



REPORT TO CITY COUNCIL

DATE: APRIL 10, 2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, PUBLIC WORKS DIRECTOR/CITY ENGINEER 

SUBJECT: APPROVE RESOLUTION NO. 19-1893, ELECTING TO BE EXEMPT FROM THE CONGESTION MANAGEMENT PROGRAM

In 1990, Proposition 111 increased the state gas tax from nine (9) to eighteen (18) cents. As a result, the Congestion Management Program (CMP) was established for the County of Los Angeles, and Metro was tasked with the responsibility of preparing and updating the CMP biennially. The intent of the CMP was to tie the appropriation of new gas tax revenues to congestion reduction efforts by improving land use/transportation coordination.

Although the program was one of the pioneering efforts towards achieving decreased traffic congestion regionally, it has become antiquated and cost-prohibitive.

The CMP is based on a "Level of Service" (LOS) performance metric, which uses vehicle delay as a basis for measuring congestion. However, with LOS criteria being phased out and replaced with new state-designated performance measures, such as Vehicle Miles Traveled (VMT), the CMP has become inconsistent with current state law.

Furthermore, since the Metro Board rejected the idea of implementing a Congestion Management Fee in 2014, the program has essentially become non-existent, with Metro no longer collecting land-use data from local agencies, a practice they had done biennially as required by the CMP through 2015.

Additionally, the City of Agoura Hills already has its own congestion mitigation fee program in the form of the Transportation Impact Fee (TIF). Therefore, there is no need for the City's participation in the CMP since a program is in place to build infrastructure to handle traffic generated by developments within the city limits.

Opting out of the CMP would also eliminate the risk of losing state gas tax funds or being ineligible to receive state and/or federal Transportation Improvement Program funds, as a result of not being in compliance with CMP requirements or performance standards. It would also eliminate the administrative and/or financial burden associated with the preparation of documents and studies to demonstrate conformance with the CMP.

In order to opt-out of the CMP, resolutions must be passed by local jurisdictions representing a majority of a county's jurisdictions with a majority of the county's population. Approval of this resolution would add Agoura Hills to the list of jurisdictions

in support of eliminating the CMP, as well as the city's population towards the number needed to meet the population requirement.

RECOMMENDATION

Staff respectfully recommends the City Council approve passing a formal resolution to opt out of the California Congestion Management Program (CMP), in accordance with State CMP statute.

Attachment: Resolution No. 19-1893

RESOLUTION NO. 19-1893

A RESOLUTION OF THE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ELECTING TO BE EXEMPT FROM THE CONGESTION MANAGEMENT PROGRAM

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS, AS FOLLOWS:

WHEREAS, in 1990 the voters of California passed Proposition 111 and the requirement that urbanized counties develop and implement a Congestion Management Program; and

WHEREAS, the legislature and governor established the specific requirements of the Congestion Management Program by passage of legislation which was a companion to Proposition 111 and is encoded in California Government Code Section 65088 to 65089.10; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) has been designated as the Congestion Management Agency responsible for Los Angeles County's Congestion Management Program; and

WHEREAS, California Government Code Section 65089.3 allows urbanized counties to be exempt from the Congestion Management Program based on resolutions passed by local jurisdictions representing a majority of a county's jurisdictions with a majority of the county's population; and

WHEREAS, the Congestion Management Program is outdated and increasingly out of step with current regional, State, and federal planning processes and requirements, including new State requirements for transportation performance measures related to greenhouse gas reduction; and

WHEREAS, the Metro Board of Directors took action to direct Metro staff to work with local jurisdictions to prepare the necessary resolutions to exempt Los Angeles County from the Congestion Management Program.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Agoura Hills, California, as follows:

1. That the foregoing recitals are true and correct.
2. That the City of Agoura Hills hereby elects to be exempt from the Congestion Management Program as described in California Government Code Section 65088 to 65089.10.

PASSED, APPROVED, AND ADOPTED this 10TH day of April, 2019, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

Linda L. Northrup, Mayor

ATTEST:

Kimberly, M. Rodrigues, City Clerk