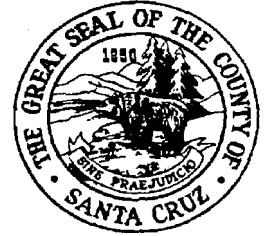


COUNTY OF SANTA CRUZ 0171

STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of April 25, 2000

CONSENT AGENDA Item No. 029

(CONTINUED TO MAY 23, 2000 consideration to adopt
(resolution electing exemption from Congestion
(Management Program statutes...

Upon the motion of Supervisor Campos, duly seconded by Supervi-
sor **Beautz**, the Board, by unanimous vote, continued to May 23, 2000
consideration to adopt resolution electing exemption from Congestion
Management Program statutes

cc:

CAO

Linda Wilshusen, Executive Director, SCCRTC

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

by

Sharon Mitchell

Deputy Clerk, ON April 28, 2000

Page 1 of 1

26



0207

0172

County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

WALTER J. SYMONS
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 4/25/00

April 14, 2000

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: RESOLUTION ELECTING TO BE EXEMPT
FROM THE CONGESTION MANAGEMENT PROGRAM

Dear Members of the Board:

Attached is a letter from Linda Wilshusen, Executive Director of the Santa Cruz County Regional Transportation Commission, requesting that the Board consider the adoption of a resolution electing to be exempt from the Congestion Management Program. As you will note from reviewing Ms. Wilshusen's letter and the attached materials recently considered by the Commission, in 1990 voters passed Proposition 111 requiring that urban counties develop and implement a Congestion Management Plan. However, as a result of a reduction in the effectiveness of the Congestion Management Program statutes over time, in 1996 Assembly Bill 2419 was signed by the Governor allowing urbanized areas the option of being exempt from preparation of a Congestion Management Program. In addition, other transportation documents, such as the Regional Transportation Plan and the Regional Transportation Improvement Plan, duplicate various components of the Congestion Management Program.

In light of the above, and because other existing transportation documents can be amended to incorporate the remaining useful elements of the Congestion Management Plan, the Transportation Commission has voted to request that the Board of Supervisors and the Cities of Santa Cruz, Capitola, Scotts Valley and Watsonville consider opting out of the Congestion Management Program.

~~0208~~

BOARD OF SUPERVISORS
April 14, 2000
Page 2

Accordingly, I recommend that the Board adopt the attached resolution electing to be exempt from the statutes requiring the development and implementation of a Congestion Management Program, as authorized by California Government Code Section 65088.3.

Sincerely,



MARDI WORMBOUDT, Chair
Board of Supervisors

MW:ted
Attachments

cc: Linda Wilshusen, Executive Director, SCCRTC

2298C6

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted

RESOLUTION ELECTING EXEMPTION FROM CONGESTION
MANAGEMENT PROGRAM STATUTES

WHEREAS, California voters passed Proposition 111 in June, 1990, establishing the requirement that urban counties develop and implement a Congestion Management Plan; and

WHEREAS, in 1990, local jurisdictions were required to adopt resolutions designating an agency responsible for the preparation and implementation of a Congestion Management Program for their respective counties; and

WHEREAS, in Santa Cruz County, local jurisdictions elected to designate the Santa Cruz County Regional Transportation Commission as the agency responsible for the Santa Cruz County Congestion Management Program; and

WHEREAS, specifically, on September 18, 1990, the Santa Cruz County Board of Supervisors adopted Resolution No. 546-90 designating the Santa Cruz County Regional Transportation Commission as the Congestion Management Program agency for Santa Cruz County; and

WHEREAS, subsequent to that designation, legislative revisions progressively eroded the strength and effectiveness of the Congestion Management Program statutes; and

WHEREAS, in 1996, Assembly Bill 2419 was passed and signed by the Governor allowing urbanized counties the option to be exempt from preparation and implementation of a Congestion Management Program; and

WHEREAS, duplication currently exists between the Congestion Management Program and other transportation planning documents; and

WHEREAS, the goals of the Congestion Management Program may be carried out through other transportation planning documents and through general plans; and

WHEREAS, the Santa Cruz County Regional Transportation Commission will include elements of the Congestion Management Program which are relevant and useful in the Regional Transportation Plan (RTP), the Regional Transportation Improvement Program (RTIP), and/or the Annual Traffic Monitoring Report.

