

Date of Hearing: August 25, 2016

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Susan Talamantes Eggman, Chair

SB 1379 (Mendoza) – As Amended August 19, 2016

SENATE VOTE: Vote not relevant

SUBJECT: Los Angeles County Metropolitan Transportation Authority.

SUMMARY: Restructures the composition of the Los Angeles County Metropolitan Transportation Authority (MTA). Specifically, **this bill:**

- 1) Reconfigures the composition of the existing 14-member MTA Board of Directors (Board), as follows:
 - a) Reduces, from five to two members, the appointments made by the Los Angeles County Board of Supervisors (Board of Supervisors). Deletes a provision which would have authorized more appointments by the Board of Supervisors if the number of Board of Supervisors increased;
 - b) Adds one member of the Los Angeles City Council appointed by the Mayor of the City of Los Angeles;
 - c) Reduces, from two to one public member, the appointments made by the Mayor of the City of Los Angeles. Requires that the public member must be a resident of the City of Los Angeles;
 - d) Adds one public member who must be a resident of the City of Los Angeles appointed by the President Pro Tempore of the Senate from a list of candidates submitted by the Mayor of the City of Los Angeles;
 - e) Adds the Mayor of the City of Long Beach;
 - f) Specifies the four members who shall be a mayor or member of a city council appointed by the Los Angeles County City Selection Committee (City Selection Committee) must be from each one of the sectors specified in existing law, the North County/San Fernando Valley, the Southwest Corridor, the San Gabriel Valley, and the Southeast sector. Require for the purposes of selection of the four members that the City of Los Angeles and the City of Long Beach be excluded; and,
 - g) Adds one mayor or city council member to be appointed by the Speaker of the Assembly from a list submitted by the City Selection Committee that contains two or more candidates from each sector of the County specified in f), above. Requires the City Selection Committee to submit a list of candidates to the Speaker of the Assembly until the appointment is made. Prohibits, at the time a member is appointed, the member from residing in the same city as another member of MTA.

- 2) Adds the City of Long Beach to the exclusion in existing law which requires the members appointed by the City Selection Committee to be appointed by an affirmative vote that its members which represent a majority of the population of all cities within the County, excluding the City of Los Angeles.
- 3) States that it is the intent of the Legislature that the members of the Board representing the County, the City of Los Angeles, and the 87 other cities in the County be appointed in a manner that ensures a close approximation to the ratio of populations of the respective jurisdictions to the County's total population.
- 4) Provides that if the Commission on State Mandates determines that this bill contains costs mandated by the state that reimbursements shall be made to local agencies and school districts for those costs pursuant to existing law.

EXISTING LAW:

- 1) Establishes the composition of MTA's 14-member Board, as follows:
 - a) Five members of the Board of Supervisors appointed by the Board of Supervisors;
 - b) The Mayor of the City of Los Angeles;
 - c) Two public members and one member of the City Council of the City of Los Angeles appointed by the Mayor of the City of Los Angeles;
 - d) Four members, each of whom shall be a mayor or a member of a city council, appointed by the City Selection Committee from the following sectors:
 - i) North County/San Fernando Valley sector;
 - ii) The Southwest Corridor sector;
 - iii) The San Gabriel Valley sector;
 - iv) The Southeast Long Beach sector; and,
 - e) One non-voting member appointed by the Governor.
- 2) Specifies that if, the population of the City of Los Angeles, at any time, becomes less than 35% of the combined population of all cities in the County, the position of one of the two public members appointed by the Mayor of the City of Los Angeles, shall be vacated, and the vacant position shall be filled by appointment by the City Selection Committee from a city not represented by any other member currently appointed.

FISCAL EFFECT: This bill is keyed fiscal.

COMMENTS:

- 1) **Existing Law and Bill Summary.** Current law specifies the composition of MTA's 14 member Board to include five County Supervisors, the Mayor of the City of Los Angeles, two public members and one member of the Los Angeles City Council appointed by the Mayor of the City of Los Angeles, four mayors or city council members from four specified sectors in the County, and one non-voting gubernatorial appointment.

This bill restructures the composition of the Board. Under this bill, the Board would still have 14-members which would include: two County Supervisors, the Mayor of the city of Los Angeles, two Los Angeles City Council members appointed by the Mayor of the City of Los Angeles, one public member who is a resident of the City of Los Angeles appointed by the Mayor of the City of Los Angeles, one public member who is a resident of the City of Los Angeles appointed by Senate Pro Tempore, the Mayor of the City of Long Beach, four mayors or city council members from each of the four sectors specified in existing law, one mayor of city council member appointed by the Assembly Speaker, and one non-voting gubernatorial appointment.

