



DEPARTMENT OF
PUBLIC WORKS

TRANSPORTATION DIVISION

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January 22, 1991

Joint Budget & Finance and
Transportation & Community Development Committee
Sacramento California

Honorable Members in Session:

SUBJECT: EMPLOYER TRANSPORTATION SYSTEMS MANAGEMENT PROGRAM
SUMMARY REPORT AND UPDATE ON THE RELATIONSHIP TO THE
SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT

SUMMARY

This report includes a summary of the past year's development and administration of Chapter 77 of the City Code (Employer Transportation Systems Management Ordinance). An update on the relationship of the City of Sacramento's Transportation Systems Management program to the Sacramento Metropolitan Air Quality Management District is also provided.

This report is for information only.

BACKGROUND INFORMATION

TSM Summary Report

Employer response to the City of Sacramento Transportation Systems Management program has been positive, with over 145 "major employers" (those businesses employing 100 or more) having submitted Transportation Management Plans (TMPs). As of this writing, 54 TMPs have been approved. Commute characteristics data were collected from over 25,000 employees within the city. A summary of the data collected regarding commute characteristics, mileage, parking locations, and commuter parking costs is provided in Exhibit A.

The purpose of the City's TSM Ordinance (Chapter 77, adopted by City Council in December 1988), is to reduce the number of drive-alone trips made by employees when commuting to and from work. Reduction of drive-alone trips will promote more efficient use of existing transportation facilities, help reduce peak period traffic and congestion, and reduce emissions from motor vehicles as a contribution toward complying with air quality standards. The goal of the program is to have at least 35 percent, of all employees who commute to work during peak periods, using alternatives to the single-occupant vehicle.

The commute characteristics statistics listed in Exhibit A are a preliminary sample of 25,000 employees within the city. A statistical analysis of commute characteristics for all employees within the city will be complete by Spring, 1991. These statistics are intended to be used by employers and TSM staff to gage progress in reducing single occupancy vehicle commutes. Roughly 23 percent of those commuters travelling during the "peak period" (6 a.m. - 9 a.m. and 3:30 p.m. - 6:30 p.m.) are already using some commute alternative to driving alone. Nearly a third of the peak period respondents live within five miles of their destination and 74 percent live within 15 miles. Parking facilities are provided by the employer to 69 percent of peak period employees and 51 percent of peak period employees receive parking privileges for free.

Over the past year Department of Public Works, Transportation Division TSM staff have worked with employers in creating and revising their Transportation Management Plans (TMPs). The TMPs are reviewed and, once approved, are used to assist in monitoring the employers progress towards meeting their 35 percent alternative commute mode goal. The TSM staff have offered several forums and workshops as well as worked with employers on an individual basis.

The Transportation Division TSM staff also began a marketing program this past year. Through a consultant services contract, the TSM Employer Guidelines were revised into a more "user-friendly" document; a brochure for city employers explaining the provisions of Chapter 77 was created and produced, and a Rolodex-type card listing alternative commute mode resources was developed. "How to Market your TSM Program to Employees", a companion piece to the TSM Employer Guidelines, is currently in development and should be ready for distribution to employers by February, 1991.

2

Relationship of City TSM Program to the Sacramento Metropolitan Air Quality Management District's Commute Alternative Rule

The TSM program is moving forward despite the position taken by State governmental agencies that their obligation to comply with the City's TSM ordinance, Chapter 77, extends only as far as submitting a Transportation Management Plan (TMP). On May 8, 1990, staff reported to City Council that although the State agencies have refused to pay the fees associated with filing a TMP, most agencies have submitted some type of TMP document to the Public Works Department. This is still the case despite staff's attempt to remedy the situation.

On the basis of a legal opinion from the City Attorney's office, a resolution (No. 90-373) was adopted by the City Council on May 8, 1990, authorizing Public Works staff to develop an agreement with the Sacramento Metropolitan Air Quality Management District (Air Quality District), to authorize the City to act as the Air Quality District's agent in implementing the City's TSM program. Public Works staff has since met with the Air Quality District staff. The Air Quality District has declined to develop such an agreement because they are developing their own Commute Alternative Rule (CAR) to be adopted by the Air Quality District's governing board by Spring, 1991.

The purpose of the Air Quality District's CAR is to reduce emissions from the use of commute vehicles. It will also address specific provisions in the California Clean Air Act and respond to recommendations resulting from the Trip Reduction Implementation Evaluation Study (1988) approved by the County Board of Supervisors. With the Commute Alternative Rule, the Air Quality District intends to supersede existing trip reduction ordinances in the District, including the City's TSM ordinance, Chapter 77.

The intent of the Air Quality District's CAR is largely the same as the City's TSM ordinance but there are some basic differences in proposed implementation. The proposed CAR, as currently drafted, is expected to apply to employers with work locations of 40 or more employees (including local, state, and federal government), and will require an eventual 40% alternate commute mode use. The City currently requires an alternate commute mode use goal of 35% for peak period commuters and focuses the bulk of its requirements on employers with over 100 employees. While the City has identified 252 employers within the City, the Air Quality District's CAR will effect approximately 1100 identified employers in both the city and the county.

