



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Agenda Public Services Council Committee

Tuesday, March 19, 2024

4:15 PM

Municipal Center, 300 S. Church

NOTE: TIME CHANGE TO 4:15 P.M.

1. CALL TO ORDER

2. ROLL CALL (ELECTRONIC ATTENDANCE) CONFIRMED BY CITY CLERK APRIL LEGGETT

3. APPROVAL OF MINUTES

[MIN-24:007](#) Minutes for the Public Services Committee Meeting on Tuesday, January 16, 2024

Attachments: [Minutes](#)

4. NEW BUSINESS

ORDINANCES TO BE INTRODUCED

[ORD-24:010](#) AN ORDINANCE TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF JONESBORO AND CRAIGHEAD COUNTY, ARKANSAS FOR THE PURPOSE OF CONTINUING THE SHARED EXPENSES OF CRAIGHEAD COUNTY JONESBORO PUBLIC LIBRARY OF ARKANSAS, AND FOR OTHER PURPOSES

Sponsors: Mayor's Office

Attachments: [County Interlocal Library 2024](#)

RESOLUTIONS TO BE INTRODUCED

[RES-24:018](#) A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA), FY 2023 49 U.S.C SECTION 5307 FORMULA GRANT FOR THE JONESBORO ECONOMICAL TRANSPORTATION (JET)

Sponsors: Grants and JETS

[RES-24:019](#) A RESOLUTION TO CONTRACT WITH THE GEARHEAD OUTFITTERS TO PROVIDE A MIRACLE LEAGUE TEAM WITH SPONSORSHIP IN THE AMOUNT OF \$1,000 FOR THE 2024 MIRACLE LEAGUE SPRING SEASON

Sponsors: Parks & Recreation and Finance

Attachments: [Miracle League Sponsorship- Signed](#)

RES-24:021 A RESOLUTION AUTHORIZING THE MAYOR AND CITY ATTORNEY TO CERTIFY FOR THE CITY OF JONESBORO FOR THE 2024 ANNUAL FEDERAL TRANSIT ADMINISTRATION (FTA) CERTIFICATIONS AND ASSURANCES FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JET)

Sponsors: JETS

Attachments: [FY24-certifications](#)

RES-24:022 A RESOLUTION TO CONTRACT WITH FIRST HORIZON BANK FOR SPONSORSHIP OF ONE ARTIFICIAL TURF SOCCER/FOOTBALL FIELD AT JOE MACK CAMPBELL SPORTS COMPLEX

Sponsors: Parks & Recreation and Finance

Attachments: [Joe Mack Soccer Field Sponsorship \(First Horizon\)](#)

RES-24:023 A RESOLUTION TO CONTRACT WITH THE HARMONY HEARING FOR THE PURPOSE OF SPONSORING A MIRACLE LEAGUE TEAM FOR THE 2024 SPRING SEASON TEAM WITH SPONSORSHIP IN THE AMOUNT OF \$1,000

Sponsors: Parks & Recreation and Finance

Attachments: [MiracleLeague Harmony Hearing](#)

5. PENDING ITEMS

6. OTHER BUSINESS

COM-24:003 MONTHLY JETS UPDATE

Sponsors: JETS

COM-24:004 MONTHLY UPDATE FROM PARKS & RECREATION

Sponsors: Parks & Recreation

COM-24:006 CONNECTIVITY ADVISORY COMMITTEE UPDATE FROM ANDY SHATLEY

7. PUBLIC COMMENTS

8. ADJOURNMENT



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: MIN-24:007

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Minutes

Minutes for the Public Services Committee Meeting on Tuesday, January 16, 2024



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes Public Services Council Committee

Tuesday, January 16, 2024

4:30 PM

Municipal Center, 300 S. Church

1. CALL TO ORDER

2. ROLL CALL (ELECTRONIC ATTENDANCE) CONFIRMED BY CITY CLERK APRIL LEGGETT

Present 6 - Chris Gibson; Joe Hafner; Ann Williams; Brian Emison; Anthony Coleman and Janice Porter
Absent 1 - LJ Bryant

ELECTION OF A CHAIR

A motion was made by Ann Williams, seconded by Joe Hafner, that Chris Gibson be nominated as Chair of the Public Services Committee. All voted aye.

3. APPROVAL OF MINUTES

[MIN-23:123](#) Minutes for the Public Services Committee Meeting on Tuesday, December 19, 2023

Attachments: [Minutes](#)

A motion was made by Brian Emison, seconded by Anthony Coleman, that this matter be Passed . The motion PASSED with the following vote.

