



RESOLUTION No. 04 - 07

**A RESOLUTION OF THE
NAPA COUNTY TRANSPORTATION PLANNING AGENCY (NCTPA)
RECOMMENDING THE FORMATION OF THE
NAPA VALLEY TRANSPORTATION AUTHORITY (NVTA)**

WHEREAS, the Napa County Transportation Planning Agency (NCTPA) is a joint powers authority comprised of the cities of American Canyon, Calistoga, Napa, St. Helena, the Town of Yountville, and the County of Napa, and is responsible for countywide transportation planning, and allocating federal, state and regional transportation funds for priority transportation projects; and

WHEREAS, the State of California's recent budget crisis has resulted in significant cuts in state transportation funding and potential delays in critical Napa County congestion relief projects funded primarily by state funding; and

WHEREAS, a recently sponsored public opinion survey of six hundred Napa County voters conducted by NCTPA indicated that traffic congestion is the number one issue of concern to Napa County's voters and that an estimated sixty-eight percent of those polled would support the passage of a ½ cent, 30 year sales tax for a specific list of transportation projects and improvements; and

WHEREAS, the development of a local transportation funding source in Napa County is critical to address this identified funding shortfall, to provide local match funds for state and federal transportation funds, and to maintain Napa County's quality of life and economic viability by providing congestion relief, travel choices and a safer transportation system; and

WHEREAS, the NCTPA Board has initiated the process for the development of a Transportation Improvement Expenditure Plan (TIEP) and has solicited public input from a broad spectrum of community, public and private sector interests and viewpoints, as part of the development of this TIEP; and

WHEREAS, the imposition of the one half of one percent transactions and use tax, and the approval of the TIEP will benefit the citizens of Napa County and NCTPA is recommending a Local Transportation Authority be created to develop and approve the TIEP and administer the transactions and use tax measure when it is approved by Napa County voters.

NOW, THEREFORE, BE IT RESOLVED that NCTPA recommends that pursuant to Public Utilities Code section 180050 the Napa Valley Transportation Authority (Authority) be created by the Napa County Board of Supervisors. It is recommended that the Authority be composed of eleven members, who shall be elected officials of a local governmental entity within or partly within the County of Napa. Such eleven members as of the creation of the Authority shall consist of the following:

- Two members of the Napa County Board of Supervisors as appointed by that Board, consistent with the Board appointments to the NCTPA.
- One member of the City Council of the City of American Canyon as appointed by that council, consistent with the City's appointments to the NCTPA.
- One member of the City Council of the City of Calistoga as appointed by that council, consistent with the City's appointments to the NCTPA.
- Five members of the City Council of the City of Napa as appointed by that council.
- One member of the City Council of the City of St. Helena as appointed by that council, consistent with the City's appointment to the NCTPA.
- One member of the Town Council of the Town of Yountville as appointed by that council, consistent with the Town's appointment to the NCTPA.
- Each appointing local governmental agency may designate an alternate to vote or otherwise officially participate for its member at meetings of the Authority when the member is not present. Each alternate shall be an elected official of the appointing local governmental agency, whose term shall be coterminous with that of the member. A member may be designated as an alternate for one or more other members. The alternate acting for the member shall have all of the rights, privileges and responsibilities of the member.

BE IT FURTHER RESOLVED, that the NCTPA hereby recommends that the proposed TIEP attached hereto as Exhibit "A" be adopted by the Authority as provided in Public Utilities Code section 180206(b).

BE IT FURTHER RESOLVED that the NCTPA further recommends that a measure be submitted to the voters of Napa County for their approval, which if adopted would do the following:

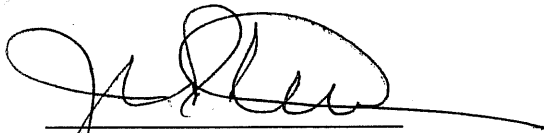
- a. Authorize the imposition of one-half of one percent transactions and use tax for a period of 30 years, such 30 year period to begin April 1, 2005; and

- b. Provide funding for the improvement, construction, maintenance and operation of certain transportation projects and facilities contained in the TIEP attached hereto as Exhibit A and approved by the Authority as required by Public Utilities Code section 180206 (b); and
- c. Authorize the Authority to issue limited tax bonds to finance the transportation improvements set forth in the adopted TIEP.

BE IT FURTHER RESOLVED that NCTPA recommends the Authority have all of the powers and functions set forth in Division 19 (commencing with Section 180000) of the Public Utilities Code, including all powers incidental or necessary to (1) imposing and collecting a transactions and use tax and administering the tax proceeds pursuant to Chapter 5 (commencing with Section 180200) of the Public Utilities Code and the duly adopted and approved Expenditure Plan, and (2) issuing limited tax bonds to finance capital outlay expenditures as provided for the in the Expenditure Plan pursuant to Chapter 6 (commencing with Section 180250) of the Public Utilities Code.

BE IT FURTHER RESOLVED that NCTPA recommends that the governing documents of the Authority should contain a requirement that any county transportation expenditure plan adopted pursuant to Section 180206 of the Public Utilities Code may be amended only with the approval of four-fifths of the voting members of the Authority.

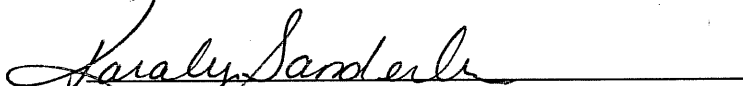
The foregoing resolution was duly and regularly adopted at a special meeting of the Napa County Transportation Planning Agency held on this 28th day of May 2004, by the following vote:



Joe Potter, NCTPA Chair

Ayes: **BLOCK, CLOCLEASER, DODD, KNIGHT, POTTER, STERK, TECHEL**

ATTEST:



Karalyn E. Sanderlin, NCTPA Board Secretary

Noes: **DILLON**

APPROVED:



Robert Paul, NCTPA Legal Counsel

Absent: **NONE**