



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Community Development

MEETING DATE: August 7, 2012

PREPARED BY: Ili Lobaco, Associate Planner

AGENDA LOCATION: PH-1

TITLE: Adoption of the Los Angeles County Congestion Management Program (CMP) Local Development Report; Resolution No. 2012-30.

OBJECTIVE: To conduct a public hearing and adopt a resolution finding the City in conformance with the Los Angeles County Metropolitan Transportation Authority (METRO) CMP and adopt the CMP Local Development Report.

BACKGROUND: The Congestion Management Plan (CMP) is designed to address regional traffic congestion by linking transportation, land use, and air quality decisions. Originally adopted by the Los Angeles County Metropolitan Transportation Authority (MTA) in 1993, cities have been required to adopt and file a Local Implementation Report with MTA every year.

The CMP is dependent on local government actions and requires every city in the county to participate in mitigating vehicular trips. In response to City concerns on the operational aspects of the CMP, METRO authorized their staff to conduct a nexus study to determine the feasibility of implementing a Congestion Mitigation Fee, in lieu of the credit/debit system. In 2005, the CMP requirement for reporting transportation improvements was suspended and a freeze was placed on each city's CMP credit/debit balance.

Since 2005, METRO has been working on developing this Congestion Mitigation Fee program for Los Angeles County. As part of the process, METRO initiated a pilot study with the San Gabriel Valley Council of Governments (SGVCOG) to demonstrate how such a program will work. A Draft Preliminary Findings Report for the pilot study was released by SGVCOG in May 2011. The CMP requirement for maintaining a positive credit balance continues to be suspended and cities continue to not have to report their transportation improvement strategies for the 2012 cycle. However, cities must continue to report their new net development activity and self-certify conformance with all elements of the CMP, just as in prior years. The credit balance for Monrovia continues to be frozen with a positive balance. Until the METRO Board takes action to resume this aspect of the program, no new credits or debits will be accrued.

The attached resolution adopts Monrovia's Local Development Report, which includes the Deficiency Status Summary Report for the reporting period of June 1, 2011 to May 31, 2012.

ANALYSIS: By September 1, 2012, each jurisdiction in Los Angeles County must submit to Metro a resolution adopted by the City Council adopting the Local Development Report (LDR) and self-certifying the jurisdiction's conformance with all local CMP requirements.

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All local jurisdictions and the County of Los Angeles have previously adopted the transportation demand management (TDM) ordinances and the land use analysis program required by the CMP. All jurisdictions must certify their ongoing implementation of these CMP requirements as part of their Self-Certification Resolution /LDR.

As originally adopted, the CMP has been problematic for cities that do not have CMP routes within their city boundaries. The transportation improvement strategies are geared towards cities with CMP routes. As a result, it is very difficult for a City like Monrovia to earn CMP credits. Most of the cities in Los Angeles County are in this same situation. Metro Board has come to the conclusion that a mitigation fee may be the most effective tool in reducing traffic congestion. To date, no mitigation fee has been imposed. The City of Monrovia will continue to monitor the situation to assure that any proposed regulations will not have an adverse impact on the City. City staff will continue work with METRO and the SGVCOG on development of the Congestion Mitigation Fee Program. In the meantime, the annual process of adopting the Local Development Report is still in effect.

ENVIRONMENTAL IMPACT: The adoption of the resolution certifying compliance with the Congestion Management Program has no physical impact or change in the environment and is exempt from review under the California Environmental Quality Act (CEQA) as it will have no adverse environmental impact and is not affected by the Monrovia Environmental Accords.

FISCAL IMPACT: The primary cost to the City for the implementation of the CMP requirements has been in staff time and this is funded through Proposition C monies. Under the current system, if new development activity continues to a point that the City reaches a negative balance of points, then the City may have to implement mitigation strategies incurring additional cost to the City. There is a potential loss of gas tax money if the City does not comply with CMP mandates.

