

# Memorandum

To: Chair and Commissioners

Date: November 28, 2007

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Executive Director

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ACTION

Ref: State and Federal Legislation

Issue: Should the Commission adopt the legislative program proposed for next year?

Recommendation: Staff recommends that the Commission continue its legislative program from last year, where the Commission directed staff to:

- Seek an author to amend the “Roberti Bill” statutes to permit a global approach to the Route 710 excess property issue. Under current statutes, eligible low- to moderate-income families can purchase the excess property at rates that the family can afford to pay, regardless of its fair market value. The Commission’s proposal permits the State to sell identified excess properties at market rates. Further, in the suggested bill, the State would set aside an agreed upon percentage of the revenues generated to permit the cities of Los Angeles, South Pasadena and Pasadena to provide for low- to moderate-income housing. The majority of the funds generated from sales would go towards funding the locally preferred alternative. If the no project alternative is selected, the funds not dedicated to providing low- to moderate-income housing would be available for use on other transportation projects in the state.
- Seek an author(s) to sponsor two aeronautics-related bills. One bill would:
  - Amend existing legislation to provide a stable funding source from the aviation jet fuel sales tax to the Aeronautics Account to address state aviation system needs.
  - Update the California Public Utilities Code sections 21670 through 21679 to further solidify and strengthen airport land use law to preclude and prevent incompatible land use around airports.

Staff also recommends that the Commission advise the Legislature that SB1210 (Torlakson), passed in response to the eminent domain case – Kelo vs. the City of New London, results in project delivery issues. Before it can take possession of right-of-way, Caltrans must now go through a lengthy process to notify the property owner(s). Caltrans cannot request court action until 60 to 90 days after the last notice is served and received. The end result is at least an additional five months passes before Caltrans can take possession of a property.

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