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# CITY OF POMONA COUNCIL REPORT

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March 18, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Rene Guerrero, Interim Public Works Director

**SUBJECT: ELECTING TO BE EXEMPT FROM THE CALIFORNIA CONGESTION  
MANAGEMENT PROGRAM (CMP) - METRO**

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**RECOMMENDATION:** It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2019-23 - A RESOLUTION OF THE CITY  
COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ELECTING  
TO BE EXEMPT FROM THE CONGESTION MANAGEMENT  
PROGRAM**

**EXECUTIVE SUMMARY:** The Los Angeles County Metropolitan Transportation Authority (Metro) is required by state law to prepare and update, on a biennial basis, a Congestion Management Program (CMP) for the County of Los Angeles. While the CMP requirement was one of the pioneering efforts to conduct performance-based planning, the approach has become antiquated and expensive. Pursuant to California Government Code §65088.3 (Attachment A, C.G.C. §65000 et seq.), jurisdictions within a county may opt out of the CMP requirement without penalty if a majority of local jurisdictions representing a majority of the County's population formally adopt resolutions requesting to opt out of the program.

**FISCAL IMPACT:** None.

**PREVIOUS RELATED ACTION:** The City Council approved the 2011 CMP Local Development Report on July 11, 2011.

**DISCUSSION:**

On June 20, 2018, the Metro Board approved a staff recommendation to initiate the process to opt out of the state-mandated CMP. The action allows Metro staff to proceed with the next step in the process, which is to provide public agency partners with the option to opt out of the CMP Program, as well. The CMP has been found to contradict Metro's own efforts to promote a more sustainable and equitable region. In addition, the passage of Measure M and the update of the Long Range Transportation Plan present Metro with an opportunity to consider new ways to measure transportation system performance measures that complement efforts to combat climate

change, support sustainable/vibrant communities and improve mobility. For Metro and cities alike, the continued administration of the CMP impedes improving Metro's envisioned transportation system. Over the last several years, the CMP has become increasingly outdated in relation to the direction of Metro's planning process and regional, State, and federal transportation planning requirements.

Additional reasons to opt out of the CMP include:

- Relieves Metro and local jurisdictions of a mandate to use a single measure, level of service (LOS), to determine roadway deficiencies.
- Eliminates the risk to local jurisdictions of losing their state gas tax funds or being ineligible to receive state and federal Transportation Improvement Program funds, as a result of not complying with CMP requirements or performance standards.
- Eliminates the administrative and financial burden to cities associated with the preparation of documents to demonstrate conformance with the CMP.

Staff recommends approval of a resolution (Attachment No.1) electing to be exempt from the CMP. It is important to note that Pomona cannot unilaterally opt out of the CMP. The formal opt out will occur after a majority of cities in the region opt out, and Metro will notify the State Controller, Caltrans, and SCAG that Los Angeles County has opted out of the CMP in accordance with statutory requirements.

Prepared by:

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Ron Chan  
Senior Civil Engineer

## **ATTACHMENT:**

Attachment No. 1 – Resolution No. 2019-23