

Section 25
Counties and Cities Questioning, Challenging, and Rejecting
Regional Governance

4/03/1979

City Council, Benicia, California
Resolution 79-70:

Requesting Inquiry by State Government into the Constitutionality of
Regional Government

RESOLUTION NO. 79-70

A RESOLUTION REQUESTING INQUIRY INTO THE CONSTITUTIONALITY OF
REGIONAL GOVERNMENT

WHEREAS, the government of the United States of America has created and developed the Federal Regional Government Concept; and

WHEREAS, the Federal Regional System will assume the power and authority which traditionally has belonged to Municipal and County governments and even to sovereign states, and will bypass these traditional and constitutional bodies; and

WHEREAS, in Benicia, and the State of California, and across the nation, this new form of government is being created under different names such as River Basin Compact, Metropolitan Regions, City-County Consolidation Charters, "COG" (Council of Governments) and Federal Region Sub-State Regions, all of which constitute "Metro" or "Regional Government"; and

WHEREAS, the members of the City Council of the City of Benicia deem it extremely important that these traditional rights, duties and responsibilities be retained by the City as the level of government most responsive to the needs of its citizens and they deem it important therefore to determine the constitutionality of the regional government concept;

NOW, THEREFORE, BE IT RESOLVED that the Benicia City Council, at their meeting held on April 3, 1979, that legislative representatives, State Senator Jim Neilson, Assemblyman Thomas Hannigan, the Honorable Governor Jerry Brown and State Attorney General Deukmejian, and all other interested parties be directed to determine whether or not the establishing of the Federal Regional Concept

form of government in the United States

Order No. 11647, the Federal Regional Councils dated February 12, 1972, "violate Article IV, Section (3) and Section (4) and the Tenth Amendment of the United States Constitution."

BE IT FURTHER RESOLVED, that the aforementioned officials thoroughly investigate federal regional government in all its aspects, and under whatever name or form, including, but not limited to, its origin, development, functions, purposes and goals, and creation and administration in the State of California, particularly as it usurps the power jurisdiction, and authority of local governmental bodies, and prepare recommendations for the enactment of corrective legislation.

BE IT FURTHER RESOLVED, that this Resolution be forwarded to the Solano County Board of Supervisors requesting that they thoughtfully consider adopting a similar Resolution and forward their Resolution to all counties within the State of California requesting similar action because it is obvious that only through the joint effort of cities and counties will the control of government be retained by the people.

On motion of Councilman Cody, seconded by Councilwoman McKay, the above Resolution was introduced and passed by the Council of the City of Benicia at a regular meeting of said Council held on the 3rd day of April, 1979, and adopted by the following votes:

Ayes: Councilmen Cody, Johansen, Lipman, McKay and Mayor O'Blennis

Noes: None

Absent: None

Attest:

Warren R. O'Blennis

Warren R. O'Blennis

I, Betty M. Pellinen, City Clerk of the City of Benicia, County of Solano, State of California, hereby certify that the foregoing Resolution was introduced and passed by the Council of the City of Benicia at a regular meeting of said Council held on the 3rd day of April, 1979, and adopted by the following votes:

Ayes: Councilmen Cody, Johansen, Lipman, McKay and Mayor O'Blennis

Noes: None

Absent: None

WITNESS my hand and the seal of said City this 4th day of April, 1979.

/s/ Betty M. Pellinen
Betty M. Pellinen, City Clerk