The CAR also differs from the City's TSM Ordinance in the following areas:

1. Standards for trip reduction will vary based on number of employees per work location.
2. The employer transportation coordinator will be required to be a management level person.
3. Violations of the proposed rule, depending upon severity, may incur financial penalties of up to \$25,000 per violation per day (compared to up to \$200 per violation per day under the City's ordinance).
4. Financial penalties will be assessed from employers not meeting the annual commute alternative standards (the City's TSM Ordinance has no provision for non-attainment penalties).

The Air Quality District is currently incorporating comments from recent public hearings into the CAR. More public forums and opportunities for comment regarding the CAR will be held before the Rule is adopted. The CAR could undergo significant changes between now and final adoption.

California is a national leader in air quality management. Sacramento is among the top three areas in California in terms of efforts being made and measures being taken to improve air quality. The largest and most successful air quality district to date is the South Coast Air Quality Management District. Cities within this district are developing parallel ordinances to coincide with the objectives of this district. City of Sacramento staff propose a similar course of action.

Public Works staff will continue to monitor the development of the Sacramento district's CAR and work with Air Quality District staff. In any case, staff expects that the CAR will supersede the City's current TSM ordinance. When the Air Quality District's CAR is established, City staff will revise the City's TSM ordinance to parallel the Air Quality District's CAR. This will allow the City to enforce the TSM program. The City will then have the authority to collect TSM fees to support the TSM program. More importantly, this will allow the City to continue to effect air quality, transportation and land use issues as development occurs within the city.

Adoption of the CAR by the County Board of Supervisors and approval of the CAR by State Air Resources Board is expected by July, 1991. Staff will report back to Council in Fall, 1991 for adoption of the City's parallel ordinance.

FINANCIAL DATA

The estimated financial impact to the TSM program if State agencies do not pay fees will be a decrease of approximately \$166,768 in revenue to the General Fund for support of the first three years of the TSM Program. Revenue projections for FY 90-91 were adjusted to reflect this expected shortfall. If coordination with the Air Quality District's CAR is successful, then this revenue could be recovered in future years.

POLICY CONSIDERATIONS

On May 8, 1990, City Council directed staff to develop an agreement with the Air Quality District that would allow the City to collect the Transportation Fee revenue from the agencies claiming exemption. The Air Quality District has since declined to adopt the City's TSM Ordinance as an interim Commute Alternative Rule and allow the City to act as the Air Quality District's agent in implementing the TSM program. Other policy options should now be considered.

One of the options considered in the May 8, 1990 report is to bring an action for declaratory relief seeking a judgment upholding the City's authority to collect fees from state and local agencies. Under this option the City would continue to process state and local agency TMPs and would apprise these agencies as to whether or not their plans were responsive to the requirements of the TSM Ordinance. However, the City would not issue certificates of compliance until the fee issue is resolved in court. An analysis of the cost of litigation versus the amount of revenue recovery is dependent upon the number of City Attorney staff hours spent in preparing a case against the State agencies, court time, and the potential for a negative decision by the courts. The amount of potential revenue (approximately \$168,000 over three years) may well be less than the expense required to recover the TSM program's revenue from State agencies.

A second option, also considered in the May 8th report, is to compel state and local agencies to comply with the substantive provisions of the TSM program but concede that the City lacks authority to collect fees from these agencies to pay the administrative costs of processing and monitoring state and local agency TMPs. This would require the City to fund these costs out of the general fund or some other available source.

Staff recommends a third alternative modeled on the programs of the cities within the South Coast and Bay Area Air Quality Management Districts. These cities have developed parallel ordinances to coincide with the goals of their respective Air Quality Districts. Public Works staff will continue to work with the Sacramento Metropolitan Air Quality District as the Commute Alternative Rule is developed. When the CAR is finalized, adopted by the County Board of Supervisors, and has received approval from the State Air Resources Board, the City's TSM staff will revise the City's TSM ordinance so that it parallels the Air Quality District's CAR.

This third alternative provides the best available vehicle for continuing participation in transportation management issues that effect the city. It will continue the City's healthy working relationship with the Air Quality District. Most importantly, staff's recommended alternative will allow the City to continue to implement air quality measures within its boundaries. The City's Transportation Systems Management program is essential to the City's ability not only to control air quality, but also to effect transportation and land use planning and development.

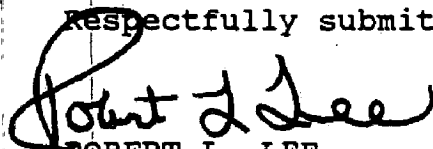
MBE/WBE

This report has no effect upon the City's MBE/WBE efforts.

RECOMMENDATION

This report is for information only.

