

Date: June 30, 2021

Resolution No. 21-566

Title: Resolution to Propose that Lucas County to Become a Member of the Toledo Area Regional Transit Authority

Department/Agency: Commissioners

Contact: Megan Vahey Casiere, Administrator

Summary/Background: The Toledo Area Regional Transit Authority (TARTA) provides access to life-essential goods and services for residents who live in the transit authority's member jurisdictions, including residents with disabilities, low-income individuals, and older residents. TARTA provides many benefits to the communities in its system, including providing transportation for residents to get to and from work, increases access to business, and assists in spurring economic development and job creation.

A vibrant public transportation system is increasingly essential to the overall economic and social success of a region as it can strengthen area economies to benefit both individual job seekers and area businesses that depend on workers who may rely on public transportation to report for their scheduled shifts. Also, a robust public transportation system makes widespread participation of residents in social, commercial, medical and faith-based activities possible.

TARTA exists as a political subdivision under the laws of the State of Ohio and is operated in the cities of Toledo, Maumee, Sylvania, Rossford and Waterville, the village of Ottawa Hills, and Sylvania Township and provides transit services within the areas of the member communities that are within portions of Lucas County and Wood County.

Currently, TARTA derives its funding from two property taxes – 1-mill and 2.5-mill levies – for a total of 2.5 mills paid by the property owners within the area of TARTA. The funding system used by several other Regional Transit Authorities in Ohio to utilize a sales and use tax to fund operations is viewed as the preferable method because such a system is paid by both nonresidents and residents.

The Board of Lucas County Commissioners established a community task force comprised of a broad cross section of leaders throughout the region to assess the state of public transportation in and around Lucas County, and the task force's final report released in August 2019 entitled "Community Task Force: Public Transportation in Northwest Ohio" recommended that Lucas County should be invited to become a member of TARTA and that a 0.5 percent sales tax levy should be proposed to replace the inefficient property tax to fund TARTA. Replacing the property tax levy with a sales and use tax would require that Lucas County become a member of TARTA's Member Communities.

The Board of Trustees of TARTA has approved a resolution directing its Chief Executive Officer to develop a plan for a new organization and funding structure that would expand mass transit

June 30, 2021

Resolution to Propose that Lucas County to Become a Member of the Toledo Area Regional Transit Authority

Page 2

service throughout Lucas County by adding Lucas County as a member of TARTA, eliminate the current 2.5-mill property tax levies and substitute the levies with a sales and use tax of up to 0.5 percent, and allocate monies from the sales and use tax collected to other local governmental entities for the installation, maintenance, and improvement of mass transit related infrastructure. TARTA's resolution provides that if Lucas County is added as a member of TARTA, the Board of Trustees will amend its composition to reflect its expanded geographical boundaries as follows:

- Four members who shall have terms of three years and appointed by the Mayor of the City of Toledo with the advice of and consent of the Council of the City of Toledo.
- Three members who shall have terms of three years and appointed by the Board of Lucas County Commissioners.
- One member who shall have a term of three years and appointed by the Mayor of the City of Maumee with the advice and consent of the Council of the City of Maumee.
- One member who shall have a term of three years and appointed by the Mayor of the Village of Ottawa Hills with the advice and consent of the Council of the Village of Ottawa Hills.
- One member who shall have a term of three years and appointed by the Mayor of the City of Rossford with the advice and consent of the Council of the City of Rossford.
- One member who shall have a term of three years and appointed by the Mayor of the City of Sylvania with the advice and consent of the Council of the City of Sylvania.
- One member who shall have a term of three years and appointed by the Board of Trustees of Sylvania Township.
- One member who shall have a term of three years and appointed by the Mayor of the City of Waterville with the advice and consent of the Council of the City of Waterville.

