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City of Las Cruces[®]
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Council Action and Executive Summary

Item # 12 Resolution # 10-300 Council District: All

For Meeting of June 7, 2010
 (Adoption Date)

TITLE: A RESOLUTION ALLOWING TRANSIT SECTION STAFF TO APPLY TO THE FEDERAL TRANSIT ADMINISTRATION FOR APPROPRIATED FEDERAL FISCAL YEAR 2008 AND 2009, SECTION 5309 CAPITAL FUNDS IN THE AMOUNT OF \$650,000 REQUIRING A CITY MATCH OF \$162,500 FOR THE PURPOSE OF ENHANCING THE GRANT FUNDING APPLIED TO THE TRANSIT INTERMODAL CENTER IN FY 2012.

PURPOSE(S) OF ACTION: This Resolution would permit Transit Staff to apply to the Federal Transit Administration (FTA) for \$650,000 in Federal Section 5309 (Capital) funding. This is the sum of the unobligated amounts of two Federal apportionments awarded under the SAFETEA-LU transportation bill designated for buses and bus facilities. One is a Federal FY 2008 appropriation of \$300,000 (NM-E2008-BUSP-0404) and the second is a FY 2009 appropriation of \$350,000 (NM-E2009-BUSP-0591). Both of these appropriations would be applied for in a single grant request that would enhance the existing grant funding for the transit intermodal center. The FY 2008 funds must be obligated into a specific grant project by FTA no later than September 30, 2010 at which time this appropriation would lapse.

Name of Drafter: Michael Bartholomew <i>Michael Bartholomew</i>		Department: Public Services / Transit		Phone: 541-2500	
Department	Signature	Phone	Department	Signature	Phone
Originating Department	<i>[Signature]</i>	528-3477	Budget	<i>[Signature]</i>	2300
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Transit Section is requesting to apply for Federal Transit Administration (FTA) funding from two Section 5309 (Capital) appropriations awarded to Las Cruces under the SAFETEA-LU transportation bill. The requested funding would be applied to the existing grant-funded intermodal center project to enhance the level of federal funding for this project. The two sources of funding include a FY2008 appropriation of \$300,000 (NM-E2008-BUSP-0404) and a FY 2009 appropriation of \$350,000 (NM-E2009-BUSP-0591) for a total of \$650,000 in federal funding. The FY 2008 appropriation will lapse at the end of September 2010 if it is not obligated into a grant soon.

(Continue on additional sheets as required)

At FTA's recommendation, both of these appropriations will be applied to a single grant request. The City match for the federal share of \$650,000 would be \$162,500 and would add a total of \$812,500 to the intermodal center project. It is anticipated that the expenditure of these funds, if approved, would occur in FY 2012. The Project is in the MPO Transportation Improvement Plan (TIP), but will have to be amended in June to reflect this additional funding and to move up the funding from 2013 to 2012; this is not anticipated to affect the application process for this funding.

The existing grant funding for the intermodal center, which came from a 2002 earmark appropriation, is \$1,868,050 requiring a local match of \$467,105 for a total project of \$2,335,065. The existing grant-funded project is already budgeted in the Intermodal Center Fund (5921). To date, the only expenditure on this grant was for the purchase of the land for the intermodal center; the purchase price was \$397,401, of which \$317,921 (80%) was drawn from federal funds.

At a future date, staff will bring forward an additional request to obligate \$394,000 in Federal Section 5307 formula funds that has been reserved for further enhancement of the intermodal project budget in FY 2012. This funding is not in imminent danger of lapsing and would require a separate FTA grant request because it is funding from a different section of the transportation bill. When this is requested, it will require a local match of \$98,500 and add a total of \$492,500 to the project.

