

CHAPTER 2**CONGESTION MANAGEMENT
AGENCY ROLE & RESPONSIBILITIES****Key Topics:**

- **Legislative Requirements**
- **Legislative Intent and Application to San Francisco**
- **San Francisco County Transportation Authority**

1. Legislative Requirements

California Government Code section 65089 (a), as amended, states "A congestion management program shall be developed, adopted, and updated biennially, consistent with the schedule for adopting and updating the regional transportation improvement program, for every county that includes an urbanized area, and shall include every city and the county. The program shall be adopted at a noticed public hearing of the agency. The program shall be developed in consultation with, and with the cooperation of, the transportation planning agency, regional transportation providers, local governments, the [California] department [of Transportation], and the air pollution control district or the air quality management district, 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 area of the county." For the complete text of the CMP statutes see Appendix II.

2. Legislative Intent and Application to San Francisco

One of the main thrusts of the CMP legislation is to foster coordination of local land use and transportation investment decisions at the county or subregional level. In order to ensure local involvement in this process, which turns more complex when the number of local jurisdictions involved increases, the CMP law vests significant authority and responsibility on the Congestion Management Agencies (CMAs). For example, in order to receive state and federal funds, transportation projects in an urban county must now be recommended by that county's CMA as part of its Congestion Management Program¹. CMAs therefore act as a policy forum and technical resource to guide and help resolve transportation problems within counties when those problems have implications across city boundaries. San Francisco's distinct status as a city and county dictates a somewhat different role for the CMA in this regard, with the focus of involvement shifting to address problems across county lines (such as the effects of regional commute patterns into San Francisco), as well as issues of coordination of city department activities affecting congestion management, such as trip reduction program implementation or transit service improvements.

3. The San Francisco County Transportation Authority**a. Designation and Composition**

On November 6, 1990, the Board of Supervisors designated the San Francisco County Transportation Authority (the Authority) as the CMA for the County. The Authority Board of Directors consists of the eleven members of the San Francisco Board of Supervisors, acting as Commissioners.

¹ If a county opts out of preparing a CMP, per AB2419 (Bowler- see Chapter 1, Section 3.A.), MTC will work with the appropriate county agencies to establish project priorities for funding.

b. Roles and Responsibilities

The Authority is a special-purpose government agency, created on November 7, 1989, when San Francisco voters passed Proposition B. Proposition B increased in the local sales tax by 1/2 cent for a period of 20 years, to fund San Francisco's transportation projects and services. In November 2003, voters approved a new Expenditure Plan (Prop K), which superseded Prop B and extends the 1/2 cent sales tax for 30 years. The Authority administers, prioritizes, and programs Proposition K revenues. These revenues also leverage large amounts of State and Federal funds for transportation investments in San Francisco.

In its capacity as the CMA for San Francisco, the Authority has primary responsibilities in the following areas:

- Develop and adopt the biennial CMP and related implementation guidance;
- Monitor City agencies' compliance with CMP requirements;
- Program Federal and State transportation funds;
- Review the programming of all transportation funds for San Francisco;
- Provide policy input into the regional transportation planning and programming process; and
- Develop and periodically update the long-range countywide transportation plan for San Francisco.

The Authority's dual responsibilities – strategic programming of Proposition K funds through the ongoing Strategic Plan process, and prioritizing and programming of State and Federal funds through the CMP process – are an opportunity to coordinate San Francisco's transportation planning decisions and optimize the City's investments in transportation infrastructure and services. Leveraging State and Federal funds through strategic use of Proposition K monies is

a primary example of the efficacy of this process. The Countywide Transportation Plan improves the effectiveness of this process by linking the General Plan's transportation objectives and policies to a specific list of transportation investments, prioritized over 20-years. The CMP's 7-year CIP serves as the main implementation tool for the countywide transportation plan.

In addition, acting as the CMA, the Authority plays a key role in evaluating and providing guidance on major local transportation projects and policies that may affect compliance with congestion management requirements or attainment of CMP standards.

c. Implications of the Board's Multiple Roles

As described above, the San Francisco Board of Supervisors also serves as the Authority's Board of Commissioners and as the CMA Board. These multiple roles require careful balancing of the Board's responsibilities. Policy decisions made by the Board of Supervisors may have negative congestion management impacts and place the Board, as CMA, in a position to find the City in non-conformance with the CMP. This may in turn generate difficult Proposition K funding choices for the Authority Board.

In order to minimize the potential for conflict, the Authority cannot limit its role to just monitoring CMP conformance after the fact. Instead, the Authority must take a proactive role to serve as a resource in analyzing the potential congestion management implications of transportation-related actions, projects, or policies proposed for the City. In order to fulfill this responsibility, the Authority regularly participates in and comments on studies and discussions of key San Francisco transportation issues, such as the Caltrain Downtown Extension to a reconstructed Transbay Terminal and the Central Subway project. This approach allows the Board to anticipate potential problems, instead of reacting when congestion impacts reach crisis proportions and require hasty funding decisions.

d. Relationship to City Agencies

State law mandates that the Authority, acting as Congestion Management Agency (CMA), must biennially determine if the City is in conformance with the adopted Congestion Management Program. A finding of non-conformance has potentially significant consequences for transportation funding in the City. Also according to state law, it is the City's responsibility to ensure that transportation projects, programs, and services are put in place, through its implementing departments, to maintain conformance with the CMP.

In fulfilling its CMA mandate, the Authority must function as an independent agency to be able to objectively and credibly evaluate CMP conformance. This dictates a special relationship with City departments involved in transportation-related actions which must be assessed at least biennially relative to their congestion management impacts. On the other hand, because of the Board's multiple roles, as described in the previous section, the Authority's approach is to act as a resource, maximizing coordination with the City's departments responsible for planning and implementation of transportation actions, so that such actions may be evaluated for congestion management impacts before they are put in place.

e. Relationship to Regional Planning/Programming Agencies

As the Congestion Management Agency for San Francisco, the Authority plays a key liaison role with the Metropolitan Transportation Commission (MTC), the Bay Area's regional transportation planning agency, and with the Bay Area Air Quality Management District (BAAQMD), the agency responsible for implementation and monitoring of the region's Clean Air Plan. The Authority serves as the focal point for local input into MTC's Regional Transportation Plan (RTP), which establishes the overall vision for long-range transportation development and funding in the region, and the Regional Transportation Improvement Program (RTIP). Through its membership in the Bay Area Partnership, the

Authority plays a key role in shaping the evolution of planning and programming processes affecting San Francisco's ability to capture transportation investments and preserve its economic vitality. Moreover, through its leadership in this forum the Authority is in a position to influence the debate over the vision and goals for transportation planning in the region, bringing to bear San Francisco's special perspective on multimodalism and mobility.