



Board Report

File #: 2016-0762, **File Type:** Resolution

Agenda Number: 13.

**PLANNING AND PROGRAMMING COMMITTEE
OCTOBER 19, 2016**

SUBJECT: AUTHORIZATION TO NEGOTIATE, EXECUTE AND FILE FEDERAL, STATE, REGIONAL AND LOCAL FUNDING DOCUMENTS

ACTION: AUTHORIZE CEO OR DESIGNEE TO NEGOTIATE, EXECUTE AND FILE FEDERAL, STATE, REGIONAL AND LOCAL FUNDING DOCUMENTS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to adopt:

- A. the attached resolution (Attachment A) **authorizing the Chief Executive Officer (CEO) or the CEO's Designee to negotiate, execute, and file federal, state, regional and local funding documents** for Board-approved projects and activities; and
- B. the attached resolution (Attachment B) authorizing the CEO or the CEO's Designee to **execute and file Federal Transit Administration funding documents** for Board-approved projects and activities.

ISSUE

For Metro to apply and be awarded grants or other grant-related funding assistance, the Board of Directors must adopt certain resolutions allowing the CEO or the CEO's Designee to negotiate, execute and file funding documents on behalf of Metro. Funding documents may include agreements, contracts, memoranda of understanding, certifications, assurances, and all other necessary covenant documentation required to secure federal, state, regional and local revenue sources for Board-approved projects and activities. The current resolution was originally adopted in 1995 and re-certified in 2005.

DISCUSSION

Currently, we have a general authorizing resolution that covers all fund source types and which the Board of Directors last re-certified a little over ten years ago. The Board originally adopted the first authorizing resolution on November 20, 1995, and that resolution allowed us to do what we needed administratively to secure federal, state, and local funding for Board-approved transportation projects and activities. That general resolution also authorized the CEO or the CEO's Designee to provide any

additional information needed to secure such funding.

Since the general authorizing resolution was adopted and updated, there have been opportunities available for Metro to obtain new grant funding from grantors who require more recent evidence from staff that the Board has authorized staff to secure grants for Board-approved projects and activities. More recently, the Federal Transit Administration (FTA) has requested that an updated resolution with more specific language be adopted before executing a Section 5309 New Starts Full Funding Grant Agreement for Westside Purple Line Extension Section 2.

To address the need for these administrative resolutions, we have attached two recommended resolutions for Board consideration. Attachment A provides an update to the previous Board authorizations, reaffirms the commitments made by the previous general resolution, and certifies Metro compliance with all applicable statutes and requirements to obtain such funding. Attachment B contains a resolution that specifically addresses the recent FTA request and contains updated language from the previously adopted resolution that pertained to FTA funding.

DETERMINATION OF SAFETY IMPACT

The recommended actions will have no impact on Metro's established safety standards.

FINANCIAL IMPACT

In adopting the attached resolutions, the Board of Directors would be authorizing us to secure federal, state, regional and local sources of revenue needed for Metro to meet its capital and operating budget requirements for Board-approved projects and activities.

ALTERNATIVES CONSIDERED

The alternative to adopting the attached resolutions is to bring each grant application, agreement or contract, and its related documents to the Board of Directors for individual direction and approval. We do not recommend such an alternative because executing and filing federal, state, regional and local funding documents constitutes an administrative assignment that can be completed more efficiently and timely by staff, and will ensure strict deadlines are met in a timely manner.

NEXT STEPS

Once approved, we will provide a copy of the certified resolution contained in Attachment A to federal, state, regional and local grantor agencies upon request when grants and other funding assistance is being pursued to support Board-approved projects and activities. We also will file a copy of the certified resolution presented in Attachment B with the FTA for FTA-specific grant assistance as required.

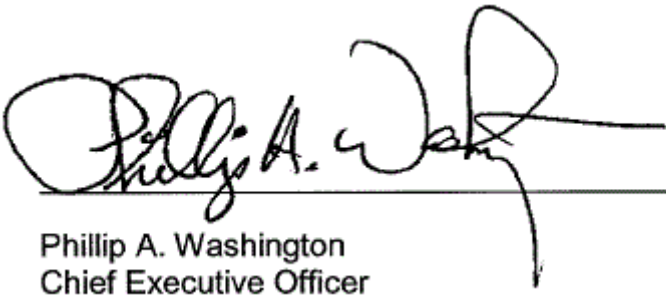
ATTACHMENTS

Attachment A - Updated Resolution to Negotiate, Execute and File Federal, State, Regional and Local Funding Documents for Board-Approved Projects and Activities.

Attachment B - Updated Resolution Authorizing the Filing of Applications with the Federal Transit Administration

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