OPTIONS: The following options are presented for consideration:

1. Adopt the Congestion Management Program Local Development Report, or;
2. Take no action on the item.

If the City Council chooses Option 1, the City will remain in compliance with the CMP and no further action is required. The second option is to not adopt the resolution. In this case, the City would become a non-compliant City and METRO could begin the process of withholding Gas Tax Funds from the City.

RECOMMENDATION: Staff recommends Option 1 to ensure the City remains in compliance with the CMP and continues to receive Gas Tax funds tied to the CMP program.

COUNCIL ACTION REQUIRED: If the City Council concurs, following the public hearing, the appropriate action would be a motion to adopt Resolution No. 2012-30.

**CMP CONFORMANCE SELF-CERTIFICATION
CITY OF MONROVIA**

RESOLUTION NO. 2012-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

WHEREAS, CMP statute requires the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), acting as the Congestion Management Agency for Los Angeles County, to annually determine that the County and cities within the County are conforming to all CMP requirements; and

WHEREAS, LACMTA requires submittal of the CMP Local Development Report by September 1 of each year; and

WHEREAS, the City Council held a noticed public hearing on August 7, 2012;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROVIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City has taken all of the following actions, and that the City is in conformance with all applicable requirements of the 2010 CMP adopted by the LACMTA Board on October 28, 2010.

The City has locally adopted and continues to implement a transportation demand management ordinance, consistent with the minimum requirements identified in the CMP Transportation Demand Management chapter.

The City has locally adopted and continues to implement a land use analysis program, consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter.

The City has adopted a Local Development Report, attached hereto and made a part hereof, consistent with the requirements identified in the 2010 CMP. This report balances traffic congestion impacts due to growth within the City with transportation improvements, and demonstrates that the City is meeting its responsibilities under the Countywide Deficiency Plan consistent with the LACMTA Board adopted 2003 Short Range Transportation Plan.

SECTION 2. That the City Clerk shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the Los Angeles County Metropolitan Transportation Authority.

PASSED, APPROVED AND ADOPTED this 7th day of August, 2012.

BY:

Mary Ann Lutz, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, CMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia

City of Monrovia
2012 CMP Local Development Report
Reporting Period: JUNE 1, 2011 - MAY 31, 2012

Date Prepared: August 2, 2012

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 3: EXEMPTED DEVELOPMENT ACTIVITY
(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)

Low/Very Low Income Housing	<input type="text" value="0"/>	Dwelling Units
High Density Residential Near Rail Stations	<input type="text" value="0"/>	Dwelling Units
Mixed Use Developments Near Rail Stations	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Development Agreements Entered into Prior to July 10, 1989	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged due to "calamity"	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged in Jan. 1994 Earthquake	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Total Dwelling Units	<input type="text" value="0"/>	
Total Non-residential sq. ft. (in 1,000s)	<input type="text" value="0"/>	

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Exempted Development Definitions:

1. Low/Very Low Income Housing: As defined by the California Department of Housing and Community Development as follows:
 - Low-Income: equal to or less than 80% of the County median income, with adjustments for family size.
 - Very Low-Income: equal to or less than 50% of the County median income, with adjustments for family size.
2. High Density Residential Near Rail Stations: Development located within 1/4 mile of a fixed rail passenger station and that is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre is automatically considered high density.
3. Mixed Uses Near Rail Stations: Mixed-use development located within 1/4 mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing.
4. Development Agreements: Projects that entered into a development agreement (as specified under Section 65864 of the California Government Code) with a local jurisdiction prior to July 10, 1989.
5. Reconstruction or replacement of any residential or non-residential structure which is damaged or destroyed, to the extent of > or = to 50% of its reasonable value, by fire, flood, earthquake or other similar calamity.
6. Any project of a federal, state or county agency that is exempt from local jurisdiction zoning regulations and where the local jurisdiction is precluded from exercising any approval/disapproval authority. These locally precluded projects do not have to be reported in the LDR.