



## Legislation Text

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**File #:** 19-0398, **Version:** 1

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Recommendation to adopt resolution electing to be exempt from the Congestion Management Program (CMP) in accordance with State CMP statute. (Citywide)

The Congestion Management Program (CMP) is a 1990 State-mandated, performance-based program that attempts to link land use and transportation planning. The CMP was established as part of a legislative package to implement Proposition 111, tying the appropriation of new gas tax revenues to congestion reduction efforts. While the CMP requirement was considered a pioneering effort when it was first implemented, it primarily relies upon a performance metric that is inconsistent with new State-designated performance measures.

In accordance with California Government Code 65088.3, jurisdictions within a county may opt out of the CMP requirement without penalty. However, Long Beach cannot unilaterally opt out of the CMP. Formal opt out will occur after a majority of cities, with a majority of residents, in Los Angeles County (County) opt out. Therefore, in the County, a consensus of at least 45 jurisdictions representing at least 5.1 million people will be required to opt out formally. A Resolution adopted by the City Council is necessary to elect to opt out with other County jurisdictions when the consensus has been reached. There is no formal deadline for the County to opt out.

The Los Angeles County Metropolitan Transportation Authority (Metro) is responsible for CMP compliance within our region. On June 28, 2018, the Metro Board of Directors approved a recommendation to initiate the process to opt out of the CMP. To date, 32 cities, with a combined 1.9 million residents, have already opted out, including, among others, Glendale, Pasadena, West Hollywood, Inglewood, Santa Monica, Pomona, and Lancaster. It is anticipated that the County consensus will be met before the end of the year.

Opting out of the CMP provides Long Beach with the following benefits:

- Eliminating the risk of losing state gas tax funds or being ineligible to receive federal transportation funds because of failure to comply with CMP requirements or performance standards.
- Removing the administrative and fiscal burden for monitoring and preparation of reporting documents to demonstrate compliance with the CMP.
- Eliminating the need to use inconsistent performance measures to evaluate CMP compliance in California Environmental Quality Act (CEQA) documents.

Upon receipt of formally-adopted resolutions from a majority of local jurisdictions representing a majority of the population, Metro will notify the State Controller, Caltrans, and SCAG that

Los Angeles County has opted out of the CMP in accordance with statutory requirements.

This matter was reviewed by Deputy City Attorney Amy R. Webber on April 1, 2019 and by Budget Analysis Officer Julissa José-Murray on April 5, 2019.

City Council action on this matter is not time critical.

Until such time as the County is able to formally opt out, the City will continue to comply with the CMP standards and regulations. There is no immediate fiscal impact foreseen as a result of this action. This recommendation is anticipated to result in a minimal impact to staff time beyond the normal budgeted scope of duties and is in line with existing City Council priorities.

Approve recommendation.

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CRAIG A. BECK  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER