

Date of Hearing: June 27, 2016

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

SB 1305 (Morrell) – As Amended May 16, 2016

SENATE VOTE: 39-0

SUBJECT: San Bernardino County Transportation Authority

SUMMARY: Consolidates local transportation agencies currently under the purview of the San Bernardino Associated Governments (SANBAG), as the San Bernardino County Transportation Authority (Authority). Specifically, **this bill:**

- 1) States legislative intent that the Authority should be a unified and comprehensive transportation agency for San Bernardino County.
- 2) Enacts the San Bernardino County Transportation Authority Act of 2017 with the following specific provisions:
 - a) Defines key terms, most notably the "San Bernardino County Consolidated Agencies" (consolidated agencies) to mean the county transportation commission, the local transportation authority, the service authority for freeway emergencies (SAFE), and the local congestion management agency.
 - b) Provides that the Authority is the successor agency to the powers, duties, revenues, debts, obligations, liability, immunities, and exemptions expressed or implied of the consolidated agencies.
 - c) Prescribes the Authority's governing body (to consist of the same membership as is currently prescribed for SANBAG), as follows:
 - i) Five members of the San Bernardino County Board of Supervisors;
 - ii) One mayor or city council member from each incorporated city in the county; and
 - iii) One non-voting member appointed by the Governor.
 - d) Provides for the transfer of employees from SANBAG to the Authority, including retirement rights and obligations.
- 3) Makes related, technical changes to existing law to affect the consolidation.

EXISTING LAW:

- 1) Authorizes a county board of supervisors to create or otherwise designate local agencies to carry out various transportation-related functions.
- 2) Establishes the Joint Exercise of Powers Act that authorizes the legislative or other governing bodies of two or more public agencies to jointly exercise, by agreement, any power common to the contracting parties, as specified.

- 3) Establishes the County Transportation Commissions Act that provides for the creation of county transportation commissions in the counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura, with various powers and duties relative to transportation planning and funding, as specified.
- 4) Names SANBAG the county transportation commission of San Bernardino County and prescribes its membership. SANBAG is a joint powers authority comprised of San Bernardino County and each of the cities within the county.

FISCAL EFFECT: Unknown

COMMENTS: The author introduced SB 1305 to create a new, comprehensive entity that consolidates San Bernardino's county transportation agencies into a single agency to be known as the San Bernardino County Transportation Authority. SB 1305 is the result of a study undertaken by SANBAG last year. In June 2015, SANBAG created an ad hoc committee to study and make recommendations to the full board regarding consolidation of certain SANBAG entities and functions. The ad hoc committee identified several problems with the existing SANBAG legal structure, for example:

- 1) Member jurisdictions are at risk for SANBAG's liability by virtue of SANBAG being a JPA.
- 2) Statutes that created the different SANBAG entities contain conflicting rules and requirements, such as those related to voting requirements and procurement.

The ad hoc committee recommended, and the board ultimately supported, the consolidation effort set forth in this bill. Benefits of the consolidation include:

- 1) Separate legal identify for members. Liability risk is contained within the Authority and does not extend to member agencies by virtue of having a representative on the governing board of the JPA, as is currently the case.
- 2) Uniform voting and procurement requirements.

The consolidation set forth in SB 1305 will create an entity that is similar to consolidated transportation entities in other counties, such as the Los Angeles County Metropolitan Transportation Authority and the Orange County Transportation Authority.

REGISTERED SUPPORT / OPPOSITION:

Support

San Bernardino Associated Governments (Sponsor)
San Bernardino County

Opposition

None on file

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