

**RESOLUTION NO. 2015-79**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON URGING MTC RESTORE AND CONTINUE FUNDING TO ABAG AND THAT MTC AND ABAG ENGAGE IN MEDIATED DISCUSSIONS REGARDING RESTRUCTURING THEIR RELATIONSHIP INCLUDING POSSIBLE MERGER OPTIONS**

**WHEREAS**, the cities and counties of the Bay Area created the Association of Bay Area Governments (ABAG) as a joint powers agency with regional planning powers, including regional land use planning; and

**WHEREAS**, all the cities in the county of Napa are members of ABAG; and

**WHEREAS**, the State Legislature has also conferred specific regional land use planning powers on ABAG through the enactment of statutes such as SB 375; and

**WHEREAS**, the statute creating the Metropolitan Transportation Commission (MTC):

- A. Requires it to provide comprehensive regional transportation planning for the Bay Area; and
- B. Does not grant MTC any land use planning powers, and
- C. Explicitly states that MTC shall consider plans prepared and adopted by ABAG; and

**WHEREAS**, SB 375 allocates to ABAG the power to prepare all land use planning elements of the Sustainable Communities Strategy (SCS) and its quadrennial updates; and

**WHEREAS**, SB 375 requires that the Regional Transportation Plan (RTP) for the Bay Area include the SCS and the quadrennial updates prepared by both ABAG and MTC in accordance with the statutory scheme described above; and

**WHEREAS**, ABAG and MTC staff have been working on the current quadrennial update to the SCS, Plan Bay Area 2040 (PBA 2040); and

**WHEREAS**, MTC has been using pass-through State and Federal public monies to fund both its and ABAG's work on PBA 2040; and

**WHEREAS**, the MTC has adopted the Revised Funding Agreement Framework which specifically states that MTC will provide access to such pass-through funds through fiscal year 2021'-21, including funding for ABAG's work on PBA 2040; and

**WHEREAS**, so long as ABAG is able and willing to carry out its work on PBA 2040, MTC should not defund ABAG because by doing so, MTC makes it impossible for ABAG to provide the long term regional land use plan, which will impact MTC's ability to adopt a legally compliant RTP and puts at risk the region's State and Federal transportation funding; and

**WHEREAS**, for decades ABAG has been successfully collaborating with cities in a transparent way; and

**WHEREAS**, in ABAG's discussions throughout the region, and from the body of correspondence and testimony at the MTC meeting on September 23, 2015, it should be clear that the region's cities and

counties, city managers, and city planning managers are not supportive of MTC's unilateral proposal to transfer regional land use planning authority and land use planning staff from ABAG to MTC; and

**WHEREAS**, ABAG has regional land use planning and research staff capable of carrying out all the responsibilities assigned to ABAG under SB 375; and

**WHEREAS**, ABAG staff has been directed to carry out the responsibilities assigned to ABAG under SB 375, including preparation of Plan Bay Area 2040, and

**WHEREAS**, ABAG's planning and research staff belongs with the Council of Governments, which is ABAG.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of American Canyon states to the Metropolitan Transportation Commission:

- A. MTC should restore funding to ABAG for fiscal year 2015'-16 in the full amount set forth in the Revised Funding Agreement Framework approved by MTC at its June 25, 2014 meeting, through June 2016 without qualification; and
- B. So long as ABAG is able and willing to carry out its responsibilities under SB 375, MTC should continue funding ABAG for such work provided there are available State and Federal pass-through funds, and provide ABAG with sufficient assurances that such funding will not be unilaterally terminated in the future; and
- C. MTC and ABAG staff should be instructed, by their respective boards, to immediately begin open and transparent discussions regarding restructuring their relationship including consideration of a possible merger of the two organizations; and
- D. MTC and ABAG should retain a third party organizational consultant acceptable to both organizations to facilitate conversations on better collaboration and possible merger options.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council of the City of American Canyon held on the 20<sup>th</sup> day of October, 2015 by the following vote:

**AYES:** Vice Mayor Leary, Council Members Ramos, Joseph, Bennett, and Mayor Garcia

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None



Leon Garcia, Mayor

**ATTEST:**



Cherri Walton, Deputy City Clerk

**APPROVED AS TO FORM:**



William D. Ross, City Attorney