



NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: December 4, 2015

RE: **Resolution 2015-061 – Toll Credit Requests – CUY – Redline Public Right of Way Improvements Project**

ACTION REQUESTED

The Board of Directors is asked to approve the use of Toll Credits (TC) for the CUY – Redline Right of Way Public Right of Way Improvements project to modify NOACA’s financial participation. The Finance and Audit Committee recommended this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION

ODOT has allocated \$7,584,649 in TC authority to NOACA for to use at its discretion to increase the federal payable share of projects financed through the Surface Transportation Program (STP) (\$6,878,189) and Transportation Alternatives Program (TAP) (\$706,460). In September, 2015 the Board of Directors approved a [Toll Credits Policy](#) to define requirements and eligibility criteria to guide the evaluation of NOACA funded projects for TC application.

The City of Cleveland has requested TC to increase the NOACA TAP participation share for the CUY-Redline Public Right of Way Improvements project to eliminate matching requirements. The matching funds that have been committed to the project have specific conditions and uses required by the grantor that do not readily comply with federal project development procedures. Applying TC will allow for the committed matching funds to be used toward those components of the project without impacting the federal NOACA dollars. The submitted request will not result in increased funding for the project. Instead, the TC will be applied to increase the NOACA participation rate from 80% to 100% for the \$357,253 Board of Directors approved funding commitment, while maintaining the \$89,313 matching funds contributed to the project, as demonstrated in the tables below:

Existing:

Total Cost	NOACA \$	NOACA %	Required Local \$ Match	Required Local % Match	Other Local Match\$	TOTAL NOACA \$
\$ 446,566	\$357,253	80%	\$ 89,313	20%	0	\$357,253

Requested:

Total Cost	NOACA \$	NOACA %	Required Local \$ Match	Required Local % Match	Other Local Match\$	TOTAL NOACA \$
\$ 446,566	\$357,253	100%	0	20%	\$89,313	\$357,253

Staff have evaluated the request and have determined that it is eligible under the policy requirements, as summarized below:

Policy Requirements	Met?
Request complies with ODOT Program Requirements	X
Project is eligible under one or more of the following programs:	
- NOACA Urban Core Community (90%)	X
- NOACA Environmental Justice Community (100%)	X
- NOACA TLCI Study or Implementation (100%)	
Funding available to in the current TIP	X
Adequate balance of TCs available in the proposed SFY	X
Project is not a capacity expansion	X

The project is already contained within the NOACA 2016-2019 Transportation Improvement Program (TIP), therefore the application of TC does not require a formal Plan and TIP amendment.

FINANCIAL IMPACT

The application of TCs does not result in increased funding, therefore there is no financial impact. The Board of Directors approved funding in the amount of \$357,253 will continue to be the project maximum. The request would utilize \$71,451 in TCs designated for use in the TAP program, leaving the available balance at \$635,009.

CONCLUSION/NEXT STEPS

Pending Board approval, appropriate documentation will be filed with state and federal authorities to enable utilization of TCs for this project.

GG/rl/2873b

**RESOLUTION 2015-061
(TOLL CREDITS REQUEST – CUY
RED LINE PUBLIC RW
IMPROVEMENTS PROJECT)**

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the areawide water quality management agency for the same region; and

WHEREAS, Section 120(j) of Title 23 U.S.C. permits the use of Toll Credits to fulfill some or all of the federal matching fund requirements normally associated with the financing of eligible Title 23 and Title 49 surface transportation capital, operating, or planning projects; and

WHEREAS, the advancement of funding through recent bonding against the Ohio Turnpike and Infrastructure Commission revenues, that include increased tolls, will result in the Ohio Department of Transportation (ODOT) earning a significant balance of Toll Credits (TC); and

WHEREAS, the credits are being made available to NOACA in the amount of \$7.6 million annually, through State Fiscal Year 2020, to increase the federal participation rate for NOACA Surface Transportation Program (STP) and Transportation Alternatives Program (TAP); and

WHEREAS, in September, 2015, the Board of Directors approved a Toll Credits policy that contains parameters for the application of TCs, including requirements, eligible projects and programs, and management procedures; and

WHEREAS, the City of Cleveland has requested the use of TC for its CUY-Red Line Public Right of Way Improvements project (ODOT PID 100756) funded through the NOACA Transportation Alternatives Program (TAP); and

WHEREAS, TC would be utilized on the project to increase the NOACA participation share from 80% to 100% for the \$357,253 Board approved TAP funding commitment; and

WHEREAS, the local matching funds committed to the project have specific conditions and uses required by the grantor that do not readily comply with federal project development procedures; and

WHEREAS, application of TC will allow for the committed matching funds to be used toward other components of the project without impacting the federal NOACA dollars; and

WHEREAS, the application of TC will not result in an increase of NOACA funds to the project; and

WHEREAS, the original local match commitment of \$89,313 will be maintained for other components of the project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

Section 1: Toll Credits are approved for use on the CUY – Red Line Public Right of Way Improvements project to increase the NOACA participation share from 80% to 100% for the \$357,253 Board of Directors approve funding commitment.

**RESOLUTION 2015-061
(TOLL CREDITS REQUEST – CUY
RED LINE PUBLIC RW
IMPROVEMENTS PROJECT)**

Section 2: The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 11th day of December 2015.

Secretary: *Michael P. Spinnen*

Date Signed: 12-11-15