

## **Section 31n**

### **Don't Stand Idly By**

**Flyer opposing City of Benicia joining the Regional Council of Government,  
the Association of Bay Area Governments**

**Olivia Marie O'Grady  
(10/10/1986)**

# Don't stand idly by

On October 7, 1986 the Benicia City Council adopted Resolution 86-186. (Authorizing the Mayor to execute an agreement for the City of Benicia to become a member of ABAG)

## What is ABAG?

Briefly, the Association of Bay Area Governments (ABAG) is a forum for discussion and study of metropolitan area problems of mutual interest and much, much more. According to the "Agreement with the Association of Bay Area Governments" which the City of Benicia has signed, ABAG is also established "to facilitate the development of policy and action recommendations for the solution of such problems,..."

It has been said that ABAG has no power to enforce execution of its plans. This conflicts with ABAG's Bylaws, Article IV, E (1) "The Association may develop and adopt policies and/or actions." And (2) "The Association may advocate and otherwise act to advance its position, studies, plans, and policies both within and outside the region and may accept delegations of authority from Federal, State, regional, or local bodies to this end."

ABAG is therefore a unit of government that 102 jurisdictions (including Benicia) have thereto delegated authority; a unit of government which can also accept delegations of authority from Federal, State, or Regional bodies; a unit of government having the authority to advance its position, studies, plans and policies within and without the region over which it has jurisdiction.

## Does it look to you that ABAG has no power to enforce execution of its plans?

The Benicia City Council, acting in what I'm sure they consider the best interest of Benicians, joined ABAG to allegedly get cheaper insurance, but the "extra" benefits of ABAG membership will lead Benicia into the open arms and pocket of the Executive Branch of the Federal Government's welfare and control system.

ABAG is an entity separate and apart from its members-ABAG Bylaws, Article XII, with the power, in its own name, to make and enter into contracts, to employ agents and employees; to acquire, hold and dispose of property; and to incur debts, liabilities or obligations necessary for the accomplishment of the purposes of the agreements the 102 jurisdictions have signed with ABAG. Agreement with the Association of Bay Area Governments, pg. 2 (3).

Benicia, like every other jurisdiction within ABAG, voluntarily signs an agreement with ABAG; they voluntarily delegate authority to ABAG; they voluntarily enter into contracts to be equally liable for the negligence and other damage-causing actions of other cities and counties (in order to get cheaper insurance), they voluntarily assist a unit of the Regional Government to act to advance its position, studies, plans and policies both within and without the Region; they voluntarily help a unit of the Regional Government (ABAG) accept delegations of authority from Federal, State, Regional, and other local governments; they voluntarily initiate the Regional Plan, that is, if they want the Federal welfare (grant) for which they have applied.

ABAG is a small but significant unit of a form of government established by the Executive Branch of the Federal Government with Executive orders and without the knowledge and consent of the citizenry at large.

ABAG as the areawide regional clearinghouse and the Office of Planning, and Research as the State clearinghouse in the governor's office is definitely Regional Government.

**Is this the new form of government that Resolution 79-70 (adopted unanimously by the Benicia City Council on April 4, 1979) stated "will assume the power and authority which traditionally has belonged to Municipal and County governments and even to sovereign states, and will by-pass these traditional and constitutional bodies?" We must find out! Are we standing idly by losing our precious rights, local authority, and our constitutional representative form of government?**

We must petition the Benicia City Council to rescind Resolution 86-186 and to refrain from any further involvement in ABAG or any other form of regional government until the legislators of the State of California make an inquiry as to the constitutionality of this new form of government.

Your friends will be circulating petitions soon to urge the Benicia City Council to rescind Resolution 86-186. I urge you to sign it so that Benicians will truly be governed by their elected officials.

If you wish to join in the effort to circulate petitions, please call me at 745-1318.

**Olivia Marie O'Grady**