

AMENDED IN ASSEMBLY JUNE 20, 2017

AMENDED IN SENATE MAY 26, 2017

AMENDED IN SENATE MAY 1, 2017

AMENDED IN SENATE MARCH 28, 2017

SENATE BILL

No. 268

Introduced by Senator Mendoza
(Coauthor: Senator Wilk)

February 8, 2017

An act to ~~amend~~ *amend, repeal, and add* Section 130051 ~~of of, and~~ *to add Section 130051.2 to*, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 268, as amended, Mendoza. Los Angeles County Metropolitan Transportation Authority.

Existing law creates the Los Angeles County Metropolitan Transportation Authority with specified powers and duties relative to transportation planning, programming, and operations in the County of Los Angeles. The authority is governed by a 14-member board of directors that consists of the Mayor of the City of Los Angeles, 2 public members and one Los Angeles City Council member appointed by the mayor, 4 members appointed from the other cities in the county, the 5 members of the Los Angeles County Board of Supervisors, and a nonvoting member appointed by the Governor.

Existing law requires the authority to submit a plan to the Legislature for revising the composition of the authority, if the number of members of the board of supervisors is increased, within 60 days of the increase.

~~This bill would delete this requirement. The bill would also reduce the number of members of the board of supervisors on the board of directors of the authority from 5 to 2 members and would require that one supervisor represent the largest population in the unincorporated area of the County of Los Angeles. The bill would delete the appointment of 2 public members and require the Mayor of the City of Los Angeles to appoint 5 members of the City Council of the City of Los Angeles who represent contiguous clusters of 3 council districts. The bill would require the city council to determine contiguity. The bill would provide for 7 members to be appointed by the Los Angeles County City Selection Committee to represent the other cities in the County of Los Angeles from 4 specified sectors: require the authority, the Los Angeles County Division of the League of California Cities, the California Contract Cities Association, and the Los Angeles County City Selection Committee to prepare and provide to the Legislature by December 1, 2018, a plan agreed to by a $\frac{2}{3}$ vote of the designated representatives of these entities, for reorganizing the membership of the authority to provide equitable and proportional to voting representation, with a total of 22 members, including more representation for cities other than the City of Los Angeles, of each area of the county on the authority, and a date for implementing the plan that is no later than January 1, 2020. The bill, commencing on January 1, 2020, would require the membership of the authority to be reconstituted pursuant to the plan. The bill, if a plan is not submitted or is not implemented, would, commencing on January 1, 2020, provide for the authority to consist of 22 members, including the 5 members of the Los Angeles County Board of Supervisors, the Mayor of the City of Los Angeles, 5 members of the Los Angeles City Council and one public member appointed by the mayor, one member appointed by the City of Long Beach, 8 members from cities other than Los Angeles appointed by the Los Angeles County City Selection Committee, and one nonvoting member appointed by the Governor. The bill would require every appointee to serve a 4-year term without limitation or until the expiration of the term of his or her elected office. The bill would also delete, on January 1, 2020, the requirement for the authority to submit a plan to the Legislature if the number of members of the board of supervisors is increased.~~

By imposing new duties on local government within the County of Los Angeles, the bill would impose a state-mandated local program.

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:

1 ~~SECTION 1. Section 130051 of the Public Utilities Code is~~
2 ~~amended to read:~~
3 ~~130051. The Los Angeles County Metropolitan Transportation~~
4 ~~Authority consists of 16 members, as follows:~~
5 ~~(a) Two members of the Los Angeles County Board of~~
6 ~~Supervisors. One supervisor shall represent the largest population~~
7 ~~in the unincorporated area of the County of Los Angeles.~~
8 ~~(b) The Mayor of the City of Los Angeles.~~
9 ~~(c) Five members of the City Council of the City of Los Angeles,~~
10 ~~appointed by the Mayor of the City of Los Angeles, who represent~~
11 ~~contiguous clusters of three council districts. The city council shall~~
12 ~~determine contiguity.~~
13 ~~(d) (1) Seven members, each of whom shall be a mayor or a~~
14 ~~member of a city council, appointed by the Los Angeles County~~
15 ~~City Selection Committee. For purposes of the selection of these~~
16 ~~seven members, the County of Los Angeles, excluding the City~~
17 ~~of Los Angeles, shall be divided into the following four sectors:~~
18 ~~(A) The North County/San Fernando Valley sector.~~
19 ~~(B) The Southwest Corridor sector.~~
20 ~~(C) The San Gabriel Valley sector.~~
21 ~~(D) The Southeast Long Beach sector.~~
22 ~~(2) The League of California Cities, Los Angeles County~~
23 ~~Division, shall define the sectors. Every city within a sector shall~~
24 ~~be entitled to vote to nominate one or more candidates from that~~
25 ~~sector for consideration for appointment by the Los Angeles~~
26 ~~County City Selection Committee. A city's vote shall be weighted~~
27 ~~in the same proportion that its population bears to the total~~
28 ~~population of all cities within the sector.~~

~~(3) The members appointed pursuant to this subdivision shall be appointed by the Los Angeles County City Selection Committee upon an affirmative vote of its members who represent a majority of the population of all cities within the county, excluding the City of Los Angeles.~~

~~(e) One nonvoting member appointed by the Governor.~~

~~(f) All members appointed pursuant to this section shall serve four-year terms, with no limitation on the number of terms that may be served by any individual, or until the expiration of the term of the elected office.~~

SECTION 1. Section 130051 of the Public Utilities Code is amended to read:

130051. The Los Angeles County Metropolitan Transportation Authority consists of 14 members, as follows:

(a) Five members of the Los Angeles County Board of Supervisors.

