


**Metro**Los Angeles County
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metro.net**EXECUTIVE MANAGEMENT COMMITTEE
MAY 16, 2013****SUBJECT: STATE LEGISLATION****ACTION: ADOPT STAFF RECOMMENDED POSITIONS****RECOMMENDATION**

- A. AB 268 (Holden)** – States the intent of the legislature to extend the Metro Gold Line Foothill Extension project to Ontario Airport with intermediate stops along the transit corridor. **WORK WITH AUTHOR**
- B. AB 1290 (Perez)** – would integrate land use and transportation decisions by restructuring the California Transportation Commission and form a committee and require reports to be submitted by local agencies to implement the provisions of SB 375. **WORK WITH AUTHOR**
- C. AB 1371 (Bradford)** – would enact the “Three Feet for Safety Act which would require a motorist passing a bicycle to slow to a reasonable speed and pass only when doing so would not endanger the safety of a bicyclist. **SUPPORT**
- D. SB 811 (Lara)** – would require the environmental impact report for the Interstate 710 project to include various mitigation measures related to bicycle and pedestrian paths and the Los Angeles river and would require the project to fund those mitigations and various job training and employment programs. **SUPPORT**

ATTACHMENTS

- A. AB 268 (Holden) Legislative Analysis
- B. AB 1290 (Perez) Legislative Analysis
- C. AB 1371 (Bradford) Legislative Analysis
- D. SB 811 (Lara) Legislative Analysis

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 for Paul Taylor

Paul C. Taylor
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BILL: AB 268
AUTHOR: ASSEMBLYMEMBER CHRIS HOLDEN (D-PASADENA)
SUBJECT: METRO GOLD LINE EXTENSION TO ONTARIO AIRPORT
STATUS: ASSEMBLY COMMITTEE ON RULES
POSITION: WORK WITH AUTHOR

RECOMMENDATION

Staff recommends that the Board adopt a WORK WITH AUTHOR position on AB 268 which states the intent of the legislature to extend this project to Ontario Airport with intermediate stops along the transit corridor.

ISSUE

Existing law authorizes the Metro Gold Line Foothill Extension Construction Authority to construct a rail transit project between Los Angeles and Montclair. This bill would declare the legislature’s intent to extend this project to Ontario Airport with intermediate stops along the transit line.

DISCUSSION

AB 268 would:

- Declare the intent of the Legislature to enable the Metro Gold Line extension to end at Ontario Airport with intermediate stops in San Dimas, La Verne, Pomona, Claremont and Montclair; and
- Declare the intent of the Legislature to seek cooperation for continued regional transit solutions.

The author seeks to bring together all major stakeholders to discuss transportation issues including the future of the Gold Line Foothill Extension. This legislation does not mandate the expenditure of funds for this project; however, the author’s intent is to bring all interested and relevant parties together to form a consensus and discuss ways to fund this project. The legislation could be a vehicle to establish that consensus. Staff would work with the author on the process, but all funding decisions would be made by the Metro Board of Directors based on the Board adopted Long Range Transportation Plan.

Staff recommends that the Board adopt a Work with Author position on AB 268.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed this proposal and has determined that the legislation will not have an impact on safety.

FINANCIAL IMPACT

Staff has reviewed this proposal and has determined that the legislation will not have a significant financial impact as currently written.

ALTERNATIVES CONSIDERED

Staff has considered adopting either a support or oppose position on the bill. Staff considered adopting an oppose position based on the principle that it would be inappropriate for the state to pass legislation that could lead to a mandate to fund the project. The author's intent, however, is not to mandate an expenditure of funds, but to have legislation ready should a legislative solution be required. Staff did not recommend adopting a support position on the bill because the bill still has to proceed through significant portions of the legislative process and will be amended. In addition, the current version of the bill only includes legislative intent identifying the project and its proposed future stations.

NEXT STEPS

Should the board decide to adopt a work with author on this bill, staff will work with the Assemblymember on the language and provisions of the legislation. We will continue to keep the Board informed as this issue is addressed throughout the legislative session.

BILL: AB 1290
AUTHOR: ASSEMBLY SPEAKER JOHN A. PÉREZ (D-LOS ANGELES)
SUBJECT: CALIFORNIA TRANSPORTATION COMMISSION
STATUS: ASSEMBLY COMMITTEE ON APPROPRIATIONS
POSITION: WORK WITH AUTHOR

RECOMMENDATION

Staff recommends that the Board adopt a WORK WITH AUTHOR position on AB 1290, which would integrate land use and transportation decisions by restructuring the California Transportation Commission (CTC), require the CTC to form a committee to implement the provisions of SB 375 and require reports from local agencies on the implementation of SB 375. The staff recommendation relates to the portions of AB 1290 relating to the coordination of transportation investments to meet the requirements of SB 375 but take no position on the portions of the bill that propose to restructure the CTC by adding voting and non-voting members.

