

ASSOCIATION OF BAY AREA GOVERNMENTS

EXECUTIVE BOARD

RESOLUTION NO. 11-2024

ABSTRACT

A resolution authorizing MTC/ABAG to reclaim and carry out the current statutory mandates of SB 100 (Lockyer, 1987) under the MTC Bay Trail work program and dissolve the September 5, 1990 agreement between ABAG and the San Francisco Bay Trail Project Nonprofit. Specific Bay Trail policy responsibilities will be carried out under the joint MTC Planning and ABAG Administrative Committee.

Further discussion of this subject is contained in the summary sheet associated with the agenda item for the ABAG Executive Board meeting of November 14, 2024.

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RESOLUTION AUTHORIZING MTC/ABAG TO RECLAIM AND CARRY OUT THE STATUTORY MANDATES OF SB 100 (LOCKYER, 1987) UNDER THE MTC BAY TRAIL WORK PROGRAM AND DISSOLVE THE SEPTEMBER 5, 1990 AGREEMENT BETWEEN ABAG AND THE SAN FRANCISCO BAY TRAIL PROJECT NONPROFIT. SPECIFIC BAY TRAIL POLICY RESPONSIBILITIES WILL BE CARRIED OUT UNDER THE JOINT MTC PLANNING AND ABAG ADMINISTRATIVE COMMITTEE.

WHEREAS, the Bay Trail is a place for everyone, a unique treasure beside the Bay that welcomes hikers, joggers, bicyclists, skaters, rolling and wheelchair users to more than 350 miles of trails through 47 cities and across seven toll bridges; and

WHEREAS, the Bay Trail contributes to the Bay Area's quality of life, providing outdoor recreation and active transportation connecting people to shoreline parks, open spaces, and stunning vistas as well as work, school, transit, and other destinations in their communities and beyond; and

WHEREAS, the trail also fosters environmental stewardship by connecting Bay Area residents with Bay waters, tidal wetlands, and wildlife; and

WHEREAS, since 1989, cities and counties have invested in the Bay Trail to provide equitable access to the San Francisco Bay, stimulate local economies, and protect precious natural resources supporting the region's climate resilience efforts. What has been accomplished to date is extraordinary—but vital sections remain to connect and complete the Bay Trail; and

WHEREAS, ABAG and MTC staff consolidated in 2017 and now are working as one integrated team to promote better collaboration and integration on common goals, and to achieve operating efficiencies; and

WHEREAS, MTC now has established a robust, technical and federalized Bay Trail overall work program and the ability to fully fund and support Bay Trail planning, coordination, design, and implementation as identified in the SF Bay Trail Roadmap; and

WHEREAS, MTC has partnered with the Bay Area Trails Collaborative (BATC), a regional trails collaborative under Rails to Trails Conservancy to establish the Friends of the Bay Trail working group for informational updates; and

WHEREAS, the San Francisco Bay Trail Project nonprofit board is to be commended for advocating for the completion of the Bay Trail, which has grown from 170 miles to over 350 miles of completed trail during the existence of the nonprofit; and

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RESOLUTION NO. 11-2024

WHEREAS, the San Francisco Bay Trail Project nonprofit board has consistent and continuous challenges with the fundraising responsibilities of a 501(c)3; and

WHEREAS, the Bay Trail Board passed a resolution effective October 25, 2024 to pursue a new organizational partner and fiscal agent; and

WHEREAS, Senate Bill 100 does not require the establishment of a nonprofit nor does it require Metropolitan Transportation Commission (MTC)/ABAG to provide administrative and related services for a Bay Trail 501(c)3 nonprofit; and

WHEREAS, The Association of Bay Area Governments (ABAG) desires to dissolve an administrative agreement made and entered into and effective September 5, 1990 by and between ABAG and the San Francisco Bay Trail Project Nonprofit to carry out administrative and other related services; and

WHEREAS, the Agreement for Administrative Services between ABAG and the Bay Trail nonprofit requires 60 day notice of termination; and

WHEREAS, MTC will continue to support the nonprofit board to pursue a new organizational partner and continue to provide financial management services for the nonprofit fiscal agent until June 30, 2025; and

WHEREAS, the nonprofit board has expressed interest in partnering with an organizational partner and new fiscal agent in the near future, and ABAG expects such partnership to be formalized by June 30, 2025, such that the new partner assumes responsibility for any residual services that ABAG is providing to the nonprofit at that time; and

WHEREAS, MTC/ABAG will reclaim the statutory obligations of Senate Bill 100 under MTC/ABAG, specifically Chapter 11, Section 5851, which directs ABAG to establish a policy committee, an advisory committee, and a working relationship with Bay Conservation and Development Commission, Metropolitan Transportation Commission, state and federal agencies, and all other cities, counties, and districts, including school districts, which are affected by the proposed trail; and

WHEREAS, ABAG Executive Board will delegate the policy committee responsibilities of the Bay Trail to the Joint MTC Planning and ABAG Administrative Committee, given the alignment of the Bay Trail as part of the larger Regional Active Transportation network.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments hereby authorizes MTC/ABAG to carry out the mandates of SB 100 with policy decision-making under the Joint MTC Planning and ABAG Administrative Committee and dissolve the September 5, 1990 agreement between ABAG and the San Francisco Bay Trail Project Nonprofit through a 60-day notice of termination; and be it further

ASSOCIATION OF BAY AREA GOVERNMENTS

RESOLUTION NO. 11-2024

RESOLVED the Executive Director of ABAG is authorized and directed to take all actions necessary to effectuate the purposes of this Resolution.

The foregoing was adopted by the Executive Board this 14th day of November 2024.

Belia Ramos
President

CERTIFICATION OF EXECUTIVE BOARD APPROVAL

I, the undersigned, the appointed and qualified Clerk of the Board of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called and noticed meeting held in San Francisco, California, and at other remote locations, on this 14th day of November 2024.

Frederick Castro
Clerk of the Board