

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: FY2024 Federal Transit Administration (FTA) 5307 Authorizing Resolution to submit an application to the Georgia Department of Transportation (GDOT) to request FTA grant funds to reimburse eligible transit operating and capital expenses in FY2024.

DATE: September 1, 2022

BUDGET INFORMATION:

REVENUES:

\$	3,607,892	FY2024 FTA 5307 Operating Assistance (July 1, 2023 - June 30, 2024)
\$	3,607,892	Required local match in an equal amount to the FTA 5307 grant
\$	5,600,000	FY2024 FTA Capital Assistance (July 1, 2023 - June 30, 2024)
\$	1,400,000	Required local match (20%) for the FTA 5339 Capital Assistance grant
\$	14,215,784	

EXPENSES:

\$ 14,215,784 Operating and Capital Expenses for ACCGov Transit for FY24-25

FUNDING SOURCES: FTA 5307 and 5339 grant programs; GDOT; ACCGov TSPLOST (required local match)

COMMISSION ACTION REQUESTED ON: October 4, 2022

PURPOSE:

To request that the Mayor and Commission:

- a) Adopt a Resolution (**Attachment # 1**) authorizing the submission of an application to the Georgia Department of Transportation (GDOT) for Federal Transit Administration FY2024 (July 1, 2023- June 30, 2024) Formula operating assistance reimbursements up to \$3,607,892 and FY2024 (July 1, 2023- June 30, 2024) capital project reimbursements up to \$5,600,000 for a total amount of \$9,207,892 of non-local transit operating and capital assistance;
- b) Authorize the acceptance of the grant application at the currently projected level or alternative level, if awarded; and
- c) Authorize the Mayor and appropriate staff to execute contracts and related documents.

HISTORY:

1. Since 1977, the FTA Urbanized Area Formula Program (Title 49 U.S.C. Section 5307) has provided annual operating and capital funding assistance to qualifying transit systems, including the ACCGov Transit Department.

2. Each year since 2003, M&C has authorized ACCGov Transit to submit an application for federal funding reimbursements based on estimated eligible expenses.
3. On August 24, 2022, GDOT notified ACCGov Transit that FY24 grant applications are due no later than October 31, 2022.

FACTS & ISSUES:

1. The U.S. Congress appropriates Federal Transit Formula Funds annually. Annual funding requests are based on cost projections, and submitted to FTA through GDOT as part of the approved Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Transportation Improvement Plan (TIP). The actual funding levels will not be available or finalized until approved by the Congress, usually in December of each calendar year.
2. GDOT projects that grant funding applications will be approved during the spring of calendar year 2023. The grant becomes available following the start of the Federal Fiscal Year (October 1). However, ACCGov Transit may begin submitting eligible expenses for reimbursement following GDOT's Notice of Intent to Award (NOIA). For FY24, ACCGov Transit anticipates receiving GDOT's NOIA on or before June 1, 2023.
3. FTA 5307 grants require ACCGov to match a minimum of 50% of the total operating expenses. In previous years, transit fares provided a percentage of the match with the remaining amount coming from an ACCGov general fund transfer. For the FTA 5339 capital grant, a local match between 10% and 20% is required.
4. The FTA 5307 operating grant will be used to provide up to 50% funding for ACCGov Transit's FY24 operating expenses at the current service level. TSPLOST will provide the local match for capital and operating grants as well as funding for any additional costs.
5. All federal funding is subject to Congressional appropriations. If anticipated funding is reduced, additional local funding will be required to maintain current services or transit services will need to be reduced proportionally.
6. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
 - Safely Move Around Athens Goal, Strategy C: *Expand multi-modal Transit access to reduce auto dependency and provide greater mobility for Athens residents*

OPTIONS:

1. Mayor and Commission:
 - a. Adopt a Resolution (**Attachment # 1**) authorizing the submission of an application to the Georgia Department of Transportation (GDOT) for Federal Transit Administration FY2024 (July 1, 2023- June 30, 2024) Formula operating assistance reimbursements up to \$3,607,892 and FY2024 (July 1, 2023- June 30, 2024) capital project reimbursements up

to \$5,600,000 for a total amount of \$9,207,892 of non-local transit operating and capital assistance;

- b. Authorize the acceptance of the grant application at the currently projected level or alternative level, if awarded; and
 - c. Authorize the Mayor and appropriate staff to execute contracts and related documents.
2. Mayor & Commission do not authorize the submission of an application to GDOT for Federal Transit FY2024 Formula Operating and Capital funding assistance.
3. Mayor and Commission directed option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT: Transit
Prepared by: Ryan Solchenberger



September 9, 2022

Ryan Solchenberger,
Director

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



September 15, 2022

Manager

Date:

ATTACHMENTS:

Attachment 1-FTA 5307 Bus Operating Assistance and Capital Assistance Authorizing Resolution

Part C: Authorizing Resolution

The following two pages include an authorizing resolution that must be enacted by the governing body of the Applicant Organization and signed by the Chair of the County Commission, Mayor, or the head of the governing body as appropriate. Please complete the fillable fields on the resolution, then print and sign the designated fields. The authorizing resolution must be properly witnessed and notarized, including the date the notary's commission expires. The resolution should also be stamped with the notary seal as well as the seal of the county commission, city, or appropriate applicant jurisdiction. The certificate of the attesting officer must also be completed.

A scanned copy of the completed, signed, and notarized Authorizing Resolution should be submitted as an attachment with the full application package.

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND GEORGIA DEPARTMENT OF TRANSPORTATION, FOR A GRANT UNDER TITLE 49 U.S.C., SECTION 5307.

WHEREAS, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grants to non-urbanized (rural) areas for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon Applicant, including the provision of the local share of project costs; and

WHEREAS, it is required by the United States Department of Transportation and the Georgia Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that Minority Business Enterprise (Disadvantaged Business Enterprise and Women's Business Enterprise) be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority business shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

NOW THEREFORE, BE IT RESOLVED BY _____ hereinafter referred to as the "Applicant",

1. That the Designated Official _____, is authorized to execute and file an application on behalf of _____ with the Georgia Department of Transportation, to aid in the purchase of bus transit vehicles and/or the planning, development, and construction of bus transit-related facilities pursuant to Section 5307 of the Federal Transit Act.
2. That the Official is authorized to execute and file such application and assurances or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That the Official is authorized to execute and file all other standard assurances or any other document required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.
4. That the Official is authorized to execute grant contract agreements on behalf of the Applicant with the Georgia Department of Transportation.
5. That the Official is authorized to set forth and execute Minority Business

Enterprise, DBE (Disadvantaged Business Enterprise) and WBE (Women Business Enterprise) policies and procedures in connection with the project's procurement needs as applicable.

6. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9030.1E, FTA Certifications and Assurances for Federal Assistance 2022 as listed in this grant application and General Operating Guidelines as illustrated in the Georgia State Management Plan.
7. That the applicant has or will have available in the General Fund the required non-federal funds to meet local share requirements for this grant application.

APPROVED AND ADOPTED this ____ day of _____, 2022.

Authorized Official

Type Name and Title

Signed, sealed and delivered this ____ day of _____, 2022 in the presence of

Witness

Notary Public/Notary Seal

CERTIFICATE

The undersigned duly qualified and acting _____ of _____ (*Title of Certifying/Attesting Official*) (*Applicant's Legal Name*) certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting held on _____, 2022.

Name of Certifying/Attesting Officer

Title of Certifying/Attesting Officer

(Place Seal Here)