ISSUE

Since the passage of SB 375, the State of California has looked at ways in which it can integrate decisions on transportation and land use. AB 1290 proposes to further integrate land use and transportation decisions by expanding the CTC to include related Cabinet Secretaries, require the CTC to form a committee specifically on the implementation of SB 375 and by requiring local agencies to submit reports on the implementation of SB 375.

DISCUSSION

AB 1290 would:

- Expand the number of seats on the California Transportation Commission from 13 seats to 18. The seats would be allocated as follows:
 - Voting Members:
 - Nine members appointed by the Governor;
 - Two members appointed by Speaker of Assembly;
 - Two members appointed by senate committee on rules.
 - Non-voting Members:
 - One member of Senate appointed by the Senate Committee on Rules;
 - One member of the Assembly appointed by the Speaker;

- The Secretary of the Transportation Agency, Chair of California Air Resource Board, and Director of Housing and Community Development.
- Require the Committee on Planning to monitor land development and transportation investment in accordance with the sustainable communities strategy (SB 375); and
- Require each transportation planning agency that prepares a sustainable communities strategy to prepare an annual report that describes:
 - Expectations for urban development expressed in the regional transportation plan's sustainable community strategy;
 - Outcomes from actual development;
 - Relationship between the development reported and the transportation projects funded for construction.

Regions around the state are in various stages of adopting and implementing the Sustainable Communities Strategies (SCS) required under SB 375. Under these plans regions must adopt an SCS which identifies how the regions will reduce vehicle miles traveled and pollution over the life of the plan. The SCS is a part of the Regional Transportation Plan. In our region, SCAG has adopted the SCS.

It is important to note two key issues related to SB 375. The first is that SB 375 specifically exempted land use decisions from the bill so the bill only regulates the expenditure of transportation funds. Secondly, the actual implementation of SB 375 is done by the county transportation commissions who fund and construct the projects and programs in the SCS. The commissions therefore play the vital role in implementing SB 375.

The CTC oversees the funds that are allocated to local agencies through various processes such as the State Transportation Improvement Program (STIP). By expanding the CTC to include Secretary of Housing and Community Development and the Chair of the Air Resources Board, AB 1290 would create a process whereby transportation funding allocations could be analyzed for their linkage to housing and air quality programs.

AB 1290 also includes expanded reporting requirements relating to the implementation of SB 375. This portion of the bill will address the key challenges in implementing SB 375. The state has seen drastic reductions in transportation funding as the state has grappled with chronic budget deficits. Local agencies who have adopted sales taxes have become the largest contributors to transportation infrastructure in the state. SB 375 is a significant mandate on local agencies but the state has not committed resources to comply with that mandate. It is generally thought that cap and trade revenues may be one source of state funds to implement SB 375; however, the amount of funds that would come from cap and trade is very uncertain.

The reporting requirements in the bill include requirements to report on land use development. Land use development is exempt from the requirements of SB 375. Metro has been a leader in coordinating transportation decisions with our partner cities. We

have initiated a series of grants to local agencies for transit oriented district planning and we work closely with cities in the development of our major transportation projects. Additionally we have been very aggressive in pursuing transit oriented developments through our joint development program.

In working with the author on this legislation, staff recommends that the agency not take a position on expansion of the CTC but rather focus on the reporting requirements in the measure. The reporting requirements will require Metro, in coordination with SCAG to provide regular updates on a broad set of issues related to implementation of the SCS. While this is of course important in being able to identify progress made by our agency and to highlight challenges, the reporting requirements also include issues not under the jurisdiction of our agency. We would like to work with the author's office to ensure that the reporting requirements are appropriate and efficient.

Staff recommends that the Board adopt a Work with Author position on AB 1290.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed this proposal and has determined that the legislation will not have an impact on safety.

FINANCIAL IMPACT

Staff has reviewed the proposal for financial impacts and has found that some provisions of AB 1290 could create significant costs to the agency if the reporting requirements in the bill are excessive.

ALTERNATIVES CONSIDERED

Staff considered adopting either a support or oppose position on the bill. Staff believes that supporting the bill's proposal to restructure the CTC is beyond the purview of a local agency. Adopting an oppose position was rejected because staff believes it is appropriate to support efforts that link land use and transportation decisions. However, we would like to ensure that the mechanisms to do so are properly structured.

NEXT STEPS

Should the board decide to take a position of work with author on this bill, staff will work with the Assemblymember on the provisions of the legislation related to the Sustainable Communities Strategies. We will continue to keep the Board informed as this issue is addressed throughout the legislative session.

BILL: AB 1371
AUTHOR: ASSEMBLYMEMBER STEVEN BRADFORD (D-GARDENA)
SUBJECT: VEHICLE: BICYCLE PASSING DISTANCE
STATUS: ASSEMBLY APPROPRIATIONS COMMITTEE
POSITION: SUPPORT

RECOMMENDATION

Staff recommends that the Board adopt a SUPPORT position on AB 1371 which would enact the "Three Feet for Safety Act" which would require a motorist passing a bicycle to slow to a reasonable speed and pass only when doing so would not endanger the safety of a bicyclist.

