



**Agenda Item B.5**  
**CONSENT CALENDAR**  
**Meeting Date: November 6, 2018**

---

**TO:** Mayor and Councilmembers

**FROM:** Charles W. Ebeling, Public Works Director

**CONTACT:** James Winslow, Senior Project Engineer

**SUBJECT:** Regional Congestion Management Program Exemption

**RECOMMENDATION:**

Adopt Resolution 18-\_\_\_, entitled "A Resolution of the City Council of the City of Goleta, California, Supporting Santa Barbara County Association of Governments Electing Exemption From Congestion Management Program Statutes."

**BACKGROUND:**

The State established the Congestion Management Program requirements in 1989 as part of a bi-partisan state legislative package, known as the Katz Kopp-Baker-Campbell Transportation Blueprint for the Twenty-First Century, Assembly Bill (AB) 471. These requirements became effective when voters approved Proposition 111 on June 5, 1990. This made additional funding available for transportation projects through a nine-cent increase in the state gas tax and mandated that each county with 50,000 or more residents develop a Congestion Management Program (CMP). State law requires Congestion Management Programs to adhere to level of service standards on a designated network of state highways and principal arterials. Level of service designations range from A (free flow traffic) to F (traffic approaching exceedance of capacity). Level of service operations are to be monitored on the network. If any segment is found to be operating at a level of service of E or worse, the local jurisdiction must prepare a deficiency plan or risk having Local Section 2105 gas tax funds withheld.

In April 1996, the State passed AB 2419 which provided an opportunity to opt out of the CMP process. Since the passage of AB 2419 in 1996, a number of other regions throughout the state have become exempt from the state's congestion management program, including: the Sacramento region (1996), San Luis Obispo (1996), Merced (1996), Butte (1997), Fresno (1997), Santa Cruz (2000), and San Diego (2009).

The Santa Barbara County Association of Governments (SBCAG) is a Regional Transportation Planning Agency (RTPA) and Metropolitan Planning Organization (MPO) responsible for the multi-modal transportation planning, programming, and fund allocation required by state and federal statutes. As the Congestion Management Agency (CMA), SBCAG implements a county-wide Congestion Management Program (CMP) to reduce auto-related congestion through capital improvements, travel demand management, and coordinated land use planning among all local jurisdictions.

SBCAG is required by state law to prepare and regularly update a Congestion Management Program for the Santa Barbara County region. The last CMP update was adopted by the SBCAG Board in October 2016. At that time, the Technical Transportation Advisory Committee (TTAC), an advisory committee to SBCAG, directed staff to conduct an evaluation of the CMP to determine if the program was meeting its goals and achieving its stated objectives.

On July 19, 2018, the SBCAG Board of Directors directed SBCAG staff to pursue exemption from the State's CMP. For SBCAG to become exempt from the State's CMP, the law requires that "a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt resolutions electing to be exempt from the congestion management program." (Gov. Code § 65088.3.)

SBCAG is requesting Council to support a Board Resolution Electing Exemption from the State's Congestion Management Program Statutes. Public Works has coordinated this item with SBCAG staff. Each of the eight cities in Santa Barbara County, and the Board of Supervisors will consider a similar resolution.

## **DISCUSSION:**

Exemption from the State's CMP statutes does not deprioritize the need to address congestion; it simply recognizes that the CMP is not an effective option for monitoring and planning for congestion related issues.

If the region were to become exempt from the state CMP statutes, local jurisdictions will no longer be required to submit the following documents as they will no longer be applicable:

- Traffic count data to fulfill the level of service requirement; and
- Land use data

An exemption from the state CMP will also remove the obligation that SBCAG require local jurisdictions to conform to the statutes of the CMP or prepare deficiency plans. The biennial CMP reporting requirement will also not apply.

During the fall of 2017, SBCAG staff circulated a web-based evaluation to SBCAG's advisory committee members, Caltrans staff, and a select group of consultants to solicit feedback regarding the CMP. Based on the feedback, SBCAG staff concluded that the

CMP was not effectively accomplishing its objectives. Many respondents to the CMP evaluation stated that the CMP data collection requirements were too cumbersome. Exempting the region from the State CMP regulations will eliminate the data collection requirements and reduce costs for SBCAG's local partners. For the larger jurisdictions that are collecting traffic counts at 5-10 intersections on an annual basis (e.g. the County, City of Santa Barbara, and City of Santa Maria), the CMP exemption can reduce annual data collection costs ranging from \$4,000 - \$8,000 a year.

The deficiency plan process, in the absence of state funds, is costly and burdensome for the local jurisdictions. This process has rarely been "triggered." The region has prepared only six deficiency plans since the CMP was initiated in 1991. The CMP deficiency planning process was used throughout the 1990s at five intersections and in 2002 during the preparation of the 101 South Coast Deficiency Plan. There have been no deficiency plans prepared in the region since 2002.

Even if exempt from the state CMP requirements, SBCAG will continue to be responsible for fulfilling federal congestion management requirements, in particular, by implementing policies, programs, and projects in the Regional Transportation Plan (RTP) and Transportation Improvement Program (as specified under Title 23 Part 450 Section 320). The federal congestion management provisions are more flexible and use the RTP as the primary tool to provide solutions for congestion. The RTP includes identification and evaluation of anticipated performance and expected benefits of appropriate congestion management strategies (demand management, operational improvements, transit improvements, systems management improvements, etc.). The federal requirements do not require that local jurisdictions collect data and submit to the regional agency. Instead, they place the burden on regional agencies to work cooperatively with the state and local jurisdictions to collect data as necessary.