RESOLUTION ELECTING EXEMPTION FROM CONGESTION MANAGEMENT
PROGRAM STATUTES

Page 2

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Board of Supervisors hereby elects that Santa Cruz County be exempt in accordance with California Government Code Section 65088.3 from the statutes requiring the development and implementation of a Congestion Management Program as described in California Government Code Sections 65088 to 65089.10.

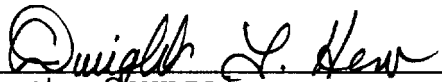
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 2000, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

MARDI WORMHOUDT, Chair
Board of Supervisors

ATTEST: _____
Clerk of said Board

Approved as to form:



County Counsel

DISTRIBUTION: County Counsel
Santa Cruz County Regional Transportation
Commission

2298C6

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
1523 PACIFIC AVENUE, SANTA CRUZ, CALIFORNIA 95060-3911 (831) 460-3200 FAX (831) 460-3215 OR (831) 471-1290

A p r i l 11, 2000

SERVICE AUTHORITY
FOR FREEWAY
EMERGENCIES
(SAFE) ☐

Mardi Wormhoudt, Chair
County Board of Supervisors
701 Ocean Street
Santa Cruz, CA 95060

CONGESTION
MANAGEMENT
AGENCY ☐

RE: Request for Resolution Electing to Be Exempt from the Congestion
Management Program

COMMUTE
SOLUTIONS ☐

Dear Supervisor Wormhoudt:

TRANSPORTATION
POLICY COMMITTEE ☐

In June 1990 California voters passed Proposition 111 establishing the requirement that urban counties develop and implement a congestion management program (CMP). In September 1990 the Cities and the County adopted resolutions designating the Santa Cruz County Regional Transportation Commission (SCCRTC) as the agency responsible for developing and implementing the CMP (please see enclosed resolution). In 1996 the California Legislature passed and the Governor signed Assembly Bill 2419 allowing urbanized areas the option to be exempt from preparation and implementation of a CMP. At its March 2000 meeting, the Santa Cruz County Regional Transportation Commission (SCCRTC) voted to request resolutions from the local jurisdictions in Santa Cruz County exercising this option.

RAIL OVERSIGHT
COMMITTEE ☐

BUDGET &
ADMINISTRATION
PERSONNEL
COMMITTEE ☐

The CMP statutes were initially established to create a tool for managing and reducing congestion; however, revisions to those statutes progressively eroded the effectiveness of the CMP. There is also duplication between the CMP and other transportation documents such as the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Program (RTIP). In addition, the goals of the CMP may be carried out through the Regional Transportation Improvement Program and the Regional Transportation Plan. Any functions of the CMP which are useful, desirable and do not already exist in other documents may be incorporated into those documents. These issues are discussed in the enclosed staff report to the SCCRTC recommending this change.

INTERAGENCY
TECHNICAL
ADVISORY
COMMITTEE ☐

BICYCLE COMMITTEE ☐

ELDERLY & DISABLED
TRANSPORTATION
ADVISORY COMMITTEE ☐

Government Code Section 65088.3 relating to congestion management programs states:

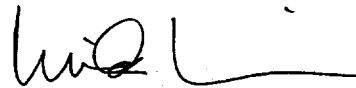
“65088.3. This chapter does not apply in a county in which a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt resolutions electing to be exempt from the congestion management program.”

WWW.SCCRTC.ORG
EMAIL:INFO@SCCRTC.ORG

The Regional Transportation Commission requests that the County Board of Supervisors consider passage of a resolution electing to be exempt from the congestion management program in accordance with Government Code Section 65088.3. A sample resolution is enclosed. Please inform us when action on this request is scheduled before the Board of Supervisors.

Thank you for your consideration of this request. If you have any questions or comments, please contact me at (83 1) 460-32 13.

Sincerely,



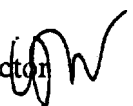
Linda Wilshusen
Executive Director

enclosures

S:\CORRESP\CoCMP040.WPD

cc: Susan Mauriello, County Administrative Officer

Agenda: March 2, 2000.

