

STAFF REPORT

SUBJECT: Resolution Authorizing the Filing of Applications for Federal Funds for Fiscal Year 2017, 2018, 2019 and 2020 to the Metropolitan Transportation Commission

FROM: Tamara Edwards, Finance and Grants Manager

DATE: January 9, 2017

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**Action Requested**

It is requested that the LAVTA Board of Directors approve “a resolution authorizing the filing of an application for FTA Formula Program and Surface transportation programs funding by the Livermore Amador Valley Transit Authority (LAVTA) for Capital and Operating funds for fiscal years 2017, 2018, 2019 and 2020 and committing the necessary local match for the projects and stating the assurance of LAVTA to complete the project.”

**Background**

The MTC and Federal Transit Administration require submission of capital programs spanning a 10 year horizon. LAVTA develops our Short Range Transportation Plan (SRTP) and updates it every four years. It is from this information that MTC develops the region-wide capital program. A requirement of the funding application is the adoption of a resolution by the agency governing body supporting the capital and operating program on an annual basis.

**Discussion**

An analysis of our capital and operating plan and the SRTP identified LAVTA’s capital and operating needs in FY 2017, 2018, 2019 and 2020 which would require federal funds. These funds will be used for ADA Operating.

ADA operating funds are being requested by LAVTA based on the 10% formula, which provides LAVTA with 10% of the federal 5307 funds for their service area in the form of ADA operating revenues.

**Budget Considerations:**

The operations subsidy funds shown below are revenue positive to the agency as they underwrite existing services.

**Funding Source: FTA**

**Budgeted: Yes**

**Amount: Tables Shown Below**

| <b>FY</b> | <b>Project Name</b> | <b>Federal Amount</b> | <b>Local Match</b> | <b>Project Total</b> |
|-----------|---------------------|-----------------------|--------------------|----------------------|
| 2017      | ADA Operating       | \$342,169             | \$342,169          | \$684,338            |
| 2018      | ADA Operating       | \$349,165             | \$349,165          | \$698,330            |
| 2019      | ADA Operating       | \$356,371             | \$356,371          | \$712,742            |
| 2020      | ADA Operating       | \$363,730             | \$363,730          | \$727,460            |
|           | Totals              | \$1,411,435           | \$1,411,435        | \$2,822,870          |

**Recommendation**

Staff recommends the Board approve “a resolution authorizing the filing of an application for FTA Formula Program and Surface transportation programs funding by the Livermore Amador Valley Transit Authority (LAVTA) for Capital and Operating funds for fiscal years 2017, 2018, 2019 and 2020 and committing the necessary local match for the projects and stating the assurance of LAVTA to complete the project.”

Attachments:

1. A resolution authorizing the filing of an application for FTA Formula Program and Surface transportation programs funding by the Livermore Amador Valley Transit Authority (LAVTA) for Capital and Operating funds for fiscal years 2017, 2018, 2019 and 2020 and committing the necessary local match for the projects and stating the assurance of LAVTA to complete the project. Resolution 05-2017.

Approved: \_\_\_\_\_

**RESOLUTION NO. 05-2017**

**A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FTA FORMULA PROGRAM AND SURFACE TRANSPORTATION PROGRAMS FUNDING BY THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY (LAVTA) FOR CAPITAL AND OPERATING FUNDS FOR FISCAL YEARS 2017, 2018, 2019 AND 2020 AND COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECT(S) AND STATING THE ASSURANCE OF LAVTA TO COMPLETE THE PROJECT**

*WHEREAS*, Fixing America's Surface Transportation (FAST, Public Law 114-94) continues and establishes new Federal Transit Administration formula programs (23 U.S.C. §53) and continues the Surface Transportation Program (23 U.S.C. § 133); and

*WHEREAS*, pursuant to FAST, and the regulations promulgated there under, eligible project sponsors wishing to receive Federal Transit Administration (FTA) Section 5307 Urbanized Area, Section 5337 State of Good Repair, or Section 5339 Bus and Bus Facilities (collectively, FTA Formula Program) grants or Surface Transportation Program (STP) grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

