

BILL: AB 2417 (Rodriguez, D-Pomona)
Introduced February 14, 2018

SUBJECT: AB 2417 would revise the board membership of the Metro Gold Line Foothill Construction Authority by adding one additional voting member.

STATUS: Pending in the Assembly Local Government Committee

SUMMARY AS OF FEBRUARY 27, 2018:

AB 2417 (Rodriguez, D-Pomona) would add the City of Montclair as a voting member to the nine-member board of directors for the Metro Gold Line Foothill Extension Construction Authority (Construction Authority). As a result, the Los Angeles County Metropolitan Transportation Authority, the San Gabriel Valley Council of Governments, and the Cities of Los Angeles, Montclair, Pasadena, and South Pasadena would each have a voting member on the board of the Construction Authority.

AB 2417 does not change the number and designation of the nonvoting members on the board. Currently, the four nonvoting members are appointed by the Governor, the San Bernardino County Transportation Authority (SBCTA), and the Cities of Pasadena and South Pasadena.

EFFECTS ON ORANGE COUNTY:

The Construction Authority was established under SB 1847 (Chapter 1021, Statutes of 1998), to complete the Metro Gold Line from Los Angeles to Pasadena, with direction to construct a fixed mass transit guideway eastward to Claremont. AB 1600 (Chapter 189, Statutes of 2012) expanded upon this authority to extend the terminus of the Metro Gold Line from Claremont to Montclair in San Bernardino County. AB 1600 acknowledged SBCTA as the regional transportation planning agency in San Bernardino County, and thus designated SBCTA as a non-voting member of the Construction Authority board.

AB 2417 would increase to six the voting members of the board by designating the City of Montclair as a voting member. While SBCTA understands the intent of AB 2417, given the vital role the Montclair Transit Center plays as a regional transit hub for bus and rail service in San Bernardino County, SBCTA has taken an oppose unless amended position on AB 2417. SBCTA's opposition stems from its current status as a nonvoting member. As a planning and funding partner to the Construction Authority, SBCTA would like to convert its ex-officio status on the board to voting member.

The Orange County Transportation Authority (OCTA) supports SBCTA's recommendation to include SBCTA as an additional voting member as well. SBCTA is responsible for providing \$79 million towards construction of the project as well as millions of dollars annually for ongoing operation of the Metro Gold Line Foothill extension. Not including SBCTA as a voting member would set a concerning precedent, where a board composition for a project could be set in a way to leave off a primary funding and operating

partner. This could also empower certain jurisdictions over others without balancing the interests of all the respective agencies in a way that ensures regional participation and accountability. Furthermore, AB 2417 would be inconsistent with voter-approved transportation sales tax measures, such as Measure I in San Bernardino County. The taxpayers providing funding for transportation projects deserve representation to ensure that funding is used in a manner that is consistent with the transportation sales tax plan.

Stakeholders taking an oppose unless amended position on the bill include the San Bernardino County Transportation Authority, the Southern California Association of Governments, Mobility 21, and the Riverside County Transportation Commission.

In addition, the Metro Gold Line Foothill Extension Construction Authority is opposing this bill with the notion that the board membership should not be revised without fully funding the extension of the Gold Line to the City of Montclair in San Bernardino County.

An oppose unless amended position is consistent with OCTA's 2017-18 State Legislative Platform principle to "oppose efforts to reduce local prerogative over regional program funds."

OCTA POSITION:

Staff recommends: OPPOSE UNLESS AMENDED

ASSEMBLY BILL

No. 2417

Introduced by Assembly Member Rodriguez

February 14, 2018

An act to amend Section 132415 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2417, as introduced, Rodriguez. Metro Gold Line Foothill Extension Construction Authority.

(1) Existing law creates the Metro Gold Line Foothill Extension Construction Authority, governed by a board of 5 voting members and 3 nonvoting members, appointed as specified, for purposes relating to the development of a light rail project extending from the City of Los Angeles to the Cities of Pasadena and Montclair, and authorizes the authority to accept grants, fees, and allocations from federal, state, local agencies, and private entities, and to accept transfers of funds from federal, state, and local agencies.

This bill would increase to 6 the voting members of the board by adding one voting member appointed by the City of Montclair. Because this bill would require a local authority to assume additional responsibilities, it would create a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 132415 of the Public Utilities Code is amended to read:

132415. (a) The authority shall be governed by a board consisting of ~~five~~ six voting members and four nonvoting members who shall be appointed as follows:

(1) ~~Three~~ Four members shall be appointed by the City Councils of the Cities of Los Angeles, *Montclair*, Pasadena, and South Pasadena, with each city council appointing one member by a majority vote of the membership of that city council.

(2) One member shall be appointed by the President of the Governing Board of the San Gabriel Valley Council of Governments, subject to confirmation by that board.

(3) One member shall be appointed by the LACMTA.

(4) One nonvoting member shall be appointed by the Governor.

(5) Two nonvoting members shall be appointed by the City Councils of the Cities of Pasadena and South Pasadena, with each city appointing one nonvoting member.

(6) One nonvoting member shall be appointed by the president of the board of directors of the San Bernardino Associated Governments, subject to confirmation by that board.

(b) All members shall serve a term of not more than four years, with no limit on the number of terms that may be served by any person.

(c) Each appointing authority shall also appoint an alternate member to serve in a member's absence. If the position of a voting member becomes vacant, the alternate member shall serve until the position is filled as required pursuant to subdivision (a).

(d) Members of the board are subject to the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code).

(e) Three members of the board shall constitute a quorum.

(f) The board shall elect a chairperson and vice chairperson from among the membership of the board.

(g) Each member of the board may be compensated at a rate of not more than one hundred fifty dollars (\$150) per day spent

1 attending to the business of the authority. Compensation, if paid,
2 shall not exceed six hundred dollars (\$600) per month, plus
3 expenses directly related to the performance of duties imposed by
4 the authority, including, but not limited to, travel and personal
5 expenses.

6 (h) Members appointed to the board may include members of
7 the entities set forth in subdivision (a), and members of the city
8 councils or other elected officials of the extension cities, or both.
9 The simultaneous membership described in this subdivision shall
10 not constitute a violation of Section 1099 or 1126 of the
11 Government Code.

12 SEC. 2. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.