Aye: 5 - Joe Hafner; Ann Williams; Brian Emison; Anthony Coleman and Janice Porter

Absent: 1 - LJ Bryant

4. NEW BUSINESS

RESOLUTIONS TO BE INTRODUCED

[RES-24:001](#) RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION FOR THE FY2024 REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT

Sponsors: Grants

Attachments: [RAISE Handout1](#)
[RAISE Map Handout](#)

Grants Director Jeremy Biggs approached the podium and said, before you, you have a resolution asking for approval for City of Jonesboro to once again apply for RAISE funding through the U.S. Department of Transportation. This funding will be used to provide sustainable and equitable alternative transportation throughout the city of Jonesboro. We have listened to public input. So far we are in the middle of more public meetings, adjusting the trail corridor through census tracts that are heavy with low to moderate income, areas of persistent poverty, and through historically disadvantaged communities, census tracts identified by the U.S. Department of Transportation and their own mapping tools. It fits well into the RAISE grant of what they would like to fund and projects they would like to fund. We feel that it will be very beneficial to improve infrastructure in most places where infrastructure is lacking throughout the city of Jonesboro that has been identified in the new trail corridor. And, once again, the city of Jonesboro will be partnering, you will see in the resolution, with the city of Paragould to apply for RAISE funding to create hopefully the foundation for a future regional system of alternative active transportation for pedestrians across the region.

The deadline to apply is February 28th. This will be the third year the city of Jonesboro has applied. It will be the second year that it has gone into partnership to apply for that. As you will recall, last year Craighead County, Greene County, and city of Brookland were involved. After visiting with our neighbors in Russellville and Conway and talking to numerous other organizations and cities across the nation, we realized that we needed to readjust the trail corridor and go through those historically disadvantaged areas of the community and provide infrastructure where it is most needed to where it will be most effective to the citizens of Jonesboro.

Chairman Chris Gibson said, was that the reasoning behind us not being awarded last year? Mr. Biggs said, Chris, that is a great question, and I wish I knew all the answers. Last time, our application didn't get past the first phase. So, to get to the second phase of extensive review and budgeting and the financial side, we didn't get to that phase. They did give a great debrief based on there are eight different merit criteria in this grant that you need to hit on from safety to economy to connectivity and partnership and collaboration. And if we would have gotten one more high out of any of those eight categories, we would have moved on. So we were very close last year, and I feel very confident we are going to put a very strong application forward this year.

Councilmember Joe Hafner said, Jeremy, I know I sat in the meeting with the RAISE grant committee last week. I know you all have done a lot of work on this. But even though we may not know the exact reason why we didn't make it past the first round or the second round last year, you feel more confident that this grant application is more in line with what they want, these types of trails to service, right? Mr. Biggs said, yes sir. Yes, that is why we looked at the census tracts. We looked at the persistent poverty census tracts, the historically disadvantaged and rerouted those trails. We actually drove around town and saw where the foot paths are, where people are walking already. And that is where it makes sense. You've got the map all in front of you, so you can see that we have rerouted it up through the northern sections of Patrick to Magnolia to connect Allen Park, or Parker Park and Northside Park, some schools that are connected through there. Also a big portion down Race Street. There is no infrastructure existing down Race Street to connect the end of the greenway trail at Nettleton's campus all the way to the future sports complex down Race Street. And then also out north on Prospect to connect the fully funded University Heights link. That will go to construction hopefully soon, we all hope. But take that all the way out to Prospect to the bypass, the Martin Luther King, the bypass from 555 to Farville curve, and then we will also link up to NEA Baptist Hospital's campus as well. So we are

connecting hospitals. We are connecting schools. We are connecting seven city parks, I believe, and adding that much needed safety infrastructure down Race Street to the future sports complex as well.

Chairman Chris Gibson said, Dr. Coleman, you had a question as well?

Councilmember Dr. Anthony Coleman said, yes sir. Thank you, Chairman. You answered one of them. I had a couple, but you answered one of them already. But the other one was, do we know of any cities in the state that did receive this grant this past year; and if so, are you collaborating with them in discussion, just kind of see what they did and how they did it and whatnot? I know you are kind of new on the job. Mr. Biggs said, yes, great question. So the city of Russellville was awarded a RAISE grant. They were the only ones that were awarded a RAISE grant this last cycle. And myself, two of my coworkers and the chamber of commerce director from Paragould, we all traveled to Russellville and met with them for about three hours a month ago. And we really brainstormed, asked them a long list of questions since they have been awarded a grant, what gives them hesitation, and there was a lot of it. But they talked us through some great strategies they developed; and that is when we came back and said we really need to tighten our focus in a lot on these areas that can be most beneficial and this project would be most impactful for. Then we have also had some conversations with the city of Conway, who was awarded a RAISE grant the previous cycle. So we have reached out to both cities that have been awarded RAISE funds in Arkansas.

Councilmember Dr. Anthony Coleman said, so follow up on that. I do know a little bit about grants in that many of them are on a point system, right? So do we know what ours were, and I heard you say a little bit about a debriefing. So could you elaborate a little bit more on that? Mr. Biggs said, sure. There is no point system that I am aware of. The D.O.T. keeps it pretty close to the vest regarding this funding. And they even bring in new reviewers every grant cycle, so you can't have connection with a previous known grant reviewer for any outside influence or anything like that. So it is pretty close to the vest and pretty straightforward. All we know is we needed one more mark of high. So they score you low, medium, or high on this grant review. And if you get two highs, you get moved on. If you get five, you get highly recommended. I'm sorry. If you get two, you get recommended. If you get five, you get highly recommended to the next round. So we were just short one to moving on to the next round.