To: Regional Transportation Commission
From: Linda Wilshusen, Executive Director 
Re: Congestion Management Program (CMP) - Continued From the Policy Workshop

RECOMMENDATION

Staff recommends that the Regional Transportation Commission act at its March 2000 meeting to:

1. Request resolutions from the County of Santa Cruz and the Cities of Watsonville, Scotts Valley, Santa Cruz and Capitola to opt out of the CMP per Government Code section 65088.3; and
 2. Include the following elements of the CMP requirements in the Regional Transportation Plan (RTP):
 - a. CMP transportation network;
 - b. Level of service (LOS) standards at CMP transportation network intersection and state highway segments;
 - c. Biennial level of service and transit monitoring; and
 - d. Continuing analysis of the impacts of land use on the transportation system.
-

BACKGROUND

In June 1990 California voters passed Proposition 1.11 increasing fuel taxes to raise funds for transportation improvements and establishing the creation of congestion management agencies (CMAs) for California's urban counties. The chief function of a CMA (outlined in Government Code Sections 65088-65089.10) is to prepare adopt and implement a Congestion Management Program (CMP) linking transportation, land use, air quality and regional economics. A CMA is established by resolutions passed by the County and incorporated cities representing a majority of the population of the County. In Santa Cruz County the Regional Transportation Commission was established as the CMA.

According to California Government Code Sections 65088 to 65089.10, a CMP is to be established and updated every 2 years in counties which include an urbanized area with a

population of more than 50,000. In 1992 the Regional Transportation Commission adopted its first CMP which was updated in 1994 and in 1996.

The original CMP statutes created a strong tie between adherence to a CMP and the disbursement of funds for transportation improvements. In addition, the Statutes established private sector requirements to ensure adherence to the CMP.

Since 1990 there have been various changes to the CMP statutes. Some changes to the statutes were designed to eliminate inconsistencies and duplication between the CMP and the State and Federal Clean Air Acts. There was legislation modifying CMP requirements and legislation eliminating certain CMP requirements. Then in 1995 a law was passed allowing counties to choose not to prepare a CMP as stated below:

"65088.3. This chapter does not apply in a county in which 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."

DISCUSSION

Existing CMP Requirements

According to existing CMP statutes, the CMP must contain the following elements:

1. Traffic level of service (LOS) standards established for a designated CMP network of roadways: The network must include all state highways and principal arterials. Statute does not allow standards to be less than LOS E. The default standard established in Santa Cruz County is LOS D to maintain consistency with the area General Plans which have LOS goals of C and D. However, some intersections have been grandfathered with lower LOS standards (E or F). As the level of service increased at some of those grandfathered intersections, the LOS standard was increased to the default standard. The LOS standard has not been upgraded for all of the CMP intersections showing an improvement due to the fear that the LOS measure at those intersections will fall and put local jurisdictions in jeopardy of losing transportation funds.
2. A performance element which includes performance measures to evaluate multimodal system performance: At minimum these should include roadway system performance and transit system performance. The transit measures must include frequency, routing and coordination. In Santa Cruz County, LOS measures and transit measures are used as the inter-modal performance measures. In the past, the transit measures were included in

the SCMTD Short Range Transit Plan. The Transit District no longer routinely prepares this plan.

3. A trip reduction and travel demand element to promote alternative transportation methods: Initially, this element required that local jurisdictions require the private sector to implement work site trip reduction and travel demand management measures and reduce the number of solo automobile trips to their work sites. However, in response to business community objections statewide, legislative changes prohibited local agencies from requiring private employers to implement trip reduction measures. Employers may of course implement **voluntary** trip reduction measures. Only in the South Coast Air Quality Management District can employers be required to provide limited measures which promote alternative transportation.
4. A program to analyze the impact of land use decisions made by local jurisdictions on the transportation system including: costs for mitigation of those impacts: All local jurisdictions are required to submit all planning documents to the CMA for developments which impact the transportation system. The CMA reviews the documents and comments on the transportation impacts. In addition, local jurisdiction are required to submit building permit and demolition permit reports. In Santa Cruz County these are used by AMBAG for conformity determinations and for the regional transportation model.
5. A 7-year capital improvement program (CIP): The performance measures shall be taken into account when developing the CIP. In Santa Cruz County, this is accomplished through the RTIP project list; however, the RTIP project list no longer covers 7 years.

In order to enforce the CMP, the following are required:

1. Biennial monitoring of local jurisdictions by the CMA on all elements of the CMP to ensure conformance: The CMA must rule whether the local jurisdictions are in conformance. Local jurisdictions which are not in conformance have 12 months to come into conformance or face withholding of transportation funds.
2. Guidelines for deficiency plan preparation and methodology for interjurisdictional deficiency: When a local jurisdiction fails to meet the LOS standards for a CMP intersection, a deficiency plan may be required by the CMA. The deficiency is determined after discounting interregional travel, construction impacts, etc. If a deficiency exists, a deficiency plan must be adopted to either correct the deficiency or make improvements to the transportation system as a whole. If more than one jurisdiction contributes to the deficiency, all of the contributing jurisdictions must participate in the development and implementation of the deficiency plan.

