



**RCAC**

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## *About JPAs*

# What are JPAs

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

# JPA

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**An acronym used for three different terms:**

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

# Statutory Authority of JPAs

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- 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

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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

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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

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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

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- 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

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- 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

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- 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

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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

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- 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.

# JPAs must follow state laws:

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

# Should we have JPA in our name?

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- 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:

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- **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?

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