FEMA's staffing for Adequate Fire and Emergency Response Grant Program.

### E. National Fire Fighter Foundation Life Safety Initiatives.

The Firefighter Life Safety Initiatives were developed in 2004 at a Firefighter Safety Summit. The 16 Initiatives inform the emerging safety culture in the U.S. fire service today and serve as the foundation for the McKinney Fire Department to ensure that firefighters and medics return home safely after every shift. Initiative #6 is highlighted below.

#### **Life Safety Initiative #6: Medical and Physical Fitness.**

*Develop and implement national medical and physical fitness standards that are equally applicable to all firefighters, based on the duties they are expected to perform.*

Initiative #6 seeks to increase awareness of the need for medical and physical wellness programs. According to *Patterson et al. BMC Cardiovascular Disorders (2016)* research study, "the leading cause of death among firefighters in the United States (U.S.) is cardiovascular events (CVEs), such as sudden cardiac arrest and myocardial infarction. From 1995 to 2004, nearly half of all on-duty fatalities were linked to sudden cardiac death. Data show that firefighters experience a disproportionately higher rate of CVEs and mortality than individuals in other occupations, including police and other public safety workers." The study concluded that, "wellness-fitness programs may be a cost-effective solution to preventing CVE among firefighters compared to real-time physiologic monitoring or doing nothing."

Firefighting also exposes firefighters to a wide variety of hazards and known carcinogens. Independent scientific research continues to show a strong correlation between firefighting and instances of occupational cancer. On February 7, 2017, Congressman Chris Collins (R-NY) introduced a bill to create a national cancer registry for firefighters. The Firefighter Cancer Registry Act of 2017, H.R. 931, requires the Centers for Disease Control and Prevention to develop and maintain a voluntary patient registry to monitor, collect, and make available epidemiological information related to cancer incidence and trends among firefighters.

**Recommendation:** Support H.R. 931, the Firefighter Cancer Registry Act of 2017, and seek funding stream enabling McKinney to offer a wellness-fitness program that includes base-line physicals for all firefighters and annual sustainment thereby decreasing the instances of CVEs and occupational cancer amongst firefighters.

## **VII. Other Federal Grants Programs.**

### **A. Community Development Block Grant Program.**

The Community Development Block Grant (CDBG) is one of the longest-running programs of the U.S. Department of Housing and Urban Development and funds local community development activities, such as affordable housing, anti-poverty programs, and infrastructure development. On average, every \$1.00 of CDBG funding leverages another \$3.65 in private and public dollars. McKinney received \$692,482 in FY 2017 CDBG funding. During National Community Development Week (April 17-22, 2017), the City will showcase how McKinney uses all its community development resources to impact citizens through successful projects.

Congress has not determined the final FY 2017 funding levels for Federal agencies, including the HUD. In addition, the Administration's initial Budget Proposal plans to eliminate funding for the CDBG Program in FY 2018.

**Recommendation:** Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding for HUD's Community Development Block Grant Program in FY 2017 and beyond.

### **B. Housing Programs.**

The U.S. Department of Housing and Urban Development (HUD administers the HOME Investment Partnerships Program (HOME). It is the largest Federal block grant to States and local governments designed exclusively to create affordable housing for low-income families and provides approximately \$2 billion each year.

McKinney has received \$496,629 in funding over the past five years and will continue to apply for funding in the coming fiscal years to assist McKinney residents in their endeavor to obtain affordable housing within the City of McKinney.

Congress has not determined the final FY 2017 funding levels for Federal agencies, including the HOME Program. In addition, the Administration's initial Budget Proposal plans to eliminate funding for the HOME Program in FY 2018.

**Recommendation:** Work with McKinney's Congressional delegation and others in Congress to ensure adequate funding for the HOME Investment Partnerships Program for FY 2017 and beyond.

## **VIII. National Policy Issues.**

### **A. Tax Exempt Status of Municipal Bonds.**

Tax-exempt municipal bonds allow McKinney and other local governments to finance roads, water infrastructure, public utilities, health care facilities, and so much more. Despite their enormous success as a financing tool that drives development and reduces the interest costs for local governments, several proposals have emerged over the last few years that would modify or eliminate the Federal tax exempt status of municipal bonds. Congress is expected to begin considering a major tax reform bill later this year and there might be efforts to impact the tax exempt status of municipal bonds.



**Recommendation:** Work with McKinney's Congressional delegation and others in Congress to ensure that municipal bonds maintain their current status under Federal tax law

## **B. Online Sales Tax – The Marketplace Fairness Act.**

The brick-and-mortar businesses in our cities strengthen our local economies, provide needed jobs and sales tax revenues, and give our streets character. However, these businesses currently compete at a five to ten percent disadvantage to online sellers by collecting legally required sales tax at the time of purchase— something online retailers are not compelled to do. This imbalance hurts local businesses and our cities. The dollar value of sales conducted online has increased exponentially. If main street retailers cannot keep up as a result of this growing disadvantage, the ripple effect in lost jobs and revenue will threaten our communities' sustainability.

By enacting e-fairness legislation (i.e. The Marketplace Fairness Act) that allows local governments to collect sales taxes from on-line sellers, Congress can provide a more level playing field for brick-and-mortar businesses and provide additional revenues for communities for local services. It is estimated that that this could provide an additional \$23 billion in annual sales tax revenue nationwide.

Congress is expected to begin considering a major tax reform bill later this year and there might be an opportunity to obtain a provision in the bill that allows local governments to receive revenues from an online sales tax.

**Recommendation:** Work with McKinney's Congressional delegation and others in Congress obtain the enactment of a provision that allows local governments to receive revenues from an online sales tax such as the Marketplace Fairness Act.