TARTA's resolution provides that if the current 2.5-mill property tax levies are replaced with a sales and use tax of up to 0.5 percent, the monies derived the sales and use tax will be utilized in accordance with the Ohio Revised Code Section 306.35, and after application of Section 306.322, certain of these sums collected are to be expended for public infrastructure projects to assist other local governmental entities in the TARTA service area in the funding, installation, maintenance, and improvement of transit-related infrastructure so that the roads, sidewalks, bridges, bus stops, bus shelters, signage, and associated improvements are adequate to allow TARTA to operate its vehicles and serve its passengers in the Member Communities with annual payments as follows: City of Toledo, \$300,000; City of Maumee, \$90,000; Village of Ottawa Hills, \$90,000; City of Rossford, \$90,000; City of Sylvania, \$90,000; Sylvania Township, \$90,000, and City of Waterville, \$90,000.

The Board of Trustees of TARTA has approved a resolution directing its Chief Executive Officer to develop a plan for a new organizational and funding structure that would expand mass transit service throughout Lucas County by adding Lucas County, eliminate the current 2.5-mill property

June 30, 2021

Resolution to Propose that Lucas County to Become a Member of the Toledo Area Regional Transit Authority

Page 3

tax levies and substitute a sales and use tax at a rate of up to 0.5 percent, and allocate monies from the sales and use tax collected to TARTA to directly fund its operations and allocate monies from the sales and use tax collected to other local government entities for the installation, maintenance, and improvement of mass transit related infrastructure.

The resolution approved by the TARTA's Board of Trustees directs its Chief Executive Officer to develop a plan for a new organizational and funding provided that if Lucas County is added as a member of TARTA, the Board of Trustees will amend its composition to reflect its expanded geographical boundaries as follows: Four members who shall serve terms of three years shall be appointed by the Mayor of the City of Toledo with the advice and consent of the Council of the City of Toledo; three members who shall have terms of three years shall be appointed by the Board of County Commissioners for Lucas County; one member who shall have a term of three years shall be appointed by the City of Maumee with the advice and consent of the Council of the City of Maumee; one member who shall have a term of three years shall be appointed by the Village of Ottawa Hills with the advice and consent of the Council of the Village; one member who shall have a term of three years shall be appointed by the City of Rossford with the advice and consent of the Council of the City of Rossford; one member who shall have a term of three years shall be appointed by the City of Sylvania with the advice and consent of the Council of the City of Sylvania; one member who shall have a term of three years shall have a term of three years shall be appointed by the Board of Trustees of Sylvania Township; and one member who shall have a term of three years shall be appointed by the City of Waterville with the advice and consent of the Council of the City of Waterville.

The resolution approved by the TARTA's Board of Trustees directs its Chief Executive Officer to develop a plan for a new organizational and funding provided that if the current 2.5-mill property tax levies are replaced with a sales and use tax at a rate of up to 0.5 percent, the monies derived therefrom will be utilized in accordance with Ohio Revised Code Section 306.35, and after application of Section 306.22 certain of these sums collected are to be expended for public infrastructure projects to assist other local governmental entities in the TARTA service are in funding, installation, maintenance, and improvement of transit related infrastructure so that the roads, sidewalks, bridges, bus stops, bus shelters, signage, and associated improvements are adequate to allow TARTA to operate its vehicles and serve its passengers in the Member Communities with annual payments at follows: City of Toledo, \$300,000; City of Maumee, \$90,000; Village of Ottawa Hills, \$90,000; City of Rossford, \$90,000; City of Sylvania, \$90,000; Sylvania Township, \$90,000, and City of Waterville, \$90,000.

