

STAFF REPORT

SUBJECT: Resolutions Authorizing the Filing of Applications for Federal Funds for Fiscal Year 2021 with the Metropolitan Transportation Commission

FROM: Tamara Edwards, Director of Finance

DATE: February 23, 2021

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**Action Requested**

It is requested that the Finance and Administration Committee recommend that the LAVTA Board of Directors approve Resolution 08-2021.

**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 identified LAVTA's capital and operating needs in FY 2021 which would require federal funds. Fiscal year 2021 funds will be used for bus replacements, farebox replacements, AVL replacements, and radio replacements.

ADA operating funds are also 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 (ADA Operating Subsidy) 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>
21	ADA Operating Subsidy	422,316	105,579	527,895
21	Replace 2007 30' Gillig Hybrids with 40' Hybrids	1,355,200	338,800	1,694,000
21	Replace 2009 30' Gillig Hybrids with 40' hybrids	1,355,200	338,800	1,694,000
21	Replace 2009 40' Gillig Hybrids with 40' hybrids	8,131,200	2,032,800	10,164,000
21	Fareboxes for the above vehicles	265,613	66,403	332,016
21	AVL for the above vehicles	417,792	104,448	522,240
21	Radios for the above vehicles	50,432	12,608	63,040

**Recommendation**

Staff recommends that the Finance and Administration Committee forward Resolution 08-2021 to the Board for approval.

Attachments:

1. Resolution 08-2021.

**RESOLUTION NO. 08-2021**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY AUTHORIZING THE FILING OF AN APPLICATION FOR FTA FORMULA PROGRAM AND SURFACE TRANSPORTATION PROGRAMS FUNDING FOR REPLACEMENT VEHICLES, ADA OPERATING ASSISTANCE, RADIOS, FAREBOXES AND AUTOMATIC VEHICLE LOCATORS (AVL) BY THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY FOR CAPITAL AND OPERATING FUNDS FOR FISCAL YEAR 2021 AND COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECTS AND STATING THE ASSURANCE OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY TO COMPLETE THE PROJECTS**

**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**, the Livermore Amador Valley Transit Authority is an eligible project sponsor for FTA Formula Program or STP funds; and

**WHEREAS**, the Livermore Amador Valley Transit Authority wishes to submit a grant application to MTC for funds from the 2020-2021 FTA Formula Program or STP funds, for the following projects:

Project Description	Funding Section	Amount
ADA Paratransit Operating Subsidy	5307	\$422,316
Replacement Vehicles	5307	\$7,447,262
Fareboxes	5307	\$265,613
AVL	5307	\$417,792
Radios	5307	\$50,432
Replacement Vehicles	5339	\$3,393,738

**WHEREAS**, MTC requires, as part of the application, a resolution stating the following;

- 1) the commitment of necessary local matching funds (18-50% for FTA Formula Program funds, depending on project type, 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 the FTA Formula Program or STP funds; and
- 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 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 \$11,997,153 for ADA Operating Subsidy, Replacement Vehicles, Radios, Fareboxes, and Automatic Vehicle Locators; and

**BE IT FUTHER 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 \$2,999,438 in local matching funds; and
- 2) LAVTA understands that the FTA Formula Program and STP funding for the project is fixed at \$11,997,753 and that any cost increases must be funded by 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) The ADA Operating Subsidy, Bus Replacements, Radios, Fareboxes, and AVL's 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 FUTHER RESOLVED**, that the Livermore Amador Valley Transit Authority is an eligible sponsor of projects in the program for FTA Formula Program and STP funds; and

**BE IT FUTHER RESOLVED**, that the Livermore Amador Valley Transit Authority is authorized to submit an application for FTA Formula Program and STP

funds for ADA Operating Subsidy, Replacement Vehicles, Radios, Fareboxes, and AVL;  
and

**BE IT FUTHER RESOLVED**, that there is no legal impediment to the Livermore Amador Valley Transit Authority making application for FTA Formula Program and STP Funds; and

**BE IT FUTHER 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

**BE IT FUTHER 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 FUTHER 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 Plan (TIP); and

**BE IT FUTHER 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; and

**PASSED AND ADOPTED** by the governing body of the Livermore Amador Valley Transit Authority (LAVTA) this 1st day of March 2021.

BY \_\_\_\_\_  
Bob Woerner, Chair

ATTEST \_\_\_\_\_  
Michael Tree, Executive Director