ISSUE

Existing law does not stipulate what is a safe distance for a motorist to pass a bicyclist, and therefore limits enforcement of this protection for the cyclist. This bill creates a three foot passing buffer, known as the "Three Feet for Safety Act", which means that if a motorist overtakes and passes a cyclist, the driver of the vehicle must take into account traffic conditions, weather, visibility and the surface and width of the road. If it is unsafe for the vehicle to pass, the driver should slow to a reasonable speed and pass only when doing so would not endanger the safety of the bicyclist.

DISCUSSION

AB 1371 would:

- Prohibit a motorist that is passing a bicycle traveling in the same direction from doing so at a distance of less than three feet from the bicycle.

AB 1371 establishes penalties for drivers who violate the "Three Feet for Safety Act". If a motorist is found to have violated the Act, the driver can face an infraction and be fined \$35. Also, if a driver is found to be at fault in a collision with a bicyclist, the driver could face a fine of \$220.

Staff recommends that the Board adopt a Support position on AB 1371.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed this proposal and has determined that the legislation can potentially improve safety on the road for bicyclists as well as have a significant positive impact to safety and operations of our bus system.

FINANCIAL IMPACT

Staff has reviewed this proposal and has determined that the legislation will not have a significant financial impact.

ALTERNATIVES CONSIDERED

Staff considered adopting either a neutral or oppose position on the bill; however, support of this proposal is consistent with Board policy of supporting measures to encourage bicycling and safety.

NEXT STEPS

Should the Board decide to adopt a support position on this bill, staff will work with author to ensure successful passage of the legislation and continue to keep the Board informed as this issue is addressed throughout the legislative session.

ATTACHMENT D

BILL: SB 811

AUTHORS: SENATOR RICARDO LARA (D- BELL GARDENS)

SUBJECT: DEPARTMENT OF TRANSPORTATION: STATE HIGHWAY
ROUTE 710 CORRIDOR IMPROVEMENT PROJECT

STATUS: SENATE COMMITTEE ON APPROPRIATIONS

POSITION: SUPPORT

RECOMMENDATION

Staff recommends that the Board adopt a SUPPORT position on SB 811 which would require the environmental impact report for the Interstate 710 project to include various mitigation measures related to bicycle and pedestrian paths and the Los Angeles River and would require the project to fund these mitigations and various job training and employment programs.

ISSUE

The I-710 is a major North-South throughway connecting Long Beach to Central Los Angeles. As a result of population growth, increased demand for goods movement, and increasing traffic volumes, the aging I-710 corridor experiences serious congestion and poses safety risks to commuters. The expansion of the project as proposed could have adverse effects on public health, air quality, and quality of life for individuals living throughout the corridor. Furthermore, the project could lead to further degradation of the LA River. This bill seeks to expand the I-710 Corridor while ensuring the project is completed with the interests of the neighboring communities in mind.

DISCUSSION

SB 811 was originally introduced with language that would have required the final Interstate 710 improvement project to include funding for a variety of bicycle, pedestrian river restoration and job training projects and programs. The bill has since been amended to require Caltrans to consult with all interested parties on such programs and to include funding for mitigation measures of this type in the final project budget.

Specifically SB 811 would:

- Require the lead agency on the Interstate 710 environmental review process to consult with all interested community organizations, on issues related to the air quality, public health, and mobility impacts of the project;

- Require the final environmental document to include an investment in identified mitigation measures for the affected communities of not less than 10 percent of the total project costs; and
- Require the lead agency to submit a report on the funding of mitigation measures to the Legislature at least 90 days prior to approving the final environmental document for the project.

SB 811 has been introduced by Senator Lara to address the impacts of the Interstate 710 project on the communities through which the project passes. The Interstate 710 is a major freight artery in the state, however as this freight moves along the freeway, it passes through a number of cities who have experienced congestion and significant air quality impacts. The communities along this freeway have been concerned that the continued growth of freight traffic on this corridor will result in additional impacts. SB 811 would require that the communities along this corridor are included in the process of evaluating the environmental impacts of the project and will ensure that mitigation measures are addressed in the final report. Additionally SB 811 would require a dedication of funds from the project to mitigation measures.

Staff recommends that the Board adopt a Support position on SB 811.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed this proposal and has determined that the legislation would not have an impact on safety.

FINANCIAL IMPACT

The specific financial impact of this legislation will not be determined until the final project costs are known. Environmental documents must provide mitigation measures including their implementation in the final report so some level of funding would be covered in the normal project development process.

ALTERNATIVES CONSIDERED

An oppose position was considered by staff but staff felt it was inappropriate to oppose the bill since it provided an opportunity to address significant impacts of a major transportation improvement in our region.

NEXT STEPS

Should the Board decide to adopt a support position on this bill, staff will work with the Author to move the bill through the legislative process.