RESOLUTION NO. ##-##

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SAN ANSELMO ELECTING TO BE EXEMPT
FROM THE CONGESTION MANAGEMENT PROGRAM PURSUANT TO GOVERNMENT
CODE SECTION 65088.3

WHEREAS, California voters passed Proposition 111 in June of 1990 requiring urbanized counties to develop and implement a Congestion Management Program (CMP); and

WHEREAS, the Legislature and Governor established the specific requirements of the Congestion Management Program by passage of legislation that was a companion to Proposition 111 and is codified in California Government Code Sections 65088 to 65089.10; and

WHEREAS, the Transportation Authority of Marin is the Congestion Management Agency responsible for Marin County's Congestion Management Program; and

WHEREAS, California Government Code Section 65088.3 allows urbanized counties to be exempt from the Congestion Management Program based on resolutions passed by local jurisdictions representing a majority of a county's jurisdictions with a majority of the county population; and

WHEREAS, over time the Congestion Management Program has become increasingly out of step with current regional, State, and Federal planning processes and requirements, including new State requirements for transportation performance measures related to greenhouse gas reduction and analysis under the California Environmental Quality Act; and

WHEREAS, on the 28th day of April 2022 the TAM Board of Commissioners directed TAM staff to work with the various local governments within the County in pursuing exemption from the Congestion Management Program under Government Code Section 65088.3; and

WHEREAS, electing to opt-out of the CMP is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) because it is not a "project' under CEQA; CEQA Guidelines section 15061(b)(3), the "common sense exemption", because it will not have a significant environmental effect; and

NOW, THEREFORE BE IT RESOLVED by the Town of San Anselmo that:

1. That the above recitations are true and correct and incorporated herein.

2. That the Town of San Anselmo hereby elects to be exempt from the CMP as described in California Government Code Section 65088.3.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Town Council of the Town of San Anselmo on the 24th day of May, 2022 by the following vote:

AYES: None

NOES: None

ABSENT: None

ABSTAIN: None

_____

Alexis Fineman, Mayor

Town of San Anselmo

ATTEST:

_____

Carla Kacmar

Town Clerk