



RCAC

About JPAs

What are JPAs

- Some JPAs are cooperative arrangements among existing agencies,
- A JPA could be a new, separate institution called joint powers agency

JPA

An acronym used for three different terms:

- **Joint powers agreement.**
- **Joint powers agency.**
- **Joint powers authority.**

Statutory Authority of JPAs

- Governments get their authority to work together from a state law called the Joint Exercise of Powers Act.1
- JPAs can exercise only those powers that are common to their member agencies.

Why Form a JPA

JPAs exist for many reasons: sharing resources, combining services, the member agencies and their taxpayers save time and money

Agencies create JPAs to deliver more cost-effective services, eliminate duplicative efforts, and consolidate services into a single agency.

A joint powers agreement - JPA

A member agency agrees to be responsible

- This agency delivers services on behalf of the other member agencies.
- This agency will administer the terms of the agreement, which may be a short-term, long-term, or perpetual-service agreement.

The formation of a JPA

Begins when

- public officials negotiate a formal agreement that spells out the member agencies' intentions, the powers they will share, and other mutually acceptable conditions that define the intergovernmental arrangement.
- each member agency's governing body approves the joint powers agreement.

An Alternative Way

- To exercise joint powers several agencies may create a new organization that is completely separate from the member agencies.
- This organization is known as a joint powers agency or joint powers authority.

To create a Joint Powers Agency

- If a joint powers agreement creates a new joint powers agency, the JPA must file a Notice of a Joint Powers Agreement with the Secretary of State
- Until public officials file those documents, a JPA cannot incur any debts, liabilities, or obligations, or exercise any of its powers.

A Joint Powers Agency or Joint Powers Authority

- A new, separate government organization created by the member agencies,
- Legally independent from them.
- Shares powers already common to the member agencies, and those powers are outlined in the JPA

How does the agreement looks like

The agreement that creates a new joint powers agency:

- describes the size, structure, and membership of the JPA's governing board,
- documents the JPA's powers and functions.

As a legally separate public agency, the JPA can sue or be sued, hire staff, obtain financing to build public facilities, and manage property.

Board Composition & Powers

- This new agency typically has officials from the member agencies on its governing board.
- This JPA may have the same responsibilities as any public agency, including personnel, budgeting, operations, and maintenance.

JPA's must follow state laws:

- Brown Act -meetings are open to the public.
- Public Records Act,

Should we have JPA in our name?

- When public officials create a joint powers agency, the new organization may not necessarily include “joint powers” or “JPA” in its name.
- Yet, if a public organization relies on a joint powers agreement, the organization is a JPA, regardless of its title.

Found in JPAs' official names are:

- **agency · alliance · association · authority · board · bureau · coalition · commission · committee · consortium · cooperative · council · district · facility · fund · group · institute · JPA ·**
- **league · network · organization · partnership · plan · program · project**
- **region · service · services · source**
- **study · system · trust**

Questions?
