



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
4

Meeting Date: **MAY 2, 2013**

Subject:

May 2013 Legislative Report

Recommendation:

Adopt Resolution No. 2013-0039, approving the May 2013 Legislative Report

Background/Justification:

The Legislative Advocacy Program Policy adopted by the Board on November 10, 2003, requires that Authority staff present the Board with monthly reports concerning the status of legislation with potential impact to the Authority. The May 2013 Legislative Report updates Board members on legislative activities that have taken place during the month of April. The Authority Board gives direction to staff on legislative issues by adoption of a monthly Legislative Report (Attachment A).

State Legislative Action

The Authority's legislative team does not recommend that the Board adopt any new positions on state legislation.

On April 24, 2013, the Assembly Committee on Local Government considered Assembly Bill 1058, legislation sponsored by the Authority to "clean up" the Airport Authority Act. Authority staff and legislative consultants represented the Authority at this hearing.

Federal Legislative Action

The Authority's legislative team does not recommend that the Board adopt any new positions on federal legislation.

On April 10, 2013, the Obama Administration released its Fiscal Year 2014 budget proposal. The President's budget would raise the Passenger Facility Charge limit from \$4.50 to \$8.00 in exchange for eliminating Airport Improvement Program (AIP) entitlement funds for large hub airports. The proposal would reduce FY 2014 AIP funding by \$450 million as compared to the FY 2013 level of \$3.35 billion. The proposal also includes \$2 billion for airport development grants as part of the Administration's "Fix-it-First" proposal to invest in highways, airports and other transportation projects. The \$2 billion would be awarded and distributed in the same manner as AIP grants to fund runway construction and other airport improvements such as runway safety area improvement projects and noise mitigation projects. The Administration also plans to require airports to staff airport security exit lanes by the end of 2013.

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U.S. Secretary of Transportation LaHood announced on April 18 the Federal Aviation Administration's (FAA) plans to begin furloughing FAA staff, including air traffic controllers. These reductions, scheduled to begin on April 21, are expected to impact controllers at the Southern California Terminal Radar Approach facility and at San Diego International Airport. On April 19, two airline trade associations and the airline pilots association filed a lawsuit against the FAA in an effort to stop the planned furloughs.

Authority Strategies:

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Environmental Review:

- A. This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

MICHAEL KULIS
DIRECTOR, INTER-GOVERNMENTAL AND COMMUNITY RELATIONS

RESOLUTION NO. 2013-0039

A RESOLUTION OF THE BOARD OF THE SAN
DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
APPROVING THE MAY 2013 LEGISLATIVE
REPORT

WHEREAS, the San Diego County Regional Airport Authority (Authority) operates San Diego International Airport as well as plans for necessary improvements to the regional air transportation system in San Diego County, including serving as the responsible agency for airport land use planning within the County; and

WHEREAS, the Authority has a responsibility to promote public policies consistent with the Authority's mandates and objectives; and

WHEREAS, Authority staff works locally and coordinates with legislative advocates in Sacramento and Washington, D.C. to identify and pursue legislative opportunities in defense and support of initiatives and programs of interest to the Authority; and

WHEREAS, under the Authority's Legislative Advocacy Program Policy, the Authority Board gives direction to Authority staff on pending legislation; and

WHEREAS, the Authority Board in directing staff may adopt positions on legislation that has been determined to have a potential impact on the Authority's operations and functions.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the May 2013 Legislative Report (Attachment A); and

BE IT FURTHER RESOLVED that the Board finds that this Board action is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code §21065; and is not a "development" as defined by the California Coastal Act, Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 2nd day of May, 2013, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY RUSSELL
DIRECTOR CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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May 2013 Legislative Report

State Legislation

Legislation/Topic

AB 1092 (Levine) – Electric Charge Stations for New Construction Projects

Background/Summary

This bill was amended to delete the requirement that new construction projects include one electric vehicle charge station per every four off-street parking spaces. The new version of the bill would require the California Building Standards Commission to adopt, in its next update, mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development.

Anticipated Impact/Discussion

Staff will continue to monitor this legislation to determine the eventual requirement of electric vehicle charging stations that could be applicable to the Authority in the future.

Status: 4/16/13 – Approved by Assembly Committee on Transportation by a vote of 12 – 3 and referred to the Assembly Committee on Housing and Community Development

Position: Watch (4/4/13)

Legislation/Topic

AB 128 (Bradford) – Peace Officers, Airport Law Enforcement

Background/Summary

This bill would reclassify the Los Angeles World Airports law enforcement officers, providing them the authority to arrest and carry firearms on non-airport property.

Anticipated Impact/Discussion

This bill would not impact law enforcement at San Diego International Airport. Authority staff will continue to monitor the City of Los Angeles and Los Angeles World Airports' consideration of this legislation.

Status: 3/13/13 – Approved by the Assembly Committee on Public Safety by a vote of 6 to 0 and referred to the Committee on Appropriations

Position: Watch (4/4/13)

Legislation/Topic

SB 50 (Lieu) – Telecommunications and Pay Phones

Background/Summary

This bill would require the posting of the same notices for credit or debit card-activated telephones as are required for coin-operated phones. These notices would include information such as the name of the provider of operator-assisted services, applicable rates and charges for each available operator-assisted service, and that surcharges may apply to operator-assisted and calling card calls.

Anticipated Impact/Discussion

The Authority currently has pay phones that accept both coins and credit or debit cards throughout the airport. This legislation would require the posting of notices adjacent to these phones.

