



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
4

Meeting Date: **APRIL 4, 2013**

Subject:

April 2013 Legislative Report

Recommendation:

Adopt Resolution No. 2013-0033, approving the April 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 April 2013 Legislative Report updates Board members on legislative activities that have taken place during the month of March. 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 recommends that the Board adopt an Oppose position on AB 1092 (Levine). This legislation would require that new construction projects with four or more off-street parking spaces include one electric vehicle charge station per every four spaces included in the project. Although the Authority supports the installation of electric vehicle charging stations at San Diego International Airport, the number of spaces provided will be based on demand rather than via mandate.

The Authority's legislative team recommends that the Board adopt a Watch position on AB 128 (Bradford), legislation that would reclassify Los Angeles World Airports law enforcement officers. This reclassification would provide these officers the authority to make arrests and carry firearms on non-airport property.

The Authority's legislative team also recommends that the Board adopt a Watch position on SB 50 (Lieu), legislation that would require owners or operators of public use telephones to post specific consumer information near their telephones.

Federal Legislative Action

The Authority's legislative team recommends that the Board adopt a Watch position on S. 444/H.R. 933 (Collins/Rogers), the Department of Defense and Continuing Appropriations Act of 2013. 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.

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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.

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. 2013-0033

A RESOLUTION OF THE BOARD OF THE SAN
DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
APPROVING THE APRIL 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 April 2013 Legislative Report (Attachment A); and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority 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.

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PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 4TH day of April, 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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April 2013 Legislative Report

State Legislation

Legislation/Topic

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

Background/Summary

This bill would require that new construction projects with four or more off-street parking spaces include one electric vehicle charge station per every four off-street parking spaces included in the project.

Anticipated Impact/Discussion

If approved, this bill could require the Authority to provide a specified number of electric vehicle charging stations for future airport projects. Although the Authority supports the installation of electric vehicle charging stations and is scheduled to provide forty stations under the Green Build project, the number of electric vehicle charging stations should be determined based on customer demand and by the Authority rather than mandated by state law.

Status: 3/14/13 – Referred to the Assembly Committee on Transportation and Housing and Community Development

Position: Oppose

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

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: 1/10/13 – Referred to the Senate Committee on Energy, Utility and Communications

Position: Watch

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 or if a customer facility charge is adjusted. 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.

Under Section 21675 (b) of the Public Utilities Code, the ALUC must include in its ALUCPs the area within its jurisdiction surrounding any military airport. ALUCPs for military installations must be consistent with the safety and noise standards in an air installation compatibility use zone (AICUZ). Under SB 758, the Authority would no longer be subject to Section 21675 (b) of the Public Utilities Code if an ALUCP is related to the City of Coronado. However, the Authority would have the option of including within an ALUCP for the City of Coronado, the area within the jurisdiction of the Authority surrounding any military airport.

Anticipated Impact/Discussion

In its current form, SB 758 attempts to remove the requirement that the ALUC prepare, adopt, or amend an ALUCP related to the City of Coronado consistent with an AICUZ. However, staff has been informed by the sponsor of SB 758 that this bill will be significantly amended.

Status: 3/14/13 – Referred to 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: 2/22/13 - Introduced

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.

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: 12/3/12 - SCA 4 - Introduced and referred to the Senate Committee on Rules for assignment
12/14/12 - SCA 8 - Introduced and referred to the Senate Committee on Rules for assignment

Position: Watch (2/14/13)

Federal Legislation

Legislation/Topic

S. 444 (Collins), H.R. 933 (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: 3/4/13 – S. 444 – Introduced and referred to the Senate Committee on Appropriations
3/4/2013 - H.R. 933 – Introduced and referred to the House Committee on Appropriations

Position: Watch

Legislation/Topic

S. 208 (Feinstein), H.R. 456 (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)