*WHEREAS*, the Metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

*WHEREAS*, LAVTA is an eligible project sponsor for FTA Formula Program or STP funds; and

*WHEREAS*, LAVTA wishes to submit a grant application to MTC for funds from the FY2016-17 through FY2019-20 FTA Formula Program or STP funds, for the following projects:

| <b>FY</b> | <b>Project Name</b> | <b>Federal Amount</b> | <b>Local Match</b> | <b>Project Total</b> |
|-----------|---------------------|-----------------------|--------------------|----------------------|
| 2017      | ADA Operating       | \$342,169             | \$342,169          | \$684,338            |
| 2018      | ADA Operating       | \$349,165             | \$349,165          | \$698,330            |
| 2019      | ADA Operating       | \$356,371             | \$356,371          | \$712,742            |
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|           | Totals              | \$1,411,435           | \$1,411,435        | \$2,822,870          |

**WHEREAS**, MTC requires, as part of the application, a resolution stating the following: 1) the commitment of necessary local matching funds of at least 20% for FTA Formula Program funds, and 11.47% for STP funds; and 2) that the sponsor understands that the FTA Formula Program and STP funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded from FTA Formula Program or STP funds; and Attachment A Resolution No. 4242 Page 42 of 45 3) the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and 4) that the sponsor understands that FTA Formula Program funds must be obligated within three years of programming and STP funds must be obligated by January 31 of the year that the project is programmed for in the TIP, or the project may be removed from the program.

**NOW, THEREFORE, BE IT RESOLVED** by The Board of Directors of the Livermore Amador Valley Transit Authority that LAVTA is authorized to execute and file an application for funding under the FTA Formula Program and/or Surface Transportation Program in the amount of \$1,411,435 for ADA Operating; and

**BE IT FURTHER RESOLVED** that The Board of Directors of the Livermore Amador Valley Transit Authority by adopting this resolution does hereby state that:

- 1) LAVTA will provide \$1,411,435 in local matching funds; and
- 2) LAVTA understands that the FTA Formula Program and STP funding for the project is fixed at \$1,411,435 , and that any cost increases must be funded by the LAVTA from local matching funds, and that LAVTA does not expect any cost increases to be funded with FTA Formula Program and Surface Transportation Program funds; and
- 3) LAVTA Federal Funds Capital and Operating Program will be built as described in this resolution and, if approved for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
- 4) The program funds are expected to be obligated by January 31 of the year the project is programmed for in the TIP; and
- 5) LAVTA will comply with FTA requirements and all other applicable Federal, State and Local laws and regulations with respect to the proposed project; and

**BE IT FURTHER RESOLVED**, that LAVTA is an eligible sponsor of projects in the program for FTA Formula Program and STP funds; and

**BE IT FURTHER RESOLVED**, that LAVTA is authorized to submit an application for FTA Formula Program and STP funds for ADA Operating; and

**BE IT FURTHER RESOLVED**, that there is no legal impediment to LAVTA making applications for FTA Formula Program and STP funds; and

**BE IT FURTHER RESOLVED**, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of LAVTA to deliver such project; and Attachment A Resolution No. 4242 Page 43 of 45

**BE IT FURTHER RESOLVED**, that LAVTA agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866; and

**BE IT FURTHER RESOLVED** that a copy of this resolution will be transmitted to the MTC prior to MTC programming the FTA Formula Program or Surface Transportation Program funded projects in the Transportation Improvement Program (TIP); and

**BE IT FURTHER RESOLVED** that the MTC is requested to support the application for the project described in the resolution and to program the project, if approved, in MTC's TIP.

Adopted on this 9th day of January 2017 by the LAVTA Board of Directors.

APPROVED:

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Steven Spedowski, Chair

ATTEST:

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Michael Tree, Executive Director