SUPPORT INFORMATION:

Existing Grant Project budgeted by the City		
Fund Name	Revenue	Expenditures
Federal Share	\$1,868,050 (80%)	\$1,868,050
City Share	\$ 467,015 (20%)	\$ 467,015
Original budget in 5921	\$2,335,065	\$2,335,065
<i>Less purchase of land</i>	<i>(\$397,401)</i>	<i>(\$397,401)</i>
<i>Less A&E Services (est.)</i>	<i>(\$412,544)</i>	<i>(\$412,544)</i>
<i>Est. remaining funds 5921</i>	<i>\$1,525,120</i>	<i>\$1,525,120</i>
Proposed Additional project funding from new FTA Section 5309 Grant (this request)		
Federal Share	\$650,000 (80%)	\$650,000 (80%)
City Share	\$162,500 (20%)	\$162,500 (20%)
Additional budget for project	\$812,500	\$812,500
Proposed Additional project funding from new FTA Section 5307 Grant (future request)		
Federal Share	\$394,000	\$394,000
City Share	\$ 98,500	\$ 98,500
Additional budget for project	\$492,500	\$492,500
Total Identified Funding for Intermodal Center		
Total Identified Funding	\$3,640,065	\$3,640,065

1. Resolution.
2. Exhibit "A", excerpt from Federal Register Notice of February 16, 2010, Table 10-A, pages 7112 showing the unobligated FY 2008 appropriations and from page 7120, showing the unobligated FY 2009 appropriations.
3. Exhibit "B", excerpt from the MPO Transportation Improvement Program (TIP) for Intermodal Center Project.
4. Exhibit "C", Grant Overview Worksheet

OPTIONS / ALTERNATIVES:

1. Approval of the Resolution will enable Staff to apply to FTA for \$650,000 in Section 5309 (capital) funding for the purpose of enhancing grant funding applied to the intermodal center project in FY 2012 before this appropriation expires on September 30, 2010.
2. Not approve the Resolution which will result in the FY 2008 funds of \$300,000 lapsing at the end of September and would delay the implementation of planned Federal funding for the intermodal center.
3. Modify the Resolution and provide alternative direction to Staff.

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RESOLUTION NO. 10-300

A RESOLUTION ALLOWING TRANSIT SECTION STAFF TO APPLY TO THE FEDERAL TRANSIT ADMINISTRATION FOR APPROPRIATED FEDERAL FISCAL YEAR 2008 AND 2009, SECTION 5309 CAPITAL FUNDS IN THE AMOUNT OF \$650,000 REQUIRING A CITY MATCH OF \$162,500 FOR THE PURPOSE OF ENHANCING THE GRANT FUNDING APPLIED TO THE TRANSIT INTERMODAL CENTER IN FY 2012.

The City Council is informed that:

WHEREAS, the City of Las Cruces receives annual Federal Transit Administration (FTA) Section 5309 capital funding apportionments as authorized by Congress under the SAFETEA-LU program; and

WHEREAS, there are Section 5309 appropriations in the total amount of \$650,000 from the FY 2008 appropriation NM-E2008-BUSP-00404 of \$300,000 and FY 2009 appropriation NM-E2008-BUSP-0591 of \$350,000 designated for the purchase of buses and bus facilities that have not yet been obligated into a specific project; and

WHEREAS, the City typically uses Section 5309 funding for capital projects at a federal/local match ratio of 80/20; and

WHEREAS, the required local match of 20% for these funds would be \$162,500 making a total project of \$812,500; and

WHEREAS, the FY 2008 of \$300,000 appropriation set to expire on September 30, 2010; and

WHEREAS, the City of Las Cruces wishes to apply to FTA for a single grant, using these unobligated Section 5309 funds, for the purpose enhancing the amount of planned grant funding applied to the intermodal project in FY 2012; and

WHEREAS, a project for planned enhancement of intermodal grant project funding is included in the MPO Transportation Improvement Program (TIP).

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(I)

THAT City Staff are hereby authorized to apply to the Federal Transit Administration for remaining Section 5309 funds in the amount of \$650,000 to be used for the purchase of paratransit vehicles in FY 2012.

(II)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2010.