Goleta Public Works will continue to collect traffic count data – vehicular, bicycle, and pedestrian – at critical locations annually. The data will be used to support projects, design, traffic engineering decision making process, and future grant applications.

SBCAG staff has found one potentially disadvantageous ramification of exemption. Existing state law allows for a countywide transportation planning agency to "place a majority vote ballot measure before the voters of the county to authorize an increase in the fees of motor vehicle registration in the county for transportation-related projects and programs." The fee cannot exceed \$10 per vehicle. SB 83 states that the agency must be a Congestion Management Agency. Three CMAs have successfully implemented a vehicle registration fee ballot measure (Alameda County Transportation Commission, Transportation Authority of Marin, and San Francisco County Transportation Authority). Exempting our region from the state requirements will remove our region from eligibility for the SB 83 Motor Vehicle Registration Fee Program, though the process could be reversed if needed. The vehicle registration fee could yield an estimated \$4 million in revenue for the region, if fee was set at \$10 per vehicle. When compared to a potential ballot measure to increase or extend Measure A beyond 2040, the potential loss is negligible compared to the ballot measure effort required.

**FISCAL IMPACTS:**

There is no fiscal impact associated with this item.

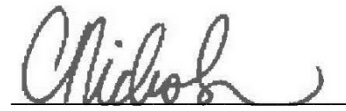
**ALTERNATIVES:**

The Council may elect to not approve the resolution. The region may still become exempt from the CMP provided a majority of the region's jurisdictions representing a majority of the population approve the resolution.

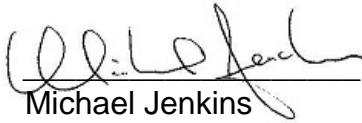
**Reviewed By:**

**Legal Review By:**

**Approved By:**



Carmen Nichols  
Deputy City Manager



Michael Jenkins  
City Attorney



Michelle Greene  
City Manager

**ATTACHMENTS:**

1. City Council Resolution 18-\_\_: "A Resolution of the City Council of the City of Goleta, California, Supporting Santa Barbara County Association of Governments Electing Exemption from the State's Congestion Management Program Statutes"

**ATTACHMENT 1:**

City Council Resolution 18-\_\_: "A Resolution of the City Council of the City of Goleta, California, Supporting Santa Barbara County Association of Governments Electing Exemption From Congestion Management Program Statutes"



**RESOLUTION NO. 18-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
GOLETA, CALIFORNIA, SUPPORTING SANTA BARBARA  
COUNTY ASSOCIATION OF GOVERNMENTS ELECTING  
EXEMPTION FROM CONGESTION MANAGEMENT PROGRAM  
STATUTES**

**WHEREAS**, Santa Barbara County Association of Governments (SBCAG) has been required by State law since 1990 to prepare and regularly update a Congestion Management Program (CMP) for the transportation system within the Santa Barbara County region; and

**WHEREAS**, in 1996, Assembly Bill 2419 (Government Code sections 65088-65089.10) was passed and signed by the Governor allowing urbanized counties the option to be exempt from preparation and implementation of a CMP; and

**WHEREAS**, Government Code section 65088.3 makes the CMP requirements inapplicable in a county in which a majority of the cities, with a majority of the population within incorporated areas, and the County Board of Supervisors adopt resolutions electing to be exempt from the CMP; and

**WHEREAS**, the CMP law requires annual compilation and reporting of all land use and development activity and the conformity process requires the Congestion Management Agency (SBCAG) to determine member agency compliance with congestion management efforts and may require remedial measures and possible withholding of funds; and

**WHEREAS**, duplication currently exists between the CMP and other transportation planning documents; and

**WHEREAS**, the goals of the CMP may be carried out through other transportation planning documents and through general plans; and

**WHEREAS**, SBCAG continues to monitor congestion outside of the CMP annually on the National Highway System through USDOT required performance monitoring, the federal Congestion Management Process, travel modeling associated with the regional transportation plan, and qualitatively; and

**WHEREAS**, SBCAG will include elements of the CMP which are relevant and useful in the Regional Transportation Plan (RTP); and

**WHEREAS**, local agencies can continue efforts to facilitate reductions in traffic congestion and develop integrated transportation systems and should continue to include congestion mitigation concepts in their land use circulation elements and ordinances.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA, AS FOLLOWS:**

**SECTION 1.**

Support the region's election to become exempt from the State's Congestion Management Program.

**SECTION 2.**

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** this 6<sup>th</sup> day of November, 2018.

---

PAULA PEROTTE  
MAYOR

ATTEST:

APPROVED AS TO FORM:

---

DEBORAH S. LOPEZ  
CITY CLERK

---

MICHAEL JENKINS  
CITY ATTORNEY



STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )     ss.  
CITY OF GOLETA                 )

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO  
HEREBY CERTIFY that the foregoing Resolution No. 18-\_\_ was duly adopted by  
the City Council of the City of Goleta at a regular meeting held on the 6<sup>th</sup> day of  
November, 2018 by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

---

DEBORAH S. LOPEZ  
CITY CLERK