Councilmember Dr. Anthony Coleman said, do you feel confident about the city's involvement? Because, I know many of us either wrote letters or signed whatever list or that type of thing. Do you feel pretty confident with the city's response according to this grant and request? Mr. Biggs said, so far, we have held two public meetings at Parker Park last Thursday, and we had about two dozen people stop by and talk to us about it. It was all positive, and some people gave some really good input and made us change ways, think about some routes, especially through Northside Park and up Patrick for safety issues. So we've got another public meeting scheduled for Thursday at Journey Campus where the trail will route right through Disciple Lane and future Disciple Park. And then we've got another meeting scheduled at El Centro Hispano right down the street next week. So we feel the public gave some really good input. We also had a survey that was online and available for up to four weeks that we got 1600 responses from citizens of Jonesboro. That was really good input as well. As far as letters of support, you will all be contacted pretty soon with letters of support. We are working on some kind of template designs to help everybody get started. We have also been working very closely with our congressional delegation, Congressman Crawford's office, both senators, their field reps and their project directors. We are meeting with them in person here in a couple of weeks to kind of let them know exactly

what this project is, how it has changed, and answer any questions they have because we will need that support as well.

Councilmember Ann Williams said, question. We have talked about needing sidewalks, a pedestrian safety on North Patrick between Johnson and Magnolia Road for a long time; but the big hold up, I understood, was because of those big ditches there and what is going to be involved with cost. I know it has gone up quite a bit over the years since we first started talking about it; but it is really needed because there is a lot of pedestrian foot traffic up and down there and a very narrow shoulder, and it is very scary. It is much needed, but I am wondering about the cost. How prohibitive is it going to be as far as providing that? Mr. Biggs said, well, as far as design work, we are about 10% designed. We are not fully designed. Most RAISE applicants are between 10 and 20% designed when they apply. So they know that you are not going to spend a million dollars on design and not be funded, because that cost will be covered in this grant, the design, the right-of-way acquisition, anything to go along with that. So I am not the person to answer those engineering questions for design as far as drainage, but I know those will be addressed in that. But we know that Patrick, north to the city limits down Magnolia and around the park and the schools is a much needed area for infrastructure improvements. But we also trimmed our original mileage down from just over 18 miles to just 10.7 miles to take a conservative approach for funding. So we know that we are not going to be able to fund as many miles as we would like to because costs are going to go up in the future. We have already figured in for an inflation of 3.5%, and you have five years to allocate these funds. So we are asking for 18% contingency. So we feel we are very protective and conservative in our budgeting approach so far for this grant.

Councilmember Joe Hafner said, Jeremy, isn't another thing that you are trying to do to improve our application is get the letter of intents for the matching for the private funds? Mr. Biggs said, yes, that is something we have been working on. So Joe sits on our select committee made up of some citizens of Jonesboro and Paragould for this grant, and we have had discussions. There are some community leaders trying to get some private equity, some private buy-in because in the NOFO from the Department of Transportation that says if you have formal private financial partnerships, you automatically go to the high score in the partnership and collaboration. So we are investigating that and making a lot of really good efforts and progress. We don't have anything secured at this point where we are looking for letters of intent to financially support when funded. So it's not like they have to write a check to the city of Jonesboro now, but we are giving them a timeline that if we are awarded, they will support at this monetary value and we feel that will really increase our chances because it's going to bump us up to a high automatically according to their guidelines.

Councilmember Ann Williams said, there is one particular thing that I have brought up quite a bit that I think is a small thing as far as a small length of sidewalk that is needed, but would be so crucial for overall transportation for someone as far as getting to a light and being able to go further. It's on that stretch of Johnson, the south side of Johnson between Melrose and the Marion Berry traffic signal there. There is no sidewalk, and it is a very steep slope. It is not navigable by anyone in a wheelchair to get to that traffic light, which is a crucial light for crossing Johnson because there is not any other traffic signal until Patrick as far as a major traffic signal. And for that reason, I think we might have an ADA issue unless we start to kind of address that. But I think it is a small length and overall traffic pedestrian plan that is very crucial for the sake of somebody who is walking back and forth across Johnson to campus or to the north part of Johnson. It's a crucial thing to be able to provide completion of that. It is something that I have been pressing for for some time; and I know that ARDOT has

given permission for the city of Jonesboro to go ahead and do that. Chairman Chris Gibson said, I believe Brian has a comment on that if you want to come on up, Brian.

Chief Administrative Officer Brian Richardson approached the podium and said, I have talked to the city engineer Craig Light last week about this, and he was going to check in and see the status of the conditional adjustment with ARDOT and they are working on some drawings for that. Councilmember Ann Williams said, I had understood that they had given permission. Mr. Richardson said, well, we have to submit an actual drawing that shows some engineering behind how we are going to manage that slope. But yes you are right. That is a project that needs to be, it's a short length but it's a very important link. And I think in between that and the recent grant we secured for lighting, and the permission for the HAWK signal, I would like to thank you and other councilmembers for supporting all those efforts because Johnson has been a pedestrian challenge for a long time. And I think with all the new lighting and then in addition to this RAISE grant route, our great grants team was able to secure a Safe Streets for All grant that is also going to put some pedestrian accommodations down Main Street to Parker Park. So, you know, if we are able to lay in this RAISE grant in addition to some of the other grants we have received recently, with a little bit more hard work, Jonesboro will be a completely different city as far as pedestrian infrastructure is concerned three or four years from now. And we are looking forward to that.

Councilmember Ann Williams said, I appreciate that because this has been a bone of contention for me for some time because it is so frustrating when you see how impossible it is for somebody to walk to the traffic light to cross Johnson. And also, when the pedestrians are criticized sometimes for jaywalking, and I am like, what option do they have if they can't get to the light, you know? Mr. Richardson said, we just have to continue foraging forward together to make pedestrian access and safety better. Councilmember Ann Williams said, and I have said this before, I think what really dramatizes it, if everyone would go and look at this slope I am talking about and just to see how impossible it is for somebody in a wheelchair and for anyone on a rainy day because it is a slippery slope. I think once you see it, you realize how frustrating it is, someone observing this to understand why this isn't hurried along. And we really do need to hurry it along. It's a pedestrian issue and it's an ADA issue, I think too. Mr. Richardson said, I will get a further update on that and I will get with you. Councilmember Ann Williams said, and I will keep bringing it up.

Councilmember Dr. Anthony Coleman said, Mr. Chairman, I have a question for Brian. They brought this up, and I just thought about something, because obviously I don't want a three-strikes-and-you're-out deal with this grant. But she brought up a good point with infrastructure and sidewalks and so on and so forth. But my question is, we are talking grants, but what is on paper that shows that the city is actually investing in some of these trails and so on and so forth? Mr. Richardson said, well, two-part. You know, over the last three years, along with the city council's approval, the administration has dramatically increased funding for pedestrian safety, sidewalks, and trail access. We have recently completed some soft trails out at Craighead Forest. We are in the process and have made a lot of progress on a shared use path on Culberhouse. Councilmember Dr. Anthony Coleman said, I know in general. I am speaking this. This plan specifically. Mr. Richardson said, well that plan, naturally you don't spend money on exact footage that you're applying for a grant for. So what that grant connects to, say, on Aggie Road, the extension portion that Mr. Biggs discussed about extending the portion on Aggie Road out to the new potential Disciple Park. The city is funding the connection up to that point. What the RAISE grant does, is it allows us to extend our current either planned or under construction, or already built

pedestrian infrastructure. A lot of this was originally laid out in the One Jonesboro Connectivity Plan, and there are certain areas of that plan that we are having to fund, because they are just quite frankly not attractive from a grants-writing perspective, because that really does target more on historically disadvantaged areas. So there are some areas of the plan that the city is going to have to fund one way or the other or are funding through different grants. So in part of the debriefing, what was discussed is how important it is that the city shows that they not only have the capabilities of putting together managing a large grant, but that we also believe in their project enough to invest in pedestrian infrastructure throughout the city. And I think the increased efforts over the past three years have helped with that; and also the planned investment that has been discussed in this council chambers about allocating additional ARPA funding and future budgeting cycles for continuing to invest in pedestrian infrastructure both for recreational and for functional use for those in need. Those are received well by the committee, so we are going to continue putting forth those proposals to help invest in some of these areas that we just quite frankly lagged behind on for years now. Councilmember Dr. Anthony Coleman said, thank you, and I asked that specifically. I thought it would be good to be put on record that we are doing that. And I think even with the actual submission of that grant should show that. I'm sure it is, but just make a point. Thank you.

Grants Director Jeremy Biggs approached the podium and said, if I could just add one more thing. Brian was right. We will (and you're right, Dr. Coleman) we will list out what investments have been made in the past five years by the city's general fund, what other grants we managed successfully, like the Tiger Grant for the overpass that was built over the railroad track. We will brag on ourselves about how that was a success. But also, you will notice there is no match in this grant. There is no match required. We are a rural community, so Jonesboro doesn't have to match anything. Our partners up north in Paragould are required a zero match. So we will be asking for the full amount and hopefully it will all go towards the construction. There is no required match. We all know how things change in the future, and construction costs go up. So I mean, we've all got that in the back of our minds that some things might change down the road as far as costs go, but we are not required to put in any money into this grant application.

After the vote:

Chairman Chris Gibson said, next item of business is adjournment, but before we do that, I just want to task this group. I want this committee to be more relevant in 2024, and I think tonight was a very good example of that. I don't want us to just get reports on Parks and JETS every month. I think we need to come up with some creative ideas to move the city forward, and I am going to want to depend on you guys to do that. So with that comment, I will entertain a motion to adjourn.

A motion was made by Brian Emison, seconded by Joe Hafner, that this matter be Recommended to Council . The motion PASSED with the following vote.