(SEAL)

APPROVED:

Mayor

ATTEST:

City Clerk

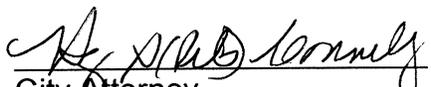
Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

APPROVED AS TO FORM:



City Attorney

EXHIBIT "A"
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FEDERAL TRANSIT ADMINISTRATION

TABLE 10-A

Prior Year Unobligated Section 5309 Bus and Bus Related Equipment and Facilities Allocations

State	Earmark ID	SAFETEA-LU Project No.	Project Location and Description	Unobligated Allocation
MI	E2008-BUSP-0813		Midland Dial-a-Ride (Midland County)	40,220
MI	E2008-BUSP-0815		Replacement Buses, Detroit	245,000
MN	E2008-BUSP-0346	40	Duluth, MN Downtown Duluth Area Transit facility improvements	434,720
MN	E2008-BUSP-0348	577	Metro Transit/Metropolitan Council, MN-Bus/Bus Capital	1,311,061
MN	E2008-BUSP-0349	185	St. Paul to Hinckley, MN Construct bus amenities along Rush Line Corridor	80,672
MN	E2008-BUSP-0350	342	St. Paul, MN Union Depot Multi Modal Transit Facility	434,720
MN	E2008-BUSP-0819		Albert Lea Transit Facility Rehabilitation	294,000
MN	E2008-BUSP-0820		Greater Minnesota Transit Bus and Bus Facilities	46,000
MN	E2008-BUSP-0823		Union Depot Multi-Modal Hub, St. Paul	656,600
MN	E2008-BUSP-0824		White Earth Tribal Nation SMART Transit and Buses	392,000
MO	E2008-BUSP-0353	345	Kansas City, MO Bus Transit Infrastructure	217,360
MO	E2008-BUSP-0355	624	Southeast Missouri Transportation Service-Bus Project	225,023
MO	E2008-BUSP-0826		Forest Park Circulator/I-64 Closure Alleviation	735,000
MO	E2008-BUSP-0827		Franklin County Transit	172,480
MO	E2008-BUSP-0828		Kansas City Area Transportation Authority Bus Replacement (KCATA)	735,000
MO	E2008-BUSP-0829		Southeast Missouri Transportation Service (SMTS)	735,000
MO	E2008-BUSP-1005		OATS, Incorporated, Bus and Bus Facilities Coahoma County, Mississippi Purchase buses for the Aaron E. Henry Community Health Services Center, Inc./DARTS transit service	2,920,672
MS	E2008-BUSP-0356	130	LOU Public Transit System, Oxford	32,604
MS	E2008-BUSP-0834		CSKT Reservation Transportation Program	857,500
MT	E2008-BUSP-0836		Chapel Hill Transit	229,810
NC	D2008-BUSP-010		Chapel Hill Transit	37,126
NC	E2008-BUSP-0361	490	Charlotte Area Transit System/City of Charlotte-Charlotte Multimodal Station	2,587,000
NC	E2008-BUSP-0362	217	Charlotte, NC Construct Charlotte Multimodal Station	1,695,408
NC	E2008-BUSP-0364	228	Charlotte, North Carolina-Multimodal Station	869,440
NC	E2008-BUSP-0365	154	City of Greenville, NC Expansion Buses and Greenville Intermodal Center	774,671
NC	E2008-BUSP-0371	594	North Carolina Department of Transportation-North Carolina Statewide Bus and Bus Facilities	1,670,606
NC	E2008-BUSP-0373	134	Town of Chapel Hill, NC Park and Ride Lot	326,040
NC	E2008-BUSP-0838		North Carolina Statewide Bus and Bus Facilities	1,101,270
NC	E2008-BUSP-0840		Intermodal Transportation Facility, Winston-Salem	392,000
ND	E2008-BUSP-0375	595	North Dakota Department of Transportation/Statewide Bus	663,536
ND	E2008-BUSP-0841		North Dakota Statewide Transit	1,134,330
NE	E2008-BUSP-0377	160	Kearney, Nebraska-RYDE Transit Bus Maintenance and Storage Facility	434,720
NE	E2008-BUSP-0378	586	Nebraska Department of Roads-Bus Maintenance and Storage Facility for RYDE in Kearney, NE	517,000
NE	E2008-BUSP-0379	587	Nebraska Department of Roads-Statewide Vehicles, Facilities, and Related Equipment Purchases	1,035,000
