

RESOLUTION NO. 2012-64

AUTHORIZING THE AGREEMENT BETWEEN THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY AND OTHER ELIGIBLE TRANSIT SYSTEMS FOR THE APPORTIONMENT OF FEDERAL TRANSIT ACT SECTION 5307 FUNDS ALLOCATED TO THE CLEVELAND URBANIZED AREA

WHEREAS, the Greater Cleveland Regional Transit Authority is the primary designated recipient for the Cuyahoga County portion of the receipt of Federal Transit Act, Section 5307 funds allocated to the Cleveland Urbanized Area; and

WHEREAS, Resolution 2003-069 authorized an apportionment of Federal Transit formula funds allocated to the Cleveland Area and an Agreement between Metro Regional Transit Authority, Laketran, Lorain County Transit, PARTA, and Brunswick Transit; and

WHEREAS, as a result of the 2010 Census, Medina County is classified as an urban county and is now part of Cleveland Urbanized Area; and

WHEREAS, this Resolution includes Metro Regional Transit Authority, Laketran, PARTA, Lorain County Transit, Medina County Transit Authority and Brunswick Transit; and

WHEREAS, the 2010 Census data indicates the need to revise the apportionment of funds between the Greater Cleveland Regional Transit Authority, Medina County, Brunswick Transit Alternative, Laketran, Lorain County Transit, Metro Regional Transit Authority, and Portage Area Regional Transit Authority; and

WHEREAS, the funds apportioned under the Federal Transit Act, Section 5307 program will remain available to be obligated by FTA to recipients for three (3) fiscal years following the fiscal year in which they are apportioned; and

WHEREAS, the Northeast Ohio Areawide Coordinating Agency ("NOACA") staff and Transit Council have reviewed and recommended a funding allocation plan that is consistent with FTA regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the Federal Transit Administration ("FTA") Section 5307 Urbanized Area Formula Funds will be allocated to the transit agencies operating in the Cleveland Urbanized Area based upon factors including the percent their respective Cleveland Urbanized Area population is of the Cleveland Urbanized Area total population as calculated by the 2010 Census, density, area, and the most current FTA National Transit Database (NTD) service data available.

Section 2. That this apportionment of Federal Transit Act Section 5307 formula funds shall be updated when warranted by changes in Census data or data reported under the Federal Transit Administration National Transit Database. It shall be re-calculated annually based upon data provided by FTA.

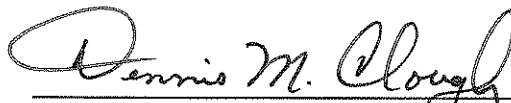
Section 3. That the General Manager/Secretary-Treasurer of the GCRTA shall forward a copy of this resolution to FTA, the individual transit agencies, Ohio Department of Development, and NOACA.

Section 4. That the General Manager/Secretary-Treasurer is hereby authorized to execute an Interagency Agreement with said transit agencies.

Section 5. That Resolution 2003-069 is rescinded and that all agreements authorized under Resolution 2003-069 are replaced by the Interagency Agreement that will be executed under authority of this Resolution.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: July 17, 2012

  
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Acting President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> INTERAGENCY AGREEMENT BETWEEN GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY AND OTHER ELGIBILE TRANSIT SYSTEMS FOR THE APPORTIONMENT OF FEDERAL TRANSIT ADMINISTRATION 5307 FUNDS  <b>VENDOR:</b> PORTAGE COUNTY TRANSIT AUTHORITY (PARTA), LAKETRAN, AKRON RTA, MEDINA COUNTY TRANSIT, BRUNSWICK TRANSIT, AND LORAIN COUNTY TRANSIT	<b>Resolution No.:</b> 2012-64
	<b>Date:</b> July 12, 2012
	<b>Initiator:</b> Programming and Planning
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into an interagency agreement with Laketrans, Portage County Transit Agency (PARTA), Medina County Transit, Brunswick Transit, and Lorain County Transit for the purpose of allocating Federal Transit Administration 5307 funds in the Cleveland Urbanized Area (CUZA).

2.0 **DESCRIPTION/JUSTIFICATION:** GCRTA is the designated recipient of FTA Section 5307 funds in the Cleveland Urbanized Area (CUZA). Portions of the Cleveland Urbanized Area (CUZA) are situated outside of Cuyahoga County boundaries. Thus, the other transit agencies listed provide transit service within this area and are eligible to receive a portion of this funding. FTA requires the allocation of these funds in accordance with population, density, and service levels. NOACA and the Transit Council have agreed on this funding mechanism identified in the Draft Interagency Agreement attached. FTA requires a new agreement and allocation plan after the completion of each Census. As stated in the Resolution, GCRTA last approved this funding split under Resolution 2003-069.

GCRTA will allocate the funds received each year from FTA based upon this formula. The major change in this allocation plan is to reserve some funds each year for miscellaneous projects. Those funds will revert to GCRTA if no projects are identified.