The proposed changes will first require that the Board of Lucas County Commissioners adopt a resolution proposing that Lucas County join TARTA without a time limit on the County's membership and then submit a copy of its resolution to the governing body of each political

June 30, 2021

Resolution to Propose that Lucas County to Become a Member of the Toledo Area Regional Transit Authority

Page 4

subdivision that comprises TARTA. If a majority of the governing bodies of the political subdivisions that comprise TARTA within 30 days of receiving the copy of the Commissioner's resolution proposing to join TARTA then adopt a resolution approving for the inclusion of Lucas County as a member of TARTA without a time limit on the County's membership, TARTA's Board of Trustees may adopt a resolution to submit to the electors of TARTA as it would be enlarged with the inclusion of Lucas County, the question of including Lucas County in TARTA, levying a sales and use tax under O.R.C 5739.023 and 5741.022 throughout TARTA's territorial boundaries as so enlarged, and repealing the two property taxes currently levied by TARTA under O.R.C. 306.49.

If a majority of the governing bodies of the political subdivisions comprising TARTA adopt a resolution or ordinance approving the inclusion of Lucas County as a member of TARTA without a time limit on the County's membership, the Board of Trustees of TARTA intends to proceed to submit to the electors of TARTA as it would be enlarged by the inclusion of Lucas County, the question of including Lucas County in TARTA, the levying of a sales and use tax at a rate of up to 0.5 percent under O.R.C. 5739.023 and 5741.022 throughout TARTA's territorial boundaries as so enlarged for a period of 10 years and repealing the two property taxes currently levied by TARTA under O.R.C. 306.49 in the November 2, 2021 General Election.

Budget Impact: N/A

Statutory Authority/ORC: O.R.C. 306.322

Commissioner Skeldon Wozniak offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. This Board hereby proposes that Lucas County join Toledo Area Regional Transit Authority without a time limit pursuant to O.R.C. Section 306.322.

Section 2. This Board hereby gives approval to TARTA to repeal the two property taxes currently levied and to levy a sales and use tax at a rate of up to 0.5 percent.

Section 3. The Board hereby authorizes the Lucas County Administrator to promptly take all actions necessary to submit copies of this Resolution to the governing bodies of the political subdivisions comprising TARTA pursuant to O.R.C. 306.322(D) so that the governing bodies may take action on this Board's proposal in time for the Board of Trustees of TARTA to adopt a resolution to submit to the electors of TARTA as it would be enlarged by the inclusion of Lucas

June 30, 2021

Resolution to Propose that Lucas County to Become a Member of the Toledo Area Regional Transit Authority

Page 5

County, the question of including Lucas County in TARTA, levying a sales and use tax at a rate up to 0.5 percent under O.R.C. 5739.023 and 5741.022 throughout TARTA's territorial boundaries as so enlarged for a period of ten years, and repealing the two property taxes currently levied by TARTA under O.R.C. 306.49 in the November 2, 2021 General Election.

Section 4. This resolution is hereby declared to be an emergency. The reason for the emergency is that this measure is necessary for the immediate preservation of the public peace, health, safety and welfare and also because it is necessary to immediately inform the TARTA Member Communities of this Board's proposal to join TARTA in time for the Member Communities to take the actions necessary for the Board of Trustees of TARTA to be able to submit the above-described question to the electors of TARTA's territorial boundaries as would be enlarged by the inclusion of Lucas County in the November 2, 2021 General Election

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

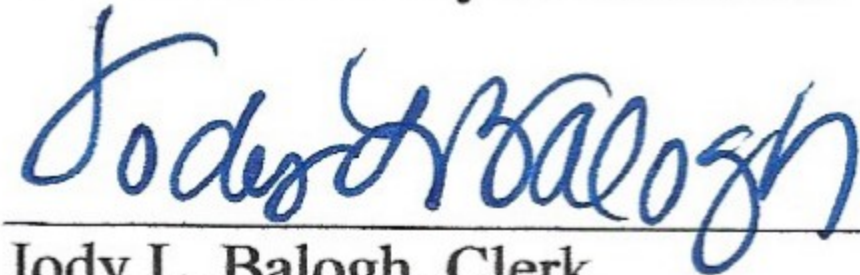
Section 6. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Commissioner Skeldon Wozniak voted yes

Commissioner Gerken voted yes

Commissioner Byers abstained



Jody L. Balogh, Clerk