NE	E2008-BUSP-0380	240	Nebraska-statewide transit vehicles, facilities, and related equipment	869,440
NH	E2008-BUSP-0382	418	Windham, New Hampshire-Construction of Park and Ride Bus facility at Exit 3	804,232
NJ	E2008-BUSP-0385	28	Camden, NJ Construction of the Camden County Intermodal Facility in Cramer Hill	217,360
NJ	E2008-BUSP-0388	389	Lakewood, NJ-Ocean County Bus service and parking facilities Long Branch, NJ Determine scope, engineering, design and construct facilities for ferry service from Long Branch, NJ to New York City and	652,080
NJ	E2008-BUSP-0389	138	New Jersey Transit Community Shuttle Buses	869,440
NJ	E2008-BUSP-0394	328	South Brunswick, NJ Transit System	108,680
NJ	E2008-BUSP-0398	618	Trenton, NJ Development of Trenton Trolley System	1,000,000
NJ	E2008-BUSP-0401	181	Bus Shuttle Project for Seniors, Irvington	217,360
NJ	E2008-BUSP-0844		Hudson County Intermodal Station Pedestrian Bridge	392,000
NJ	E2008-BUSP-0845		Lakewood Multimodal Facility, Phase I	294,000
NJ	E2008-BUSP-0846		Morris County Intermodal Park and Ride	1,313,200
NJ	E2008-BUSP-0847		Northwest NJ Intermodal Transit Improvements	490,000
NJ	E2008-BUSP-0850		West Orange Township Senior Citizen & Handicap Shuttle Bus	588,000
NJ	E2008-BUSP-0853		Las Cruces, NM, Road Runner Bus and Bus Facilities	196,000
NM	E2008-BUSP-0404	562	Bus and Bus Facilities, Grant County	300,000
NM	E2008-BUSP-0856		Para-Transit Van Replacement, Las Cruces	984,900
NM	E2008-BUSP-0859		Mid-Region Council of Governments 0, Mexico, public transportation buses, bus-related equipment and facilities, and intermodal terminals in Albuquerque	146,700
NM	E2008-BUSP-1000	460	Statewide Bus and Bus Facilities	500,000
NV	E2008-BUSP-0866		Bronx, NY Botanical Garden metro North Rail station Intermodal Facility	735,000
NY	E2008-BUSP-0414	271	Bronx, NY Establish an intermodal transportation facility at the Wildlife Conservation Society Bronx Zoo	217,360
NY	E2008-BUSP-0415	20	Bronx, NY Establish an intermodal transportation facility at the Wildlife Conservation Society Bronx Zoo	217,360
NY	E2008-BUSP-0416	279	Bronx, NY Intermodal Facility near Exit 6. of the Bronx River Parkway	54,340
NY	E2008-BUSP-0418	338	Bronx, NY Wildlife Conservation Society intermodal transportation facility at the Bronx Zoo	95,095
NY	E2008-BUSP-0420	10	Brooklyn, NY Construct a multi-modal transportation facility	304,304
NY	E2008-BUSP-0421	197	Brooklyn, NY Construct a multi-modal transportation facility in the vicinity of Downstate Medical Center	217,360
NY	E2008-BUSP-0422	408	Brooklyn, NY New Urban Center-Broadway Junction Intermodal Center	208,666
NY	E2008-BUSP-0423	41	Buffalo, NY Inter-modal Center Parking Facility	217,360
NY	E2008-BUSP-0426	192	Bus to provide York-town, New York internal circulator to provide transportation throughout the Town	40,212
NY	E2008-BUSP-0427	245	Corning, New York-Transportation Center	1,086,800
NY	E2008-BUSP-0430	363	Transportation Center Enhancements, Corning, NY	550,000
NY	E2008-BUSP-0431	512	Cornwall, NY-Purchase Bus	7
NY	E2008-BUSP-0432	284	Geneva, New York-Multimodal facility-Construct passenger rail center	108,680
NY	E2008-BUSP-0433	300	Kings County, NY Construct a multi-modal transportation facility	217,360
NY	E2008-BUSP-0435	343	New York City, NY Purchase Handicapped-Accessible Livery Vehicles	217,360
NY	E2008-BUSP-0439	376		