Aye: 5 - Joe Hafner;Ann Williams;Brian Emison;Anthony Coleman and Janice Porter

Absent: 1 - LJ Bryant

5. PENDING ITEMS

6. OTHER BUSINESS

[COM-24:002](#)

PRESENTATION AND PUBLIC INPUT REGARDING THE FY2024 RAISE GRANT PROJECT

Sponsors: Grants

Attachments: [RAISE Handout1](#)
[RAISE Map Handout](#)

Filed

7. PUBLIC COMMENTS

8. ADJOURNMENT

A motion was made by Brian Emison, seconded by Joe Hafner, that this meeting be Adjourned. The motion PASSED with the following vote.

Aye: 5 - Joe Hafner;Ann Williams;Brian Emison;Anthony Coleman and Janice Porter

Absent: 1 - LJ Bryant



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: ORD-24:010

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Ordinance

AN ORDINANCE TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF JONESBORO AND CRAIGHEAD COUNTY, ARKANSAS FOR THE PURPOSE OF CONTINUING THE SHARED EXPENSES OF CRAIGHEAD COUNTY JONESBORO PUBLIC LIBRARY OF ARKANSAS, AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Jonesboro, Arkansas understands the importance of a public library for the citizens of Jonesboro;

WHEREAS, the existing interlocal agreement to fund the library was executed several decades ago and needs to be renewed;

WHEREAS, the Craighead County Jonesboro Library is funded by a millage approved by the voters of Jonesboro; and

WHEREAS, the Quorum Court has approved the agreement and asked the City of Jonesboro to do the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

SECTION 1: That the City Council authorizes the Interlocal Agreement, attached hereto as if set out word for word herein, for the purpose of continuing the existing agreement to share expenses of the Craighead County Jonesboro Public Library.

SECTION 2: The Mayor Harold Copenhaver and City Clerk April Leggett are hereby authorized to execute all documents necessary to implement this agreement.

FEB 27 2024

COUNTY & PROBATE COURT CLERK

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CRAIGHEAD, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED:

ORDINANCE NO. 2024 - 2

AN ORDINANCE ADOPTING AN INTERLOCAL AGREEMENT BETWEEN CRAIGHEAD COUNTY, ARKANSAS, CITY OF JONESBORO BY AND THROUGH THEIR DULY AUTHORIZED AND ELECTED MAYOR AND COUNTY JUDGE, AND ENTER INTO THE FOLLOWING INTERLOCAL COOPERATION AGREEMENT FOR THE PURPOSE OF CONTINUING THE SHARED EXPENSES OF CRAIGHEAD COUNTY JONESBORO PUBLIC LIBRARY OF ARKANSAS, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the Quorum Court concurs in the importance for the County Judge to enter into an Interlocal Agreement, providing the continued cost sharing of Craighead County Jonesboro Public Library, and

WHEREAS, the Quorum Court concurs in the ability of Craighead County and surrounding entities to develop agreements relating to shared expenses that benefit all citizens, and

WHEREAS, the Quorum Court desires for a solidification of consistent terms in relation to review of all interlocal agreements and shared finances for Craighead County Jonesboro Public Library and it's entities and believes a long-term agreement with the entities serves a vital interest to the Citizens, and

WHEREAS, in accordance with Arkansas Code Annotated Section 14-14-910, legal counsel has reviewed the agreement and the Governing Body of Craighead County authorizes the County Judge to enter and be bound by the terms of the attached Agreement.

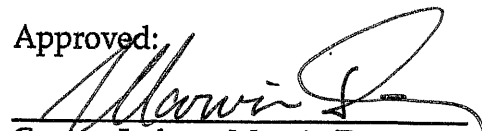
NOW THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF CRAIGHEAD COUNTY, STATE OF ARKANSAS;


SECTION 1. The Quorum Court authorizes the Interlocal Cooperation Agreement, as though set forth word for word herein, for the purpose of continuing the existing agreement for the participating entities.

EMERGENCY CLAUSE. In order to ensure the effective planning, implementation of existing expenses of the Craighead County Jonesboro Public Library and utilization for varying expenses, an immediate need for this Ordinance is created. Therefore, an emergency is declared to exist and this Ordinance being necessary for the immediate preservation of the public peace, health and safety shall be in full force and in effect from after passage and approval.

8
576-577

Dated: 2/26/24

Approved: 
County Judge – Marvin Day

Attest: 
County Clerk

Costs of Publication



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: RES-24:018

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Resolution

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF JONESBORO, ARKANSAS TO AUTHORIZE THE GRANTS AND COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA), FY 2023 49 U.S.C SECTION 5307 FORMULA GRANT FOR THE JONESBORO ECONOMICAL TRANSPORTATION (JET)

WHEREAS, the Arkansas Department of Transportation (ARDOT) is the FTA designated recipient of the 49 U.S.C Section 5307 formula grant, and the City of Jonesboro AR a direct recipient of this grant through ARDOT; and,

WHEREAS, the City of Jonesboro AR was allocated \$1,233,001 in Section 5307 formula funding for JET in Fiscal Year 2023; and,

WHEREAS, Section 5307 funds are available during its allocated fiscal year plus five additional years and must be applied for and obligated or the funds will be returned; and,

WHEREAS, JET requests \$616,500 in Section 5307 formula funding with a 20% local match for capital projects; and,

WHEREAS, JET requests \$616,501 in Section 5307 formula funding with a 50% local match for operating assistance.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The Jonesboro City Council supports an application submission to FTA for the FY 2023 Section 5307 formula grant.

SECTION 2: The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro, Arkansas to execute all necessary documents to effectuate the grant application.

SECTION 3: The Grants and Community Development Department is hereby authorized by the City Council for the City of Jonesboro, Arkansas to submit all necessary documents for this federal-aid program.

SECTION 4: The Mayor and City Clerk are hereby authorized and directed to execute all appropriate agreements and contracts regarding any future award of the FY2023 Section 5307 formula grant.



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: RES-24:019

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Resolution

A RESOLUTION TO CONTRACT WITH THE GEARHEAD OUTFITTERS TO PROVIDE A MIRACLE LEAGUE TEAM WITH SPONSORSHIP IN THE AMOUNT OF \$1,000 FOR THE 2024 MIRACLE LEAGUE SPRING SEASON

WHEREAS, the City of Jonesboro owns and maintains THE MIRACLE LEAGUE OF JONESBORO;

WHEREAS, the Gearhead Outfitters is a Jonesboro locally owned business:

WHEREAS, the City of Jonesboro and the Gearhead Outfitters desire to enter into this agreement for the purpose of sponsoring a Miracle League team for the 2024 Spring season;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The City of Jonesboro, Arkansas shall contract with Gearhead Outfitters to provide a Miracle League Team with sponsorship in the amount of \$1,000 for the 2024 Miracle League Spring season.

Section 2: The Mayor, Harold Copenhaver and City Clerk, April Leggett are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate the agreement.

EXHIBIT A

SPONSORSHIP AGREEMENT FOR MIRACLE LEAGUE TEAM SPONSORSHIP

This Agreement is made by and between **Gearhead Outfitters** (hereinafter referred to as “SPONSOR”) and **Miracle League of Jonesboro Organization** (hereinafter referred to as “MIRACLE LEAGUE”), on this **1st** Day of (the “Effective Date”).

WHEREAS, MIRACLE LEAGUE is an organization dedicated to providing inclusive baseball experiences for individuals with disabilities; and

WHEREAS, SPONSOR and MIRACLE LEAGUE desire to enter this agreement for the purpose of sponsoring a Miracle League team for the 2024 season and outlining the respective obligations of the parties regarding the sponsorship;

NOW, THEREFORE, in consideration of the promises and the reciprocated covenants and obligations contained herein, the parties agree as follows:

I. Term

1. The term of this Agreement is for the duration of the 2024 Miracle League baseball season, commencing on the Effective Date and ending upon the conclusion of the season.

II. Sponsorship of Miracle League Team

1. In consideration of the covenants and conditions set forth herein, SPONSOR agrees to provide Miracle League with sponsorship in the amount of \$1,000 for the 2024 Miracle League season.

III. Rights and Obligations

1. SPONSOR shall provide MIRACLE LEAGUE with its name in the format required for printing on the jerseys within a reasonable time frame before the commencement of the Miracle League season.

2. MIRACLE LEAGUE shall ensure that SPONSOR's name and logo are prominently displayed on the jerseys worn by each participant on the sponsored team throughout the duration of the Miracle League season.

3. MIRACLE LEAGUE shall provide SPONSOR with a proof of the jerseys displaying the SPONSOR'S name and logo for approval prior to production.

IV. Miscellaneous Provisions

1. No modifications of this Agreement shall be effective unless it is made in writing and is signed by the authorized representatives of the parties hereto.

2. This Agreement shall be construed under and in accordance with the laws of the State of Arkansas, and venue for any litigation concerning this Agreement shall be in Craighead County, Jonesboro, AR.

3. Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body and that this Agreement is binding and enforceable as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below.

GEARHEAD OUTFITTERS

By: Katie Spencer
Name: Katie Spencer
Title: marketing
Date: March 6, 2024

MIRACLE LEAGUE OF JONESBORO

By: _____
Name: _____
Title: _____
Date: _____

ATTEST

City of Jonesboro



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: RES-24:021

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Resolution

A RESOLUTION AUTHORIZING THE MAYOR AND CITY ATTORNEY TO CERTIFY FOR THE CITY OF JONESBORO FOR THE 2024 ANNUAL FEDERAL TRANSIT ADMINISTRATION (FTA) CERTIFICATIONS AND ASSURANCES FOR THE JONESBORO ECONOMICAL TRANSPORTATION SYSTEM (JET)

WHEREAS, the City of Jonesboro receives annual funding from the Federal Transit Administration (FTA) to assist in the operations and capital improvements of the Jonesboro Economical Transportation System (JET) public transit service, and

WHEREAS, as a requirement for receiving this funding, the City of Jonesboro must sign annually the FTA Certifications and Assurances, attesting to the fact that the City of Jonesboro complies with all of the regulations set forth in 49 U.S.C. 53 for the operation of JET; and

WHEREAS, the Certifications & Assurances are submitted electronically by JET personnel via the FTA TrAMS interface.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: The Mayor and City Attorney shall be the authorized signatory for the City of Jonesboro in attesting to the compliance of each section of the FTA Certifications and Assurances for this calendar year.

SECTION 2: Electronic submission to FTA is hereby authorized.

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

- animals held for research, teaching, or other activities supported by this award of assistance.
- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
 - (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
 - (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
 - (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work confirms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and

contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act’s Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),
 - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 09 (Formula Grants for Rural Areas),
 - (5) Category 15 (Alcohol and Controlled Substances Testing), and
 - (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

FEDERAL FISCAL YEAR 2024 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: _____

The Applicant certifies to the applicable provisions of all categories: (*check here*) _____.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs
- 13 State of Good Repair Grants
- 14 Infrastructure Finance Programs
- 15 Alcohol and Controlled Substances Testing
- 16 Rail Safety Training and Oversight
- 17 Demand Responsive Service
- 18 Interest and Financing Costs
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations
- 20 Tribal Transit Programs
- 21 Emergency Relief Program

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant’s behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name _____ Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name _____ Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant’s Attorney pertaining to the Applicant’s legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney’s signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: RES-24:022

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Resolution

A RESOLUTION TO CONTRACT WITH FIRST HORIZON BANK FOR SPONSORSHIP OF ONE ARTIFICIAL TURF SOCCER/FOOTBALL FIELD AT JOE MACK CAMPBELL SPORTS COMPLEX

WHEREAS, the City of Jonesboro owns and maintains Joe Mack Campbell Sports Complex located at 3021 Dan Avenue;

WHEREAS, First Horizon Bank is seeking sponsorship recognition on one Artificial Turf Soccer/Football Field at the Joe Mack Campbell Sports Complex; and

WHEREAS, First Horizon sponsoring the soccer/football field for the sum of \$30,000 for a period of 5 years;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS

SECTION 1: That the City of Jonesboro, Arkansas shall contract with First Horizon Bank for the sponsorship of the fields and concession stands at Joe Mack Campbell Sports Complex. A copy of said contract is attached as Exhibit A.

SECTION 2: The Mayor, Harold Copenhaver and City Clerk, April Leggett are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate the agreement.

EXHIBIT A

SPONSORSHIP AGREEMENT

FOR TURF FIELD LOCATED AT JOE MACK CAMPBELL PARK

This Agreement is made by and between **First Horizon Bank** (SPONSOR) and the CITY OF JONESBORO PARKS AND RECREATION DEPARTMENT (“CITY”), on this 1st Day of **Turf Field Completion** (the “Effective Date”).

WHEREAS, the CITY is the owner of that certain public park amenities known as the “Joe Mack Campbell Park”, and hereafter referred to as the “Facilities”; and

WHEREAS, SPONSOR and the CITY desire to enter this agreement for the purpose of evidencing the agreement of the parties with regard to sponsorship of the Facilities by SPONSOR and the respective obligations of the parties regarding the sponsorship and maintenance of the Facilities;

NOW, THEREFORE in consideration of the promises and the reciprocated covenants and obligations contained herein, the parties agree as follows:

I. Term

1. The term of this Agreement is for a period of five (5) years commencing on the Effective Date and ending at midnight on (Pending Turf Field Completion Date)

II. Sponsorship of Facility

1. It is agreed between the parties hereto, in return for the covenants and conditions set forth herein that the SPONSOR’S name shall be put on a sign to be erected on a designated athletic field (Turf Field) at the FACILITY. The designated field, once SPONSOR enters into the Agreement, shall be known thereafter by the name to be designated by the SPONSOR and said sign and name shall remain for a period of **five years**. And SPONSOR’S name shall be put on a sign to be erected on a sign attached to one turf field.
2. It is agreed between the parties that the SPONSOR shall pay over a period of 5 years for the erected sign and sponsorship of the total sum of \$30,000

A sum of \$6,000 shall be paid on Pending.

A sum of \$6,000 shall be paid on Pending.

A sum of \$6,000 shall be paid on Pending.

A sum of \$6,000 shall be paid on Pending.
A sum of \$6,000 shall be paid on Pending.

3. It is agreed between the CITY and the SPONSOR that the SPONSOR shall have an option to renew this agreement for an additional five years.
4. It is agreed between the CITY and the SPONSOR that this sponsorship is non-assignable without prior written approval of the CITY. It is also agreed that the CITY reserves the right to remove SPONSOR's sign and obtain a new sponsor for designated field in the event of failure of payment on the part of the SPONSOR.
5. It is agreed between the parties that the CITY will furnish a double-sided 2.5' x 5' sign to be erected for SPONSOR'S designated field. However it shall be the responsibility of SPONSOR to bear any expense made to said sign should changes be requested during the term of this agreement.
6. It is agreed by CITY and the SPONSOR that the SPONSOR shall not be responsible for the maintenance or upkeep on sponsored field and SPONSOR shall not be responsible with regards to any liability actions, which may be brought against the CITY resulting from accidents which might occur on sponsored field.

