

RESOLUTION 2020-10

ULSTER COUNTY TRANSPORTATION COUNCIL

AUTHORIZE THE TRANSFER OF ADMINISTRATIVE AND MANAGEMENT RESPONSIBILITIES FOR ULSTER COUNTY COMMUTER BUS CARRIER'S SUPPLEMENTAL FEDERAL FISCAL YEAR 2020 FEDERAL TRANSIT FUNDING FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT TO THE CAPITAL DISTRICT TRANSPORTATION AUTHORITY (CDTA), ALBANY, NEW YORK

WHEREAS, the Ulster County Transportation Council (UCTC), Dutchess County Transportation Council (DCTC), and the Orange County Transportation Council (OCTC) have been designated by the Governor of the State of New York as the Metropolitan Planning Organizations (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning processes for their respective counties; and,

WHEREAS, the three Transportation Councils share responsibility for transportation planning and programming within the Mid-Hudson Valley Transportation Management Area (TMA); and,

WHEREAS, on March 27, 2020 the Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law providing emergency assistance to individuals, families, and businesses affected by the COVID-19 pandemic, including \$25 billion in federal funding to help the nation's public transportation systems; and,

WHEREAS, on April 2, 2020 the Federal Transit Administration (FTA) released the formula derived apportionments for FTA Section 5307, 5337, and 5340 CARES Act funding to urbanized areas; and,

WHEREAS, the Poughkeepsie-Newburgh NY-NJ Urbanized Area (UZA 89) was apportioned a total of \$83,440,191 with the amount being further apportioned between the States of New York and New Jersey, where New York would receive \$82,340,185 and New Jersey \$1,100,006; and,

WHEREAS, the three TMA Transportation Councils share responsibility for transportation planning and programming within the TMA; and,

WHEREAS, the three TMA Transportation Councils have considered the planning factors under 23 USC 135 (d)(1)(A-J) in reaching consensus in the methodology supporting the sub-allocation of the FTA Section 5307, 5337, and 5340 CARES Act funding to urbanized areas apportioned to UZA89 for the transit services within the three counties, and regional transit services as provided by the Metropolitan Transportation Authority and inter-county bus services; and

WHEREAS, "the preservation of the existing transportation system" and "enhancing the integration and connectivity of the transportation system, across and between modes, for people" and the State's goals of the "Mobility, Reliability and Safety" priority results areas are reflected in the methodology; and

RESOLUTION 2020-10

ULSTER COUNTY TRANSPORTATION COUNCIL

WHEREAS, the TMA and the State, as a policy goal, recognize the commuter bus contribution to the UZA and wish to ensure continued and enhanced commuter bus services at a reasonable cost to the consumer, and

WHEREAS, actual project selection for the inter-county commuter bus operators will be determined through the respective Metropolitan Planning Organization (MPO) processes, and may include any mix of eligible FTA capital activities; and

WHEREAS, the TMA Transportation Councils adopted a methodology for distribution of Section 5307/5340 formula funding, which states that the TMA Transportation Councils may cooperatively agree to allocate, with or without competition, the unallocated funds in order to address identified regional transit needs based upon the guiding principles of the respective Metropolitan Transportation Plans, federal planning factors, and other plans and policies of the TMA Transportation Councils; and

WHEREAS, the Capital District Transportation Authority (CDTA) is a Designated Recipient of FTA the CARES ACT funds for Capital District TMA; and

WHEREAS, CDTA is willing and able to provide administrative oversight for the UCTC's share of CARES ACT TMA funds attributable to Ulster County's commuter bus carrier services utilizing capital costs of contracting (maintenance, operation and depreciation of contracted capital assets used in transit service) funding formulas provided in the federal regulations; and

WHEREAS, under Resolution 2020-07 UCTC agreed to the distribution of 2020 CARES ACT funds attributable to Ulster County in the amount of \$12,247,041 for the purpose of Inter-County Commuter Bus Services; and

WHEREAS, it is the intent of the UCTC to transfer the administrative and management responsibilities of Ulster County commuter bus carrier's award of 2020 CARES funds attributable to Ulster County to CDTA totaling the amount \$12,247,041 for the purpose of Inter-County Commuter Bus Services and capital costs of contracting.

NOW, THEREFORE BE IT RESOLVED, that the Ulster County Transportation Council agrees to transfer 2020 CARES funds attributable to Ulster County to CDTA totaling the amount \$12,247,041 for the purpose of Inter-County Commuter Bus Services and capital costs of contracting in accordance with the FTA rules and guidelines and in keeping with the purposes specified in CARES Act for the use of these funds.; and,

BE IT FURTHER RESOLVED, that the UCTC reserves the right to conduct and receive the necessary audits and assurances to verify compliance with federal requirements and that the use of funds is consistent with the purposes identified in the CARES Act .

RESOLUTION 2020-10

ULSTER COUNTY TRANSPORTATION COUNCIL

CERTIFICATE, the undersigned, duly qualified and acting Secretary of the Ulster County Transportation Council, certifies that the foregoing is a true and correct copy of a resolution adopted by a vote on July 21, 2020.

Date

By _____
Lance MacMillan, P.E., Secretary,
Ulster County Transportation Council