- 2) **Author's Statement.** According to the author, "Currently, the MTA Board consists of 13 voting members, five representing the members of the Board of Supervisors, four representing the City of Los Angeles and four representing sectors, outside of the City of Los Angeles. However, this has created a problem of unequal representation: the 87 cities, other than the City of Los Angeles, have 52% of the county's population, but only 31% of MTA Board members. This is unjust, and my constituents have observed that this unfairness results in uneven allocation of MTA priorities, resources, and services. The MTA Board is the smallest Board amongst the six southern California Counties, even though it has the largest population, largest number of cities (88) and the largest annual budget. There is no policy basis for its small size or its unbalanced membership.

"The current MTA Board does not fairly reflect the population of [the] County: a) The Board of Supervisors hold 38% of the voting power (38%) on the MTA Board even though they directly represent only 10% of the County's population b) City of [Los Angeles] and the 87 cities in the County each hold 31% of the voting power and are substantially under-represented on the MTA Board given that City of [Los Angeles] has 39% and the other 87 cities have 52% of the population c) The unbalanced voting power on the MTA Board disenfranchises both large (e.g. Long Beach, Pasadena) and small cities (e.g. Vernon, Malibu) in the County."

- 3) **Prior Legislation.** AB 251 (Knight) of 2009 would have reconfigured the composition of MTA's Board by removing one of the public members appointed by the Mayor of the City of Los Angeles and adding the appointment of one member by the city councils of the Cities of Palmdale, Lancaster, and Santa Clarita. AB 251 (Knight) failed passage in this Committee. AB 1941 (Holden) of 2014 would have made changes to the number of MTA Board members, but was never heard in this Committee.

Most recently, SB 522 (Mendoza) of the current legislative session was referred to the Assembly Rules Committee and never heard by a policy committee. SB 522 (Mendoza) would have increased MTA's Board to 24 members. SB 1472 (Mendoza) of the current legislative session is on the Senate Inactive File. SB 1472 (Mendoza) would have increased

MTA's Board to 22 members. Both SB 522 and SB 1472 (Mendoza) sought to increase the number of members on the Board by increasing the appointments made by the City of Los Angeles Mayor, adding the Mayor of the City of Long Beach, increasing the number of members from each sector of the County, and adding members to be appointed by the Speaker of the Assembly and the Senate Committee on Rules.

- 4) **Policy Consideration.** The Committee has heard other bills that revise Board membership, and has generally supported those bills that have brought forward a membership change that is met with consensus at the local or regional level. Without consensus, the Committee may wish to consider if this bill creates winners and losers on what is essentially a district-specific issue. City of Los Angeles Mayor, Eric Garcetti, argues that this bill "runs counter to the spirit of local control by altering membership to the Metro Board without local consensus."
- 5) **Arguments in Support.** City of Huntington Park Mayor, Graciela Ortiz, argues "Your measure keeps the current number of Board members and the change cost-neutral, but gives the cities 3 seats to bring balance to the Board, improve channels of communications and more effectively reflect the transportation and transit needs of the County."
- 6) **Arguments in Opposition.** The Los Angeles and Orange Counties Building and Construction Trades Council argues, "The Composition of the [Board] was the result of a lengthy, local process in which all local stakeholders were brought together to develop a consensus. Cities within [the County] are represented through their local Councils of Governments and each has a voice in Metro's priority setting, planning and decision making for the over 10 million constituents of the [County]."

REGISTERED SUPPORT / OPPOSITION:

Support

Graciela Ortiz, Mayor, City of Huntington Park

Opposition

Ara Najarian, Director, MTA, Councilmember, City of Glendale
 California State Association of Counties
 Central City Association
 Century City Chamber of Commerce
 County of Los Angeles
 Eric Garcetti, Mayor, City of Los Angeles
 Fixing Angelenos Stuck in Traffic (FAST)
 John Fasana, Chair, MTA, Councilmember, City of Duarte
 Los Angeles and Orange Counties Building and Construction Trades Council
 Los Angeles County Metropolitan Transportation Authority Board of Directors
 State Building and Construction Trades Council
 Urban Counties of California

Analysis Prepared by: Misa Lennox / L. GOV. / (916) 319-3958