III. Assign Ability and Exclusivity

This Agreement is a privilege for the benefit of SPONSOR only and may not be assigned in whole or in part by SPONSOR to any other person or entity.

IV. Miscellaneous Provisions

1. No modifications of this Agreement shall be effective unless it is made in writing and is signed by the authorized representatives of the parties hereto.
2. This Agreement shall be construed under and in accordance with the laws of the State of Arkansas and venue for any litigation concerning this Agreement shall be in Craighead County, Jonesboro, AR.

3. Nothing in this Agreement shall be construed to make the CITY or its respective agents or representatives liable in situations it is otherwise immune from liability.

4. In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

5. Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body and that this Agreement is binding and enforceable as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below.

FIRST HORIZON BANK

By: Melissa McDaniel
Name: Melissa McDaniel
Title: SVP
Date: 3-7-24

CITY OF JONESBORO

By: _____
Name: Harold Copenhaver
Title: Mayor
Date: _____

ATTEST

City Clerk's Office



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: RES-24:023

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Resolution

A RESOLUTION TO CONTRACT WITH THE HARMONY HEARING FOR THE PURPOSE OF SPONSORING A MIRACLE LEAGUE TEAM FOR THE 2024 SPRING SEASON TEAM WITH SPONSORSHIP IN THE AMOUNT OF \$1,000

WHEREAS, the City of Jonesboro owns and maintains THE MIRACLE LEAGUE OF JONESBORO;

WHEREAS, the Harmony Hearing is a local Jonesboro business:

WHEREAS, the City of Jonesboro and the Harmony Hearing desire to enter into this agreement for the purpose of sponsoring a Miracle League team for the 2024 Spring season;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The City of Jonesboro, Arkansas shall contract with Harmony Hearing to provide a Miracle League Team with sponsorship in the amount of \$1,000 for the 2024 Miracle League Spring season.

Section 2: The Mayor, Harold Copenhaver and City Clerk, April Leggett are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate the agreement.

EXHIBIT A

SPONSORSHIP AGREEMENT FOR MIRACLE LEAGUE TEAM SPONSORSHIP

This Agreement is made by and between **Harmony Hearing Center** (hereinafter referred to as “SPONSOR”) and **Miracle League of Jonesboro Organization** (hereinafter referred to as “MIRACLE LEAGUE”), on this 7th Day of March, 2024 (the “Effective Date”).

WHEREAS, MIRACLE LEAGUE is an organization dedicated to providing inclusive baseball experiences for individuals with disabilities; and

WHEREAS, SPONSOR and MIRACLE LEAGUE desire to enter this agreement for the purpose of sponsoring a Miracle League team for the 2024 spring season and outlining the respective obligations of the parties regarding the sponsorship;

NOW, THEREFORE, in consideration of the promises and the reciprocated covenants and obligations contained herein, the parties agree as follows:

I. Term

1. The term of this Agreement is for the duration of the 2024 Miracle League spring baseball season, commencing on the Effective Date and ending upon the conclusion of the season.

II. Sponsorship of Miracle League Team

1. In consideration of the covenants and conditions set forth herein, SPONSOR agrees to provide Miracle League with sponsorship in the amount of \$1,000 for the 2024 Miracle League season.

III. Rights and Obligations

1. SPONSOR shall provide MIRACLE LEAGUE with its name in the format required for printing on the jerseys within a reasonable time frame before the commencement of the Miracle League season.

2. MIRACLE LEAGUE shall ensure that SPONSOR's name and logo are prominently displayed on the jerseys worn by each participant on the sponsored team throughout the duration of the Miracle League season.

3. MIRACLE LEAGUE shall provide SPONSOR with a proof of the jerseys displaying the SPONSOR'S name and logo for approval prior to production.

IV. Miscellaneous Provisions

1. No modifications of this Agreement shall be effective unless it is made in writing and is signed by the authorized representatives of the parties hereto.

2. This Agreement shall be construed under and in accordance with the laws of the State of Arkansas, and venue for any litigation concerning this Agreement shall be in Craighead County, Jonesboro, AR.

3. Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body and that this Agreement is binding and enforceable as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below.

HARMONY HEARING CENTER

By: 

Name: Allen Craig, Au.D.

Title: Owner

Date: 3/7/2024

MIRACLE LEAGUE OF JONESBORO

By: _____

Name: _____

Title: _____

Date: _____

ATTEST

City of Jonesboro



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: COM-24:003

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Other
Communications

MONTHLY JETS UPDATE



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: COM-24:004

Agenda Date:

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Other
Communications

MONTHLY UPDATE FROM PARKS & RECREATION



City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Text File

File Number: COM-24:006

Agenda Date: 3/19/2024

Version: 1

Status: To Be Introduced

In Control: Public Services Council Committee

File Type: Other
Communications

CONNECTIVITY ADVISORY COMMITTEE UPDATE FROM ANDY SHATLEY