

Date of Hearing: April 11, 2018

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 2417 (Rodriguez) – As Introduced February 14, 2018

SUBJECT: Metro Gold Line Foothill Extension Construction Authority.

SUMMARY: Increases the board membership of the Metro Gold Line Foothill Extension Construction Authority (Authority) to six voting members by adding a representative from the City of Montclair.

EXISTING LAW:

- 1) Creates the Authority, formerly known as the Pasadena Metro Blue Line Construction Authority, for the purpose of awarding and overseeing all design and construction contracts for the completion of the Gold Line light rail project.
- 2) Specifies a governing board of the following members:
 - a) Three voting members appointed by the city councils of Los Angeles, Pasadena, and South Pasadena;
 - b) One voting member appointed by the President of the board of the San Gabriel Valley Council of Governments, subject to confirmation by that board;
 - c) One nonvoting member appointed by the Los Angeles County Metropolitan Transportation Authority (LACMTA);
 - d) One nonvoting member appointed by the Governor of California;
 - e) Two nonvoting members appointed by the city councils of Pasadena and South Pasadena, with each city appointing one nonvoting member; and,
 - f) One nonvoting member appointed by the President of the board of the San Bernardino Associated Governments (now the San Bernardino County Transportation Authority or SBCTA), subject to confirmation by that board.
- 3) Requires that all members must serve a term of not more than four years with no limit on the number of terms an individual member can serve.
- 4) Mandates that each appointing authority must also appoint an alternate member to serve in a sitting member's absence. If a sitting member vacates office, the alternate member must serve until a replacement is appointed.
- 5) Authorizes board members to be compensated at a rate of no more than \$150 per day attending to the business of the Authority. The compensation must not exceed \$600 per month plus reimbursement for expenses directly related to the performance of duties.

- 6) Provides that Authority board members and alternative members are not considered financially interested, pursuant to existing law, by virtue of their holding office with the Authority and simultaneously holding office with an appointing member of the Authority, or holding a similar position with an extension city.
- 7) Provides that any member who holds a position is permitted to participate in decisions and agreements regarding the development of the Gold Line Extension without such participation constituting a financial conflict of interest, and are exempt from existing law governing incompatible employment activity
- 8) Specifies the Authority's powers and duties.
- 9) Defines the Gold Line project as the Los Angeles-Pasadena Foothill Extension Gold Line light rail project, formerly known as the Los Angeles-Pasadena Metro Blue Line, extending from Union Station in the City of Los Angeles to Sierra Madre Villa Boulevard in the City of Pasadena and any mass transit guideway that may be planned east of Sierra Madre Villa Boulevard along the rail right-of-way extending to the City of Montclair.
- 10) Defines "extension cities" to include the cities of Arcadia, Monrovia, Duarte, Irwindale, Azusa, Glendora, San Dimas, La Verne, Pomona, Montclair, and Claremont.

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Foothill Gold Line.** The Authority (also known as the Foothill Gold Line Construction Authority) is an independent transportation planning, design, and construction agency created in 1998 by SB 1847 (Schiff), Chapter 1021, Statutes of 1998. The agency was created to immediately resume design, contracting, and construction of the Los Angeles to Pasadena Metro Gold Line (formerly the Pasadena Blue Line) which had been suspended by the LACMTA earlier that same year. The Authority completed the Los Angeles to Pasadena segment and the 13.7-mile line opened in 2003.

The same legislation that created the Authority also dictated its role to plan and construct any "fixed mass transit guide way eastward to Claremont." AB 1600 (Torres), Chapter 189, Statutes of 2012, authorized the Authority to extend the line to the City of Montclair, located in San Bernardino County. Planning for the line project is set to terminate at Montclair's Transcenter, a regional transit hub for numerous bus and rail operations serving San Bernardino County and the Inland Empire. Once construction is complete, the Authority will transfer the project to LACMTA to operate as formalized in a Master Cooperative Agreement approved by both agencies' boards of directors.

- 2) **Bill Summary.** Existing law authorizes the Authority to extend the Foothill Gold Line to the City of Montclair. However, the City Council of Montclair does not currently have authorization to appoint a representative as a voting member to the Board. This bill increases the board membership to six voting members by adding a representative from the City of Montclair. This measure is sponsored by the author.

- 3) **Author's Statement.** According to the author, "The Foothill Gold Line Construction Authority and the public transit system it builds have changed dramatically over several decades. The train is rolling forward and it's now time to update the membership of the Authority to reflect the communities it is serving and building new public transit options in. Currently, there is no entity in San Bernardino County that holds a voting seat on the Board. The Gold Line is vital to the economic development of the City of Montclair, and as the only city in San Bernardino to eventually be serviced by the Gold Line, it is only right that they have a voting say on the Board."
- 4) **Policy Considerations.** The Committee may wish to consider the following:
 - a) **Is It a Tie?** Local agency governing boards typically have an odd number of members. The purpose of this structure is to allow boards to make a majority decision without running the risk of unnecessarily delaying board actions. Local agencies often need to act quickly in order to maximize resources and respond to urgent circumstances. Without adding a 7th voting member or establishing a system to break a tie vote, this bill would potentially lead to decision-making delays and loss of Authority resources.
 - b) **Premature?** In 2012, SB 1600 authorized the extension of the Foothill Gold Line to the City of Montclair. However, the extension is still in the planning stages. While an argument can be made that Montclair has an interest in this extension, the Board must consider many other issues not related to the Montclair extension. It may not be appropriate for the City to weigh in on issues in which they do not yet have an interest.
 - c) **Fairness.** The Foothill Gold Line has already been extended or is in the process of extending the line to the cities of Arcadia, Monrovia, Duarte, Irwindale, Azusa, Glendora, San Dimas, La Verne, Pomona, and Claremont. These cities do not currently have the authorization to appoint a voting member (or nonvoting) to the Board. It is unclear why the City of Montclair should receive this authorization before these other cities.
- 5) **Arguments in Support.** The sponsors argue that the inclusion of the City of Montclair on the Board is a logical next step to regionalization of transit service. Without voting authorization, San Bernardino County would remain as an observer of regional light rail transit policy development. Arrival of light rail to Montclair would create a range of new opportunities for the west end of San Bernardino County, including transit access to a range of social, cultural, entertainment, educational, economic, environmental, and health-related opportunities. Granting Montclair a vote on the Board promises fair representation to communities not currently served by a vote.
- 6) **Arguments in Opposition.** The opponents argue that the timing of this change to the governance structure of the agency is premature, and it could create uncertainty for bidders, negatively impacting procurement well-underway to hire a design-build team to build the Glendora to Montclair section of track. Ultimately, the concern is that any uncertainty would potentially result in bidders adding liability to their bids, increasing costs to an already estimated \$1.5 billion project. Lastly, opponents note that San Bernardino County does have representation on the Board, albeit a nonvoting member, the SBCTA.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Montclair

Opposition

Foothill Gold Line Construction Authority
San Bernardino County Transportation Authority (unless amended)

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