Status: 4/16/13 – Approved by Senate Committee on Energy, Utilities and Communications by a vote of 10 - 0

Position: Watch (4/4/13)

Legislation/Topic

AB 359 (Holden) - Vehicle Rental Agreements – Customer Facility Charge

Background/Summary

Under current law, any airport requiring car rental companies to collect a customer facility charge must complete an independent audit and submit it to the state legislature. AB 359 would eliminate the costly requirement that airports submit an independent audit and instead allows airports to provide existing customer facility charge information to the state legislature.

Anticipated Impact/Discussion

The Authority is currently collecting a customer facility charge to finance the construction of the rental car center and terminal roadway. This bill would allow the Authority to submit to the state legislature existing customer facility charge information every three years. The Authority would no longer be required to obtain and submit an independent audit to the state legislature. This bill is supported by the California Airports Council of which the Authority is a member.

Status: 2/28/13 – Referred to the Assembly Committee on the Judiciary

Position: Support (3/7/13)

Legislation/Topic

SB 758 (Block) – Airport Land Use Compatibility Plan: City of Coronado

Background/Summary

The Authority Board serves as the Airport Land Use Commission for San Diego County and is responsible for the preparation, adoption and amendment of airport land use compatibility plans (ALUCPs) for airports located in San Diego County. As amended on April 1st, this legislation would postpone the preparation of an airport land use compatibility plan for the City of Coronado and the U.S. Naval Air Station North Island until a joint land use study (JLUS) is completed by the City of Coronado, the U.S. Navy, and the Airport Authority.

Anticipated Impact/Discussion

If enacted, this legislation could delay the development of an ALUCP for Naval Air Station North Island. A typical JLUS costs between \$75,000 and \$135,000, although federal grant funding could be sought to offset some of the cost.

Status: 4/11/13 – Scheduled to be considered on May 1, 2013, by the Senate Committee on Governance and Finance

Position: Watch (3/7/13)

Legislation/Topic

**AB 1058 (Chavez) - San Diego County Regional Airport Authority Act
“Clean Up” Bill**

Background/Summary

The legislation that created the Airport Authority, commonly known as the “Airport Authority Act” has undergone various changes since the agency’s establishment. As the Airport Authority continues to mature, however, several sections of the Airport Authority Act are now obsolete. In addition, staff has identified technical corrections/minor changes that would improve the Act. Therefore, staff recommends that the Authority seek legislation to make such changes to the Act.

Anticipated Impact/Discussion

Although this legislation would have no direct impact on SDIA functions, it would result in minor technical corrections and the deletion of outdated sections of the Airport Authority Act.

Status: 4/1/13 – Scheduled to be considered on April 24, 2013, by the Assembly Committee on Local Government

Position: Support (2/14/13)

Legislation/Topic

SCA 4/8 (Liu/ Corbett) – Local Government Transportation Tax

Background/Summary

This legislation would amend the California Constitution by lowering the threshold to levy a local transportation tax to 55% voter approval instead of the current 2/3 voter approval requirement. SCA 4 was amended to also prohibit a local government from expending any revenues derived from a special transportation tax approved by 55% of the voters at any time prior to the completion of a statutorily identified capital project funded by revenues derived from another special tax of the same local government that was approved by a two-thirds vote.

Anticipated Impact/Discussion

Although this legislation would have no direct impact to the Authority or SDIA, it could result in increased transportation funding for the region.

Status: 4/10/13 - SCA 4 – Scheduled to be considered by the Senate Committee on Governance and Finance on May 15, 2013
4/10/13 - SCA 8 - Scheduled to be considered by the Senate Committee on Governance and Finance on May 15, 2013

Position: Watch (2/14/13)

Federal Legislation

Legislation/Topic

S. 444/H.R. 933 (Collins/Rogers) – Department of Defense Appropriations Act of 2013

Background/Summary

This Continuing Resolution extends funding for operations for all federal agencies, programs and services until September 30, 2013. The funding is subject to sequestration, reducing the rate of spending to \$982 billion - \$65 billion below the discretionary spending limit set under the Budget Control Act.

The Continuing Resolution allows Customs and Border Protection (CBP) to maintain staffing levels at 21,775, allowing the agency to have some flexibility to offset the impact of sequestration on staffing levels. However, it does not address overtime pay. It also provides level funding for the airport improvement program (AIP) at \$3.35 billion.

Anticipated Impact/Discussion

The Authority is concerned about the elimination of overtime for CBP staff and possible impacts to the TSA, including furloughs which could increase wait times for passengers.

Status: 3/26/2013 - H.R. 933 – Signed into law by the President

Position: Watch (4/4/13)

Legislation/Topic

S. 208/H.R. 456 (Feinstein/Schiff) – The Los Angeles Residential Helicopter Noise Relief Act of 2013

Background/Summary

This bill directs the Administrator of the FAA to create regulations for helicopter operations in Los Angeles County that include requirements for helicopter flight paths and altitudes to reduce helicopter noise pollution in residential areas, increase safety, and minimize scheduled commercial aircraft delays.

Helicopter operations related to emergency, law enforcement, or military activities would be exempt.

This bill also directs the Administrator to make reasonable efforts to consult with local communities and local helicopter operators to develop regulations that meet the needs of local communities, helicopter operators, and the FAA.

Anticipated Impact/Discussion

This legislation only applies to Los Angeles County but will be monitored by Authority staff for any future impact to SDIA.

Status: 2/4/13 – S. 208 – Introduced and referred to the Senate Committee on Commerce, Science, and Transportation
2/4/2013 - H.R. 456 – Introduced and referred to the House Committee on Transportation and Infrastructure

Position: Watch (3/7/13)