Respectfully submitted,



ROBERT L. LEE
Deputy Director of Public Works

APPROVED FOR INFORMATION:



JACK R. CRIST
Deputy City Manager

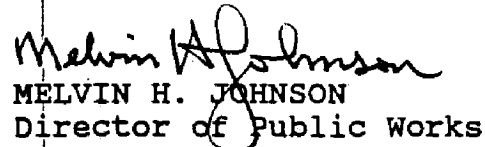
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Attachment

APPROVED:



MELVIN H. JOHNSON
Director of Public Works

January 22, 1991
All Districts

COMMUTE CHARACTERISTICS

A sample from 1990 City TSM statistics.

COMMUTE MODE SPLIT (ALL EMPLOYEES):

<u>COMMUTE MODE</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
SINGLE-OCCUPANT VEHICLE	22,395	79%
CARPPOOL:	3,541	13%
TRANSIT: RAIL/BUS	1,120	4%
VANPOOL	136	***
BICYCLE	321	1%
WALK	451	2%
BUSPOOL	27	***
WORK AT HOME/TELECOMMUTED	7	***
OTHER	201	1%
<u>TOTAL RESPONDENTS / EMPLOYEES</u>	<u>28,199 / 34,107</u>	<u>100%</u>

COMMUTE MODE SPLIT (PEAK PERIOD EMPLOYEES)

<u>COMMUTE MODE</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
SINGLE-OCCUPANCY VEHICLES	17,360	77%
CARPPOOL	3,374	15%
TRANSIT: RAIL/BUS	1,000	4%
VANPOOL	97	***
BICYCLE	272	1%
WALK	356	2%
BUSPOOL	11	***
WORK AT HOME/TELECOMMUTED	3	***
OTHER	97	***
<u>TOTAL RESPONDENTS/EMPLOYEES</u>	<u>22,570 / 25,766</u>	<u>100%</u>

MILEAGE FREQUENCY DISTRIBUTION (ALL EMPLOYEES)

<u>COMMUTE MILES (ONE-WAY)</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
0 - 5	7,693	28%
5 - 10	7,098	25%
10 - 15	5,974	21%
15 - 20	3,364	12%
20 - 25	1,709	6%
MORE THAN 25	2,315	8%
NO RESPONSE	17	***
<u>TOTAL RESPONDENTS / EMPLOYEES</u>	<u>28,170 / 34,107</u>	<u>100%</u>

MILEAGE FREQUENCY DISTRIBUTION (PEAK PERIOD EMPLOYEES)

<u>COMMUTE MILES (ONE-WAY)</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
0 - 5	6,203	28%
5 - 10	5,588	25%
10 - 15	4,855	21%
15 - 20	2,684	12%
20 - 25	1,383	6%
MORE THAN 25	1,912	8%
<u>TOTAL RESPONDENTS / EMPLOYEES</u>	<u>22,641 / 25,766</u>	<u>100%</u>

EMPLOYEE PARKING (ALL EMPLOYEES)

<u>PARKING LOCATION</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
COMPANY LOT	17,880	67%
PUBLIC/PRIVATE LOT (MONTHLY)	2,747	10%
ON STREET (NO RESTRICTION)	2,481	9%
COMPANY PROVIDED SPACE	1,165	4%
PUBLIC/PRIVATE LOT (DAILY)	620	2%
ON-STREET (10-HOUR METER)	303	1%
ON-STREET (2-HOUR METER)	189	1%
OTHER	1,343	6%
<u>TOTAL RESPONDENTS/EMPLOYEES</u>	<u>26,728 / 34,107</u>	<u>100%</u>

EMPLOYEE PARKING (PEAK PERIOD EMPLOYEES)

<u>PARKING LOCATION</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
COMPANY LOT	12,660	58%
COMPANY PROVIDED SPACE	2,463	11%
ON-STREET (NO RESTRICTION)	2,140	10%
PUBLIC/PRIVATE LOT (MONTHLY)	1,667	8%
PUBLIC/PRIVATE LOT (DAILY)	770	4%
ON-STREET (2-HOUR METER)	728	3%
ON-STREET (10-HOUR METER)	519	2%
OTHER	1,006	4%
<u>TOTAL RESPONDENTS/EMPLOYEES</u>	<u>21,953 / 25,766</u>	<u>100%</u>

PARKING COST (ALL EMPLOYEES)

<u>AMOUNT</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
\$0 - 20	10,101	38%
\$21 - 40	1,598	6%
\$41 - 60	1,027	4%
\$61 - 80	298	1%
\$81 - 100	206	1%
OVER \$100	25	***
FREE EMPLOYER PROVIDED	13,236	50%
<u>TOTAL RESPONDENTS/EMPLOYEES</u>	<u>26,491 / 34,107</u>	<u>100%</u>

PARKING COST (PEAK PERIOD EMPLOYEES)

<u>AMOUNT</u>	<u>NUMBER OF RESPONDENTS</u>	<u>PERCENT OF RESPONDENTS</u>
\$0 - 20	7,605	36%
\$21 - 40	1,481	7%
\$41 - 60	896	4%
\$61 - 80	269	1%
\$81 - 100	175	1%
OVER \$100	21	***
FREE EMPLOYER PROVIDED	10,978	51%
<u>TOTAL RESPONDENTS/EMPLOYEES</u>	<u>21,425 / 25,766</u>	<u>100%</u>