If the number of members of the Los Angeles County Board of Supervisors is increased, the authority shall, within 60 days of the increase, submit a plan to the Legislature for revising the composition of the authority.

(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 Los Angeles County City Selection Committee. For purposes of the selection of these four members, the County of Los Angeles, excluding the City of Los Angeles, shall be divided into the following four sectors:

(1) The North County/San Fernando Valley sector.

(2) The Southwest Corridor sector.

(3) The San Gabriel Valley sector.

(4) The Southeast Long Beach sector.

The League of California Cities, Los Angeles County Division, shall define the sectors. Every city within a sector shall be entitled to vote to nominate one or more candidates from that sector for consideration for appointment by the Los Angeles County City Selection Committee. A city's vote shall be weighted in the same proportion that its population bears to the total population of all cities within the sector.

1 The members appointed pursuant to this subdivision shall be
2 appointed by the Los Angeles County City Selection Committee
3 upon an affirmative vote of its members which represent a majority
4 of the population of all cities within the county, excluding the City
5 of Los Angeles.

6 The members selected by the city selection committee shall serve
7 four-year terms with no limitation on the number of terms that
8 may be served by any individual. The city selection committee
9 may shorten the initial four-year term for one or more of the
10 members for the purpose of ensuring that the members will serve
11 staggered terms.

12 (e) If the population of the City of Los Angeles, at any time,
13 becomes less than 35 percent of the combined population of all
14 cities in the county, the position of one of the two public members
15 appointed pursuant to subdivision (c), as determined by the Mayor
16 of the City of Los Angeles by lot, shall be vacated, and the vacant
17 position shall be filled by appointment by the city selection
18 committee pursuant to subdivision (d) from a city not represented
19 by any other member appointed pursuant to subdivision (d).

20 (f) One nonvoting member appointed by the Governor.

21 (g) *This section shall remain in effect only until January 1, 2020,*
22 *and as of that date is repealed.*

23 *SEC. 2. Section 130051 is added to the Public Utilities Code,*
24 *to read:*

25 *130051. The Los Angeles County Metropolitan Transportation*
26 *Authority consists of 22 members, as follows:*

27 (a) *Five members of the Los Angeles County Board of*
28 *Supervisors.*

29 (b) *The Mayor of the City of Los Angeles.*

30 (c) *Five members of the City Council of the City of Los Angeles*
31 *and one public member appointed by the Mayor of the City of Los*
32 *Angeles.*

33 (d) *One member from the City of Long Beach, who shall be the*
34 *mayor or a member of the city council, appointed by the Long*
35 *Beach City Council.*

36 (e) (1) *Eight members, each of whom shall be a mayor or a*
37 *member of a city council, appointed by the Los Angeles County*
38 *City Selection Committee. For purposes of the selection of these*
39 *eight members, the County of Los Angeles, excluding the City of*

1 *Los Angeles and the City of Long Beach, shall be divided into the*
2 *following four sectors:*

3 *(A) The North County/San Fernando Valley sector.*

4 *(B) The Southwest Corridor sector.*

5 *(C) The San Gabriel Valley sector.*

6 *(D) The Southeast sector.*

7 *(2) The Los Angeles County Division of the League of California*
8 *Cities shall define the sectors. Every city within a sector shall be*
9 *entitled to vote to nominate one or more candidates from that*
10 *sector for consideration for appointment by the Los Angeles County*
11 *City Selection Committee. A city's vote shall be weighted in the*
12 *same proportion that its population bears to the total population*
13 *of all cities within the sector.*

14 *(3) The members appointed pursuant to this subdivision shall*
15 *be appointed by the Los Angeles County City Selection Committee*
16 *upon an affirmative vote of its members which represent a majority*
17 *of the population of all cities within the county, excluding the City*
18 *of Los Angeles and the City of Long Beach.*

19 *(4) The members selected by the city selection committee shall*
20 *serve four-year terms with no limitation on the number of terms*
21 *that may be served by any individual. The city selection committee*
22 *may shorten the initial four-year term for one or more of the*
23 *members for the purpose of ensuring that the members will serve*
24 *staggered terms.*

25 *(f) One nonvoting member appointed by the Governor.*

26 *(g) This section shall become operative on January 1, 2020.*

27 *SEC. 3. Section 130051.2 is added to the Public Utilities Code,*
28 *to read:*

29 *130051.2. On or before December 1, 2018, the Los Angeles*
30 *County Metropolitan Transportation Authority, the Los Angeles*
31 *County Division of the League of California Cities, the California*
32 *Contract Cities Association, and the Los Angeles County City*
33 *Selection Committee shall prepare and provide to the Legislature*
34 *a plan agreed to by a two-thirds vote of the designated*
35 *representatives of each of these entities, for reorganizing the*
36 *membership of the authority to provide equitable and proportional*
37 *to voting representation, with a total of 22 members, including*
38 *more representation for cities other than the City of Los Angeles,*
39 *of each area of the county on the authority, and a date for*
40 *implementing the plan that is no later than January 1, 2020. On*

1 *and after that date, notwithstanding Section 130051, the*
2 *membership of the authority shall thereafter be as proposed by*
3 *the plan. If the authority does not submit a plan to the Legislature*
4 *by December 1, 2018, or fails to implement the plan by January*
5 *1, 2020, the membership of the authority shall be reconstituted*
6 *pursuant to Section 130051 commencing on January 1, 2020. The*
7 *plan shall be submitted pursuant to Section 9795 of the Government*
8 *Code.*

9 ~~SEC. 2.~~

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