NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Governing Board Members
FROM: Howard R. Maier, Executive Director
DATE: May 2, 2012
RE: Resolution No. 2012-022 - NOACA’s Fiscal Year 2013 Overall Work Program (OWP)/Budget and Annual Self Certification

Summary

The Governing Board is requested to approve Resolution No. 2012-022, NOACA’s Fiscal Year 2013 Overall Work Program (OWP) and Budget, which begins July 1, 2012. NOACA’s committees have reviewed the draft OWP and recommend Board approval.

Overall Work Program (OWP)

Federal law requires that metropolitan planning organizations (MPOs) annually develop a unified planning work program that describes all federal-aid planning activities. In Ohio, this work program is called the Overall Work Program (OWP). NOACA develops its work program consistent with federal and state transportation and environmental planning guidance.

Staff began development of the draft FY 2013 OWP in December by reviewing and outlining transportation and environmental planning projects. Since March, a draft version has been available for public review on our website. We have received comments and suggestions from ODOT, the Federal Highway Administration, GCRTA and others during the review period. The final draft of the OWP, which reflects those suggestions, is now available on our website.

Funding and Organizational Structure

Attached to Resolution No. 2012-022 are the budget tables, funding tables, and NOACA Staff Chart. The FY 2012 OWP/Budget narrative is included for your information. Approval of this OWP/Budget is critical so that we can continue to provide services to member communities and the region, while responding to the requirements of federal certification. As was expressed to our committees, we are now going through a major transition period due to retirements. Approximately one-quarter of the Planning and Programs division staff were hired in the last two years due to retirements, and we anticipate more attrition in the next few years.
RESOLUTION OF THE GOVERNING BOARD
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is required by federal law to develop an Overall Work Program (OWP); and

WHEREAS, the Governing Board has the responsibility to approve the work activities, revenues and expenditures of the Agency and does so through approval of the agency's fiscal year Overall Work Program (OWP) and budget; and

WHEREAS, an OWP and budget, incorporating activities to be performed by the agency under various grants for fiscal year (FY) 2013, have been prepared for the Governing Board, based on local input and areawide needs, as supplemented by state and federal requirements; and

WHEREAS, proposed OWP activities have been reviewed by local jurisdictions, agencies, Board committees, and state and federal funding agencies; and

WHEREAS, the transportation and environmental elements of the NOACA FY 2013 OWP are designed to address the policies of the NOACA Governing Board and meets applicable regulations of the U.S. Department of Transportation and the U.S. Environmental Protection Agency; and

WHEREAS, the draft OWP and funding information indicating projects costs have been presented to the appropriate committees, subcommittees and councils; and

WHEREAS, the OWP contains public transit agency planning projects within the region that will be using federal funds; and

WHEREAS, the draft OWP has been reviewed by Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and the Ohio Department of Transportation (ODOT); and

WHEREAS, comments and suggestions received through this process have been incorporated into the final OWP; and

WHEREAS, the OWP has been processed, consistent with the Board’s Public Interaction Policy; and

WHEREAS, based upon the OWP activities, the FY 2013 budget has been prepared containing line item detail related to the Agency's projected FY 2013 operations; and
WHEREAS, the project scope and funding tables in the OWP are based on estimates of available funding and will be adjusted when final funding amounts are announced; and

WHEREAS, the FY 2013 budget includes $706,748 in local dues from the region’s local governments, and certain regional authorities to access federal transportation planning funds and to help fund the region’s water quality planning program; and

WHEREAS, dues from member local governments and regional authorities are invoiced at the beginning of each new fiscal year budget so that local funds are available to match available federal grants; and

WHEREAS, as a Metropolitan Planning Organization (MPO), NOACA is certified every four years by federal agencies; and

WHEREAS, NOACA was successfully certified by federal agencies in 2009 and continues to carry out its responsibilities in accordance with federal law; and

WHEREAS, federal regulations also require that NOACA and ODOT must annually self-certify the MPO planning process; and

WHEREAS, in accordance with the Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2005 – a Legacy for Users (SAFETEA-LU), NOACA and ODOT are carrying out their respective duties and responsibilities under applicable provisions of federal law and as contained in a biennial agreement with the Ohio Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-four principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

Section 1. The FY 2013 Overall Work Program has been appropriately reviewed and is approved as being comprehensive, cooperative, and continuing areawide planning.

Section 2. The FY 2013 budget is adopted with the understanding that the work scope, staffing, and budget may need to be modified as a result of available federal and state funds.

Section 3. The Governing Board authorizes commitment of sufficient local funds to provide for said work activities, as matching share for grants tendered to this Agency for FY 2013, and otherwise as support for local activities.

Section 4. The Executive Director is authorized to issue invoices for a total of $706,748 in local dues for FY 2013, according to the NOACA Code of Regulations and the NOACA dues allocation plans formulated by the respective Boards of Commissioners in each of the four counties and by the Cuyahoga County Executive’s office.

Section 5. The urban transportation planning process is being carried out in conformance with all applicable federal requirements and the Executive Director is authorized to sign Exhibit 1 and forward it with necessary documentation to the appropriate agencies.
**Section 6.** The Executive Director is authorized to apply for, receive and utilize such funds as provided for within the Overall Work Program and budget, including execution of contracts, agreements, certifications and civil rights assurances, as necessary to accomplish the intent of this Resolution. The Executive Director is to secure Governing Board approval for adjustments involving significant budget changes or significant changes in work program direction.

**Section 7.** The Executive Director is hereby authorized to transmit a certified copy of this Resolution and other appropriate documentation to federal, state and local agencies.

Certified to be a true copy of a Resolution of the Governing Board of the Northeast Ohio Areawide Coordinating Agency adopted this 11th day of May 2012.

Secretary: [Signature]

Date Signed: 5.-n-n
EXHIBIT 1

Metropolitan Transportation Planning Process Certification

In accordance with 23 CFR 450, the Ohio Department of Transportation and the Northeast Ohio Areawide Coordinating Agency, the Metropolitan Planning Organization for the Cleveland/Lorain urbanized areas hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:


(2) Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;

(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-l) and 49 CFR part 21;

(4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

(5) Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

(6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

(7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;

(8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

(9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and


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Metropolitan Planning Organization                  Ohio Department of Transportation

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Signature                                  Signature

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Title                                  Title

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Date                                  Date