Las Cruces Metropolitan Planning Area Las Cruces Metropolitan Planning Organization Transportation Improvement Program (TIP)

CN: [Redacted] **LAS CRUCES MPO - ID:** 21 **NMDOT Dist.:** 1 **County:** Dona Ana **Municipality:** City of Las Cruces **Length:** 0 **Miles:** 0

Fed ID: [Redacted] **Lead Agency:** [Redacted] **Est. Proj. Cost:** \$361,446

RT: Proj RoadRUNNER Transit **Fr:** [Redacted] **To:** [Redacted] **Est. Letting:** [Redacted] **TIP Amendment Pending?**

Category: Transit

Project Desc.: Buses and Bus-related Facilities

Project Phases: Environ. Document Prel. Engr. Design Right-of-way Construction Other

Remarks:

FUND SOURCE	PROGRAMMED FUNDS - Four Year Federal TIP by Funding Category				TIP Informational Years		
	2010	2011	2012	2013	4 Yr. TOTALS	2014	2015
State Match	\$0	\$0	\$0	\$0	\$0		
Local Match	\$61,446	\$71,687	\$204,000	\$337,133	\$337,133		
FTA \$309 (Bus/Facil)	\$300,000	\$350,000	\$996,000	\$1,646,000	\$1,646,000		
Totals	\$361,446	\$421,687	\$1,200,000	\$1,983,133	\$1,983,133		

Grant Overview ²⁷³ Worksheet

Title of Grant Program: FTA Section 5309 - FY 2008 and FY 2009 SAFETEA-LU appropriations

Funding Organization: Federal Government, FTA

Section Applying: Transit

Description of Proposed Project: The Transit Section seeks to obligate \$650,000 in unobligated Federal FY 2008 (\$300,000, appropriation NM-E2008-BUSP-0404) and FY 2009 (\$350,000, appropriation NM-E2009-BUSP-0591) FTA Section 5309 funding. These appropriations have been reserved through the planning MPO process to be used to enhance the grant funding available for the intermodal center project. As per FTA recommendation, these two appropriations will be obligated into a single grant. Section 5309 requires a local project match of 20%. Transit staff propose to obligate this into a grant that would be expended in City FY 2012. Failure to obligate the FY 2008 funds by September 30, 2010 will cause them to lapse. Supporting documentation and the proposed Council action packet are attached.

Strategic Plan	Goal: N/A	Objective: N/A	Strategy: N/A
Performance Budget	Goal: N/A	Objective: N/A	Strategy: N/A

- Existing City Programs/Efforts** *(Example: request for environmentally-friendly weed management. Parks Section's existing budget and work activities includes weed management)*
- Expansion of Existing Program/Efforts** *(Example: request for advertising to increase public Awareness of the Farmers Market. The advertising campaign will be an increase over current activities/budget.)*
- New Initiative, Not Budgeted** *(Example: request to implement a recreational activity that is currently Not included in the city's recreational programs.)*

Project Maintenance *(If the grant specifies that the project must be maintained/operated after the grant period ends, list the requirements:*

This will result in a facility that will need to stay in transit use during the useful life of the facility and the the equipment be maintained.

Amount Section anticipates requesting: \$650,000

Match Requirement (%): 20%

Projected Match In-Kind:
Match Source: City General Fund, VAF

Cash: \$162,500

Grant Application Due: June 2010
 completed

Grant Duration (Months/Years): until project is

MOU or Joint Powers Agreement Required (Yes/No): Already in existence

Grant Overview ^{2.74} Worksheet

Grant Collaborators (*List other city departments or outside agencies*): none

Employees To Be Hired (*# to be hired, full-time or part-time position and 1-sentence job responsibilities*)
No additional employees

Grant Manager (*Responsible for contract, project operations, budget management, and reports as prescribed*)

Name: Michael Bartholomew

Title: Transit Admin.

Phone: 541-2537

E-mail: mbartholomew@las-cruces.org

Submitted by: Michael Bartholomew

Signature



Date: May 18, 2010

Reviewed & Approved by: LORI GRUET
Department Director



Signature

Date: