

TO: Jacki Bacharach, SBCCOG Executive Director

FROM: Steve Lantz, SBCCOG Transportation Consultant

RE: SBCCOG Transportation Update – September 2013

Federal Update:

Labor Secretary Increases Heat on Governor Brown Regarding Pension Reform

US Secretary of Labor Thomas Perez on August 8th gave California Governor Jerry Brown just two weeks to fashion a legislative fix to an impasse over implementation of the pension reform bill that's now threatening the delivery of federal transit funds to 85 transit districts throughout the state. The Labor Department certifies (and decertifies) transit employee protections, including the right to collective bargaining, before the Federal Transit Administration can issue grants. The grant funding at risk includes \$530 million in FTA grants awaiting certification as of the end of June, and an additional \$1.1 billion for 99 grants still under development

The dispute centers on a California law passed last year that put limits on the pensions that public agencies can offer their new hires. Labor unions claim that their collective-bargaining rights protected under a 1964 federal law known as 13-C were violated when California voters approved the California Public Employees' Pension Reform Act (PEPRA) of 2013. The labor unions claim benefits for future employees were decreased without negotiation.

Perez notified Brown that the Department of Labor remained “concerned” the reform bill “diminishes the substantive rights of transit employees under current collective bargaining agreements and narrows the future scope of collective bargaining over pensions.” Because of that concern, the Department of Labor declined to approve the release of federal transit funds but took no action and issued no formal ruling. In the letter to Brown, Perez suggested that California could exempt transit workers from the newly enacted pension reform as was recently done in other states in the same situation, such as Wisconsin, New Jersey, Ohio, and Massachusetts.

Perez warned that if Brown did not act by August 16th, he would respond by issuing actual rulings, first for LA Metro and then for transit agencies of lesser size. However, the U. S. Department of Labor announced on August 16th that it would delay ruling on whether California's new pension law violates a 49-year-old federal statute that ties the funds to collective bargaining rights while it continues to work with Governor Brown to resolve the issue.

AB 160 was introduced in January 2013 to exempt transit agencies targeted by the Dept. of Labor. However, as of the end of August 2013, the bill is still in the Assembly Appropriations Committee.

On August 14th, Moody's Investors Service placed the credit ratings of 15 California transit agencies on review for downgrade, affecting \$6.5 billion of rated debt noting the federal funding grants on average comprise approximately 13% of their operating revenue and 40% of their capital funding.

Sacramento Update:

Governor Signs Bill Banning Cities From Ticketing at Broken Parking Meters

Governor Brown signed AB 61 on August 12th that prohibits cities across California from ticketing motorists who park at meters reported broken that the city failed to fix. Existing law authorizes parking at an inoperable parking meter for up to the posted time limit if no ordinance or resolution has been adopted to prohibit it.

Third Version of Three-foot Passing Law Sent To Governor

The State Senate approved AB 1371, the Three Feet for Safety Act on August 30th. This is the third attempt at creating a minimum three-foot distance to pass a cyclist on California streets, after Governor Brown vetoed the two previous attempts. Twenty-one other governors have already signed similar legislation; Pennsylvania mandates a minimum of four feet.

The bill would replace the current requirement that drivers pass bicyclists at an unspecified “safe distance”. AB1371 would require a minimum three-foot cushion between any part of the vehicle and the bike or its rider for any motor vehicle traveling in the same direction as the bike it’s passing whether the bicycle is in a through lane, bike lane or turn lane.

The 2013 version of the bill allows drivers to pass at less than three feet if they decide that the three-foot margin isn’t safe or practical and if the driver slows to a speed that is reasonable and prudent, and passes only when doing so would not endanger the safety of the operator of the bicycle, taking into account the size and speed of the motor vehicle and bicycle, traffic conditions, weather, visibility, and surface and width of the highway.

Southern California Update:

Metro Considers New Express Lane Route Alternatives

Metro staff reported on August 19th that the alternatives being considered for a potential Express Lane on the I-405 have been broadened. In addition to exploring the feasibility of an I-405 Express Lane from the Orange County Line to LAX, Metro staff announced it is studying an Express Lane route from the Orange County Line to the 605 freeway to the I-105 freeway to connect to the existing I-110 Express Lanes. In addition to the existing direct HOV connectors at the I-105 / I-110, an option being evaluated would add direct HOV connectors between the I-605 and I-105 if sufficient new toll revenues are projected to pay for the connectors.

Staff justified the new alternative because of its potential to generate significantly higher ridership and revenue than the I-405 alternative. Staff also noted that I-405 is significantly more congested than the alternate route and has limited right of way available to add the Express Lanes north of the I-110.

Palos Verdes Peninsula Transit to Resume Ridgecrest Shuttle

Now that summer has ended, Palos Verdes Peninsula Transit Authority introduced a new bus line August 27th to serve Ridgecrest Intermediate School in Rancho Palos Verdes. The Ridgecrest Shuttle, which operates between Palos Verdes Drive North and the school makes one morning trip

weekdays, one afternoon trip Mondays and two afternoon trips Tuesdays through Fridays. The fare is \$2.50, and there are multiple types of passes available.

L.A. Mayor Eric Garcetti Launches Sustainability Team, Initiatives

Mayor Eric Garcetti on August 2nd named Matt Petersen the city's first-ever Chief Sustainability Officer, assigned to oversee the city's environmental practices. Petersen will be tasked with making the city's departments greener and neighborhoods healthier, and fulfilling Garcetti's goal of creating 20,000 new green jobs. The new mayor recently asked city general managers to outline ways they will make their departments more environmentally friendly, and said he will review that information when deciding whether to re-hire them.

Petersen said he expects to closely look at practices at the port, Planning Department, Department of Water and Power, and Bureau of Sanitation, among other departments. Curiously, he did not name the L. A. City Transportation Department.

L. A. Citywide Street Repair Financing Plan Sent To City Council

A 10-year, \$3 billion proposal to repair all the streets in Los Angeles was revived by a city council committee on August 8th, with a call for a detailed study on how such an ambitious plan could be financed. Sidewalk repairs were not included in the proposal because there is no real inventory of the L. A. City sidewalks. There have been estimates it would cost up to \$10 million for a sidewalk inventory. If the proposal does become a bond issue, it would need two-thirds voter approval. If adopted, it would add an estimated average of \$28 a year to L. A. City property taxes.

Terranea Shuttle Schedule Update

When Terranea announced it would start a shuttle service to Riviera Village last month, it did not include the schedule. The shuttle leaves Terranea daily at 10 am, 2 pm, 6 pm, 10 pm. The shuttle leaves Riviera Village daily at 10:30 am, 2:30 pm, 6:30 pm, 10:30 pm. The Riviera Village shuttle stop is located at 1799 S. Catalina Ave. in front of the Soil kiosk.