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Agenda Date: 2/9/2016

Agenda Placement: 6P

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Leanne Link for Nancy Watt - County Executive Officer  
County Executive Office

**REPORT BY:** Bret Prebula, SENIOR MANAGEMENT ANALYST - 707-253-4826

**SUBJECT:** Amendment No. 10 to Joint Powers Agreement (County Agreement No. 3061) re: Napa County Transportation and Planning Agency; name change of existing Napa Valley Transportation Authority

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### **RECOMMENDATION**

County Executive Officer requests the following actions related to the Napa County Transportation and Planning Agency and the Napa Valley Transportation Authority:

1. Approval of and authorization for the Chairman to sign Amendment No. 10 to Agreement No. 3061, Napa County Transportation and Planning Agency (NCTPA) Joint Powers Agreement, changing the name to Napa Valley Transportation Authority, a Joint Powers Agency, and
2. Approval of a name change of the existing Napa Valley Transportation Authority (NVTA) to the Napa Valley Transportation Authority-Tax Agency, subject to consent to the name change by the board of directors of NVTA.

### **EXECUTIVE SUMMARY**

NCTPA is responsible for county-wide transportation planning and allocating federal, state and regional transportation funds for transportation projects. Over time, it has evolved into having a very broad role and authority over public transportation and planning issues in Napa County, including most notably the Vine bus system.

On October 21, 2015, as part of changes being implemented in the way NCTPA and its mission are presented to and perceived by the public, and to clarify NCTPA's role through clear branding, the NCTPA Board of Directors unanimously recommended to its member jurisdictions that the members approve those steps necessary to have NCTPA move forward as the "Napa Valley Transportation Authority, a Joint Powers Agency." Approval and execution by NCTPA's member agencies of the proposed Amendment No. 10 to the JPA agreement will implement the recommended name change.

The existing entity known as the Napa Valley Transportation Authority (NVTA) was formed by the Board of Supervisors in 2005 pursuant to Division 19 of the California Public Utilities Code to facilitate funding sources for transportation projects. NVTA will have the role of administering the half-cent Measure T sales tax for road maintenance improvements once that revenue stream begins in 2018. As such, NVTA's function is much narrower than its name implies.

To accurately describe its more limited function and avoid confusion between the two authorities, the name of the existing NVTA should be modified. The Board may exercise its prerogative, as the legislative body that formed NVTA, to approve a modification of NVTA's name to "Napa Valley Transportation Authority-Tax Agency" in order to distinguish that authority's name and narrow role from the broader scope of the newly named NVTA, a Joint Powers Agency. In deference to the members of the NVTA board, this action may be conditioned upon consent to the name change by the NVTA board. A special meeting of the NVTA board is being held on February 17, 2016 to consider consenting to the name change of NVTA.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed actions do not, individually or collectively, constitute a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

NCTPA (or its predecessor agency) has been in existence as a joint exercise of powers agency since September 1991, formed pursuant to California Government Code sections 65088 through 65089.10. NCTPA's Joint Powers Agreement was amended in July 1998 by Amendment No. 4. This amendment identified NCTPA's powers and stated that the purpose of NCTPA is to "serve as the countywide transportation planning body for the incorporated and unincorporated areas within Napa County, for the purpose of conducting in a coordinated and more simplified countywide transportation policy development and planning activities, including those relating to transit on both a short-term and long-term basis and within an intermodal policy framework; improving transit services; providing coordinated and more competitive input to the region's transportation planning and funding programs; and performing such other transportation related duties and responsibilities as the member Jurisdictions may delegate to NCTPA ..."

NCTPA has a comprehensive role in Napa County of coordinating public transit and transportation issues and in providing a variety of public transportation and informational services. NCTPA management believes it will be beneficial to the effectiveness of the agency going forward to have the agency operate under a name that is shorter and more easily recognized and remembered by the public. Thus, on October 21, 2015, the NCTPA Board of Directors unanimously recommended that NCTPA's member jurisdictions approve those steps necessary to have NCTPA move forward as the "Napa Valley Transportation Authority, a Joint Powers Agency." Approval and execution by NCTPA's member agencies of the proposed Amendment No. 10 to the JPA will result in that name change.

In November 2005, pursuant to Division 19 of the California Public Utilities Code, the Napa County Board of Supervisors formed NVTA as a taxing agency. The Board's stated purpose in forming NVTA was to provide "a mechanism for developing a local transportation funding source in Napa County to address identified transportation funding shortfalls and provide local match funds for state and federal transportation funds to assist in maintaining Napa County's quality of life and economic viability by providing congestion relief, travel choices, and a safer transportation system..." This action also established the NVTA board of directors consisting of two representatives from the Napa County Board of Supervisors and two representatives from each of the five municipalities in the county, all to be "consistent with [their] appointments to the NCTPA." Furthermore, in addition to having the same directorates, NCTPA and NVTA share staff.

In 2012, Napa County voters approved Measure T, a new half-cent sales tax to begin to be levied in 2018 and to continue for 25 years for use by Napa County and the four cities and one town in Napa County for road maintenance and improvement purposes. By approving Measure T, the voters also approved the NVTA's adoption of Ordinance No. 2012-01 by which NVTA established the sales tax and became the agency administering the tax and the allocation of revenues. Thus, the role of the existing NVTA taxing agency is and will be very narrow: administration of Measure T sales tax revenues.

With the change of NCTPA's name to NVTA, a JPA, it is prudent to change the name of the existing NVTA in order to distinguish it from the JPA and to clarify its narrow role as a taxing agency created under Division 19 of the California Public Utilities Code. Staff recommends the Board take action, concurrently with the change of the JPA's name, to change NVTA's name to the "Napa Valley Transportation Authority-Tax Agency," subject to consent to that name change by the NVTA board at their February 17, 2016, board meeting. This will sufficiently differentiate the two agencies for purposes of maintaining their legal identities, while at the same time reflect their close coordination and common mission of facilitating transportation and improving infrastructure.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan