

RESOLUTION NO. 2018-054

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT AMENDMENT NO. 1 OF THE JOINT POWERS AGREEMENT REGARDING THE USE AND EQUITABLE DISTRIBUTION OF FLOOD PROTECTION SALES TAX REVENUES

WHEREAS, in 1998, the County of Napa, City of Napa, City of American Canyon, City of St. Helena, Town of Yountville and the City of Calistoga entered into a joint powers agreement relating to the equitable distribution of flood protection sales tax revenues for County-wide projects generated through the voter approved Measure A initiative; and

WHEREAS, the Ordinance imposed a Flood Protection Sales Tax (Measure) in Napa County equal to one-half of one percent with the resultant revenues to be used only for projects contained in the Plan or substitute projected approved in accordance with the ordinance; and

WHEREAS, the term of the Measure was for a maximum of 20 years and will sunset on June 30, 2018. Many jurisdictions have completed their individual Measure projects, or identified uses and have unanticipated Measure revenues available. City of Calistoga is currently completing two final projects: Phase II – Grant Street Storm Drain Improvements; and the Kimball Tower Replacement; and

WHEREAS, the amendment includes additional approved uses, and outlines procedures for accounting and reporting of Measure revenues used after June 30, 2018. Each jurisdiction will be required to maintain the “close out” revenues in a separate fund to only be used for their approved purpose.

WHEREAS, the City of Calistoga has received \$8,995,115 in Measure revenue and expended \$7,404,936 in capital projects as of June 30, 2017. The City has identified and the Napa Flood Protection and Watershed Improvement Authority has approved 11 capital projects totaling \$10,488,115 to be funded by Measure A.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Calistoga as follows:

1. The City Manager is authorized to accept Amendment No. 1 of the Joint Powers Agreement regarding the use and equitable distribution of Flood Protection Sales Tax Revenue.
2. In the event final Measure revenues are insufficient to cover the identified projects the City will need to either fund the difference with other sources of revenue or reduce the scope of work. Staff is aware of this potential revenue shortfall and is seeking HMGP grant funding to augment funding for the Kimball Tower Replacement project.
3. The acceptance of the amendment includes sunset procedures to close-out any remaining Measure revenues and final uses of residual Measure revenues.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held the **15th day of May 2018**, by the following vote:

AYES: Councilmembers Barnes, Kraus and Lopez-Ortega, Vice Mayor Dunsford and Mayor Canning

NOES: None

ABSTAIN: None

ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk