

**Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The City Of Kingston To Provide Expanded Transit Service In The City In Response To The Dissolution Of CitiBus And Elimination Of Transit Service By The City – Department of Public Transportation (Ulster County Area Transit)**

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Woltman and Legislators Archer, Delaune, Maio, James Maloney, Joseph Maloney, and Rodriguez), and The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, James Maloney, Joseph Maloney, Petit, and Rodriguez)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Brian J. Woltman, and Deputy Chair Lynn Archer offer the following:

WHEREAS, this resolution has been submitted by the Acting County Executive on behalf of the Department of Public Transportation; and

WHEREAS, the City of Kingston (the “City”) operates a public transportation system known as the “CitiBus” which is partially funded by federal and state subsidies; and

WHEREAS, CitiBus ridership has declined by over 35% between 2004 and 2017, and there is difficulty in filling driver positions, as well as the need to commit to significant capital investments in the near future; and

WHEREAS, the City has struggled to meet its Federal and State grant obligations given system size and limited funding available for administration and oversight; and

WHEREAS, the CitiBus offers service to various destinations within Ulster County outside the City limits that are important destinations for transit users to meet their everyday needs; and

WHEREAS, the County currently operates a public transportation system known as Ulster County Area Transit (“UCAT”) which receives federal and state subsidies; and

WHEREAS, UCAT provides services within the City that assist in making connections to important destinations for city residents; and

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WHEREAS, the County and the City, as part of the sales tax agreement signed in 2016, agreed in principle and in the spirit of cooperation, to seek to facilitate a single public transit system within the County operated by the County, so long as such a system did not result in any additional cost to the County and that such a system would be in compliance with all federal and state grants that each entity has received or expect to receive for transit services; and

WHEREAS, the County is desirous of taking steps to ensure that there is adequate public transportation for the residents of the City as part of any decision to discontinue the Citibus transit service and to move to a single public transit system; and

WHEREAS, to inform decisions related to establishing single transit provider operated by the County, the City and the County requested the Ulster County Transportation Council (the "UCTC") develop an Ulster County Transit Systems Integration Plan (the "Plan"); and

WHEREAS, the Plan has identified the steps necessary to ensure compliance with federal and state requirements associated with moving to a single transit provider. In addition, the Plan, with input from the public, proposed the creation of new optimized bus routes and demand response areas throughout the City to ensure that critical destinations and sensitive populations would be served should the City be unable to sustain or desire to discontinue its transit operations; and

WHEREAS, based on the Plan, the County is prepared to expand UCAT's bus service within the City in consideration of mutual promises, conditions and representations; and

WHEREAS, the County using UCAT will create three (3) optimized City routes as well as demand response areas subject to future modifications based on input from the City and users of the system; and

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WHEREAS, the Plan, as part of the service analysis, specifically identified sensitive populations and locations as outlined in the Federal Transit Administration Title VI requirements to ensure that these populations would not be adversely affected by the proposed route changes; and

WHEREAS, the proposed routes would enhance service to many areas of the City to ensure that a disproportionate burden on minority, Hispanic, low-income, or Limited English Proficiency (LEP) populations does not occur; and

WHEREAS, in anticipation of initiating bus service within the City, the County and the City will make any needed budget appropriations in their 2019 operating budgets to allow the County to expand service within the City; and

WHEREAS, the City and the County are coordinating with the Federal Transit Agency (FTA) and the New York State Department of Transportation (NYSDOT) to ensure that the necessary requirements are met; and

WHEREAS, the City has identified the federal assets that it now holds that would be transferred to Ulster County to assist in providing expanded transit service in the City by the County; and

WHEREAS, the City and the County have developed a Memorandum of Agreement (the “MOA”) to effectuate the transit service changes now proposed; and

WHEREAS, the MOA anticipates that the County would provide expanded transit service within the City beginning on or about July 1, 2019; and

WHEREAS, the MOA provides for initial funding from the City in the amount of One Hundred Twelve Thousand (\$112,500.00) Dollars for 2019, and thereafter Two Hundred Twenty-Five Thousand and 00/100, (\$225,000.00) Dollars, annually for a period of Five (5) years; now, therefore be it

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RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute the MOA with the City of Kingston, and any related amendments, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney and the Legislative Attorney; and be it further

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute all necessary Agreements, certifications or requests from the FTA, NYSDOT, or the City of Kingston to effectuate the dissolution of the transit service by the City and the initiation of expanded service by the County,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 18                      NOES: 1  
(Noes: Legislator Joseph Maloney)  
(Absent: Legislators Donaldson, Maio, James Maloney, and Petit)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on April 2, 2019

Passed Committee: Ways and Means on April 9, 2019

FINANCIAL IMPACT:

\$112,500.00 – ADDITIONAL REVENUE – CITY OF KINGSTON

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 16<sup>th</sup> Day of April in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18<sup>th</sup> Day of April in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
18<sup>th</sup> Day of April, 2019.

Approved by the Acting County Executive this  
25<sup>th</sup> Day of April, 2019.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Adele B. Reiter  
Adele B. Reiter, Acting County Executive