3.0 **PROCUREMENT BACKGROUND:** N/A


4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** N/A

5.0 **POLICY IMPACT:** This Agreement is required by FTA for the allocation of 5307 funds.

6.0 **ECONOMIC IMPACT:** GCRTA and the other transit agencies listed will continue to apply for and receive its portion of the funds allocated to the Cleveland Urbanized Area. Any unused funds will revert to GCRTA for use in eligible 5307 activities.

- 7.0 ALTERNATIVES: Reject the interagency agreement. Rejection of this agreement will threaten the ability of GCRTA and the other transit agencies in the NOACA region to receive their allocation of FTA Section 5307 funds.
- 8.0 RECOMMENDATION: The funding allocation plan was reviewed by GCRTA Planning staff and was recommended by NOACA's Transit Council. It is recommended that the interagency agreement be accepted and the resolution passed.
- 9.0 ATTACHMENTS: Draft Interagency Agreement

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

  
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CEO, General Manager/Secretary-Treasurer

Agreement for the Allocation of FTA 5307 Urbanized Area Funds  
To The Transit Agencies Operating in the Cleveland Urbanized Area  
July 20, 2012

The Greater Cleveland Regional Transit Authority (GCRTA), Brunswick Transit Alternative (BTA), Laketran, Medina County Public Transit (MCPT), Metro Regional Transit Authority (Metro), and Portage Area Regional Transit Authority (PARTA) mutually agree that Federal Transit Administration (FTA) Urbanized Area Formula Funding program (49 U.S.C. 5307) funds allocated to the Cleveland urbanized area (CUA) shall be allocated as follows:

Section 1. Urbanized Area Formula Funding program (49 U.S.C. 5307) funds shall be sub-allocated to the respective transit agencies operating in the CUA as part of the metropolitan transportation planning process.

Section 2. The respective share of the CUA sub-allocations shall be calculated each year using as a basis the planning process and the annual federal apportionment formula that is based upon factors that include the 2010 Census population (or American Community Survey data if more recent), density, area, and most current FTA National Transit Database (NTD) data available.

Section 3. Portions of the CUA in counties where fixed route transit does not serve said area shall have the respective amount calculated by the apportionment formula in Section 2 distributed to GCRTA, BTA, Laketran, and/or MCPT based on the prioritized and fiscally constrained Transportation Improvement Program (TIP).

Section 4. Medina's designation as an urbanized county as a result of Census 2010 will require an additional annual funding allocation plan be developed in coordination with NOACA, GCRTA, Medina County, and BTA that will be incorporated by reference into this agreement.

Section 5. GCRTA, Laketran, Metro and PARTA shall each be responsible for their own respective grant/project applications and administration activities.

Section 6. The status of GCRTA, Laketran, Metro and PARTA as the designated recipient of federal formula funds in Cuyahoga, Lake, Summit and Portage counties, respectively, is unchanged by this agreement.

Section 7. If any agency other than GCRTA is unable to use its full allocation, or the allocation described in Section 3, in any year, its unused funds will revert to GCRTA, which will use those funds for its own purposes. Should those funds be needed by the other agency within three years of the federal fiscal year in which the funds were first allocated to the CUA, it will so notify GCRTA. Then, for the very next federal fiscal year, GCRTA will reduce its own allocation by the amount owed to the other agency and increase that agency's allocation by the same amount.

Section 8. If, during the course of this agreement, any portion of the CUA is moved by the Census to a different urbanized area, the respective allocations will be recalculated to reflect that change.

Section 9. If any agency eliminates all service from the CUA, its allocation will be reallocated to the remaining parties to this agreement.

Section 10. All agencies shall hold each other harmless for any findings that the FTA, or other agency or office, may issue against expenditures of their respective allocations.

Section 11. Modification of this agreement shall occur when warranted by changes in Census data or data reported under the NTD.

Section 12. The population and density data used in the formula allocation will be reviewed and updated if other data sources become available and are deemed appropriate by all parties for funding allocation purposes. The parties to this agreement are free to re-evaluate the formulas used in this allocation plan at any point in the tenure of this agreement; however, all parties must agree to any changes made in writing.

Section 13. In accordance with FTA program guidance, NOACA, as the region's metropolitan planning organization, has worked cooperatively through NOACA's Transit Council with GCRTA and all parties to this agreement to determine a fair and rational subarea allocation.

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

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Joseph A. Calabrese  
CEO, General Manager/Secretary-Treasurer

BRUNSWICK TRANSIT ALTERNATIVE

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Jim Lukas  
City Manager

LAKETRAN

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Raymond Jurkowski, General Manager and Secretary/Treasurer

MEDINA COUNTY PUBLIC TRANSIT

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Christopher Jakab  
County Administrator

METRO REGIONAL TRANSIT AUTHORITY

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Richard M. Enty  
Interim General Manager and Secretary/Treasurer

PORTAGE AREA REGIONAL TRANSIT AUTHORITY

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John Drew  
General Manager