The Regional Transportation Commission also added to the CMP a policy element, which came directly from the RTP.

Implementation of the CMP in Santa Cruz County

In order to implement the trip reduction and travel demand element of the CMP, the Regional Transportation Commission established a model trip reduction ordinance for local jurisdictions to use in developing their trip reduction ordinances required under the original CMP statutes. The trip reduction ordinances established ridership goals at medium and large employers and required employers to implement active programs which would meet those goals. The Transportation Management Associations (TMAs) conducted employer commute surveys in order to track strides made towards the achievement of the ridership goals. The data collected by the TMA is one of the very few sources of information regarding the use of alternative transportation modes such as carpooling, bicycling, and walking. When legislative revisions to the CMP statutes discarded employer requirements for trip reduction measures, the trip reduction ordinances became voluntary and contrary to their assertions to retain these programs, many employers withdrew support for their trip reduction programs.

The level of service standards established in Santa Cruz were made to be consistent with established Santa Cruz area general plans. The general plans have established LOS goals of C and D with exceptions for a lower LOS goal at few intersections. The CMP established a standard of LOS D unless intersections were already operating below LOS D. For those intersections their existing LOS measure became the standard. However, as the LOS measure improved at those intersections with an LOS standard lower than D or as environmental documents were adopted with higher LOS measures at those intersections, the LOS standard was raised to be consistent with the rest of the CMP roadway system. Since LOS measures can differ and show an improvement due to various temporary circumstances, the Regional Transportation Commission established exceptions for LOS standard upgrades. Local jurisdictions became resistant to LOS standard upgrades for fear that as projections of increased traffic were realized, they would be faced with substandard intersections and the possibility of having to prepare a deficiency plan or of losing transportation funds. In addition, the Regional Transportation Commission did not want to be in the position of requiring roadway capacity improvements in order to meet a roadway LOS standard.

When a CMP standard is not met, local jurisdictions are required to develop and implement a deficiency plan which will correct that deficiency or make system-wide transportation improvements. As required by CMP statute, the Regional Transportation Commission established deficiency plan guidelines which allowed local jurisdictions to correct a specific deficiency or implement other transportation improvements to make up for the deficiency. Only one deficiency plan has been required in Santa Cruz County: the plan improved the intersection

at the southbound Highway 1 on and off ramps to Freedom Boulevard. The deficiency plan guidelines also include a methodology for dealing with deficiencies to which more than one local jurisdiction is contributing.

Opting Out of the CMP

Although the CMP statutes were initially established to create a strong and **useful** tool for managing, reducing and eliminating congestion, revisions to those statutes have weakened the effectiveness of the CMP. There is also duplication between the CMP and other transportation documents such as the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Program (RTIP). In addition, the **goals** of the **CMP** may be carried out through the Regional Transportation Improvement Program and the Regional Transportation Plan. Any functions of the CMP which are useful, desirable and do not already exist in other documents may be incorporated into those documents.

In light of these and other issues discussed above, staff recommends that the Regional Transportation Commission request that the County of Santa Cruz and the Cities of Watsonville, Scotts Valley, Santa Cruz and Capitola consider resolutions to opt out of the CMP per Government Code section 65088.3.

Retain Certain CMP Elements in Regional Transportation Plan

There are certain aspects of the CMP which should be retained. Therefore, staff recommends that the Regional Transportation Commission incorporate the following useful CMP elements into the Regional Transportation Plan:

- A. **CMP Transportation Network:** This item establishes roadways that are of significance to the motorists of Santa Cruz County and focuses congestion management efforts to those significant roadways. It includes state highways and principal **arterials**; however it may be expanded in the future to include other significant Santa Cruz County **corridors** as well.
- B. **Level of service (LOS) Standards:** These are established for intersections of the CMP transportation network and state highway segments. These standards have been useful as goals to determine the desirable level of service and to ensure that the necessary steps are **taken** to maintain that level of service. Transportation improvement efforts may then be focused where the standards or goals are not met. In particular, the standards have provided a consistent and accepted guide for environmental review of proposed development and the potential transportation impacts of that development.

- C. Analysis of Land Use Impacts on the Transportation System: This requires local jurisdictions to transmit notification of all environmental review determinations and draft documents to the SCCRTC for review and comment to ensure that all impacts on the transportation system are being analyzed and mitigated. Under the California Environmental Quality Act (CEQA), local jurisdictions are required to analyze the impacts of any development on the transportation system. Local jurisdictions will still be required to forward their environmental documents to the Regional Transportation Commission for comments on consistency with established regional transportation policy.
- D. Biennial LOS and Transit Standards Monitoring: Biennial monitoring of transit and LOS standards has ensured that recent data is ~~always available~~. Local jurisdictions and their consultants make use of this data for environmental documents. Maintaining a history of LOS measures also provides a method of identifying areas which may need improvements before they actually fall below the standard so that plans can be developed to make the necessary improvements.

SUMMARY

The effectiveness of the CMP as a tool for congestion relief has been considerably diminished by various legislative revisions and Commission implementation of CMP provisions. The CMP has become an optional document. In addition, the CMP duplicates the portions of other documents and the useful elements of the CMP may be incorporated into existing documents. Staff recommends that Regional Transportation Commission request that the local jurisdictions consider opting out of the CMP and incorporate the useful elements of the CMP into the RTP.

Prepared by Luis Mendez

S:\RTC\0300\CMRTP020.LM1.wpd

Original Resolution

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 546-90

On the motion of Supervisor Mehl
duly seconded by Supervisor Beautz
the following resolution is
adopted:

RESOLUTION DESIGNATING THE
SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
AS THE CONGESTION MANAGEMENT PROGRAM AGENCY.

WHEREAS, AB 471 adding Chapter 2.6, Sections 65088 through 65089.6 to Division 1 of Title 7 of the Government Code requires a congestion management program be developed, adopted and annually updated for every county that includes an urbanized area;

WHEREAS, Section 65089 requires that the congestion management program be prepared either by the county transportation commission or by another public agency as designated by resolutions adopted by the County Board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated areas of the county;

WHEREAS, the Santa Cruz County Regional Transportation Commission is the state designated local transportation commission and regional transportation planning agency for Santa Cruz County;

WHEREAS, the Santa Cruz County Regional Transportation Commission's standing Technical Advisory Committee with membership by the Planning Directors and Public Works Directors of all local jurisdictions can provide the forum for consultation and cooperation with local governments as required in Section 65089;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of supervisors hereby designates the Santa Cruz County Regional Transportation Commission as the Congestion Management Program agency for Santa Cruz County.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this 18th day of September, 1990, by the following vote:

AYES: Supervisors Beautz, Patton, Mehl, Keeley & Levy
NOES: Supervisors None
ABSENT: Supervisors None

Sherry Mehl
Vice-Chairperson of the Board of Supervisors

ATTEST: Susan Rozamus
Clerk of the Board

APPROVED AS TO FORM:

Dwight L. Hew
County Counsel

Distribution: Public Works Department
Santa Cruz County Regional Transportation
Commission
county Counsel

**Sample Resolution Language Electing Exemption From
Congestion Management Program Statutes**

WHEREAS, California voters passed Proposition 111 in June 1990 establishing the requirement that urban counties develop and implement a congestion management program;

WHEREAS, local jurisdictions were required in 1990 to adopt resolutions designating an agency responsible for the preparation and implementation of a congestion management program for their respective counties;

WHEREAS, in Santa Cruz County local jurisdictions elected to designate the Santa Cruz County Regional Transportation Commission as the agency responsible for the Santa Cruz County congestion management program;

WHEREAS, subsequent to that designation, legislative revisions progressively eroded the strength and effectiveness of the congestion management program statutes,

WHEREAS, in 1996 Assembly Bill 24 19 was passed and signed by the Governor allowing urbanized counties the option to be exempt from preparation and implementation of a congestion management program;

WHEREAS, there is duplication between the congestion management program and other transportation planning documents;

WHEREAS, the goals of the congestion management program may be carried out through other transportation planning documents and through general plans; and

WHEREAS, the Santa Cruz County Regional Transportation Commission will include elements of the congestion management program which are relevant and useful in the Regional Transportation Plan (RTP), the Regional Transportation Improvement Program (RTIP) and/or the Annual Traffic Monitoring Report.

NOW, THEREFORE BE IT RESOLVED that this body hereby elects that Santa Cruz County be exempt in accordance with California Government Code Section 65088.3 from the statutes requiring the development and implementation of a congestion management program as described in California Government Code Sections 65088 to 65089.10.