

275  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 13 Resolution # 10-301 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 FEDERAL FISCAL YEAR 2010, SECTION 5307 (FORMULA) FUNDING IN THE AMOUNT OF \$1,288,075 AS APPORTIONED TO THE CITY OF LAS CRUCES BY CONGRESS.

**PURPOSE(S) OF ACTION:** This Resolution would permit Transit Staff to apply to the Federal Transit Administration for \$1,288,075 in Section 5307 (formula) funding apportionment. This is the Federal (FTA) Fiscal Year 2010 apportionment to the City of Las Cruces that was announced in the May 13, 2010 Federal Register and represents the ongoing federal operating assistance received by the City of Las Cruces.

<b>Name of Drafter:</b> Michael For Bartholomew <i>Michael For Bartholomew</i>		<b>Department:</b> Public Services / Transit		<b>Phone:</b> 541-2500	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Originating Department	<i>[Signature]</i>	528-3977	Budget	<i>[Signature]</i>	2300
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>[Signature]</i>	541-2228	City Manager	<i>[Signature]</i>	2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

This is a request to apply for and obligate the federal FY2010 Section 5307 (formula) apportionment awarded to the City of Las Cruces in the amount of \$1,288,075. This funding will be used towards Transit operations in City FY2011 and requires a 50% local match. This project is included in MPO's Transportation Improvement Program (TIP).

Operational funding from FTA is already included in the City FY 2011 budget for the Transit Section which is approved by the City Council on May 17, 2010. Section 5307 funds are received annually by the City for operating its public transit service. As a small urban system, Section 5307 funds can be used for both capital and operating projects. Transit staff proposes to use the entire amount in FY 2011 towards eligible operating expenses. The amount of 5307 funding approved by Council in the FY 2011 budget was an estimate based on past increases in 5307 apportionments. The actual apportionment was not announced until May 13, 2010 and it was lower than estimated. A request to adjust the FY 2011 transit budget will be made in August 2010 once final grant funds are awarded.

(Continue on additional sheets as required)

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A" – Federal Register Notice of May 13, 2010, regarding FTA Fiscal Year 2010 apportionments and allocations (pp. 27056-27109) with excerpt from Table 3, page 27070, showing Las Cruces' apportionment
3. Exhibit "B" – Grant Overview Worksheet

**OPTIONS / ALTERNATIVES:**

1. Approval of the Resolution will enable Staff to apply to FTA for \$1,288,075 in Section 5307 (formula) funding to offset eligible transit operating expenses incurred during City FY 2011.
2. Not approve the Resolution which will result in a critical loss of operating revenue for the transit system and severe cutbacks in transit service.
3. Modify the Resolution and provide alternative direction to Staff.

RESOLUTION NO. 10-301

**A RESOLUTION ALLOWING TRANSIT SECTION STAFF TO APPLY TO THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL FISCAL YEAR 2010, SECTION 5307 (FORMULA) FUNDING IN THE AMOUNT OF \$1,288,075 AS APPORTIONED TO THE CITY OF LAS CRUCES BY CONGRESS.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces receives annual apportionments of transit funding through the Section 5307 (formula) funding program as authorized by Congress; and

**WHEREAS**, the City typically uses this critical funding to offset the costs of transit operations in subsequent fiscal years; and

**WHEREAS**, The Federal Fiscal Year 2010 Section 5307 apportionments were announced in the Federal Register on May 13, 2010 in the amount of \$1,288,075 to the City of Las Cruces; and

**WHEREAS**, the City of Las Cruces wishes to apply for these funds for the purpose of offsetting operating costs in the City FY 2011; and

**WHEREAS**, a transit operating project for Las Cruces is included for FY2011 in the State Transportation Improvement Program (STIP); and

**WHEREAS**, the City Council approved the City budget, which includes this funding the Transit Section budget, on May 17, 2010.

**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 Fiscal Year 2010 apportioned Section 5307 funds in the amount of \$1,288,075, to be used for eligible transit operating expenses in FY 2011.

(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

**FEDERAL TRANSIT ADMINISTRATION  
TABLE 3**

Page 9 of 12

**Revised FY 2010 SECTION 5307 AND SECTION 5340 URBANIZED AREA APPORTIONMENTS**

*(Apportionment amount is based on funding made available under the  
Hiring Incentives to Restore Employment Act, 2010 - PL111-147)*

(Note: In accordance with language in the SAFETEA-LU conference report, an urbanized area apportionment for Section 5307 and Section 5340 were combined to show a single amount. An area's apportionment amount includes regular Section 5307 funds, Small Transit Intensive Cities funds, and Growing States and High Density States formula funds, as appropriate.)

URBANIZED AREA/STATE	APPORTIONMENT
<b>N. MARIANA ISLANDS</b>	<b>\$803,244</b>
Saipan, MP	803,244
<b>NEBRASKA</b>	<b>\$250,054</b>
Sioux City, IA--NE--SD	250,054
<b>NEVADA</b>	<b>\$818,585</b>
Carson City, NV	818,585
<b>NEW HAMPSHIRE</b>	<b>\$5,542,196</b>
Dover--Rochester, NH--ME	825,028
Manchester, NH	1,948,768
Nashua, NH--MA	2,308,820
Portsmouth, NH--ME	459,580
<b>NEW JERSEY</b>	<b>\$4,550,836</b>
Hightstown, NJ	1,645,390
Vineland, NJ	1,833,695
Wildwood--North Wildwood--Cape May, NJ	1,071,751
<b>NEW MEXICO</b>	<b>\$3,217,011</b>
Farmington, NM	593,523
Las Cruces, NM	1,288,075
Santa Fe, NM	1,335,413
<b>NEW YORK</b>	<b>\$11,316,882</b>
Binghamton, NY--PA	3,143,034
Danbury, CT--NY	95,714
Elmira, NY	1,284,949
Glens Falls, NY	914,805
Ithaca, NY	1,489,459
Kingston, NY	841,508
Middletown, NY	818,183
Saratoga Springs, NY	772,927
Utica, NY	1,956,303
<b>NORTH CAROLINA</b>	<b>\$13,283,379</b>
Burlington, NC	1,121,563
Concord, NC	1,298,455
Gastonia, NC	1,563,557
Goldensboro, NC	664,968
Greenville, NC	1,110,866
Hickory, NC	1,898,659
High Point, NC	1,562,336
Jacksonville, NC	1,146,920
Rocky Mount, NC	744,669
Wilmington, NC	2,171,386
<b>NORTH DAKOTA</b>	<b>\$4,237,178</b>
Bismarck, ND	1,362,923
Fargo, ND--MN	1,854,410
Grand Forks, ND--MN	1,019,845
<b>OHIO</b>	<b>\$10,547,336</b>
Huntington, WV--KY--OH	420,651
Lima, OH	901,850
Lorain--Elyria, OH	2,731,851
Mansfield, OH	963,543
Middletown, OH	1,257,961
Newark, OH	1,241,426
Parkersburg, WV--OH	295,994
Sandusky, OH	638,418

# 280 Grant Overview Worksheet

**Title of Grant Program:** FTA Section 5307

**Funding Organization:** Federal Government, FTA

**Section Applying:** Transit

**Description of Proposed Project:** Request for annual obligation of the Federal Fiscal Year Section 5307 apportionment to be used towards City FY2011 operating as approved in the FY2011 operating budget.. This is ongoing annual formula funding that the transit system has received by Congressional apportionment since the beginning of the system in 1986. Supporting documentation and the proposed Council action packet are attached .

<b>Strategic Plan</b>	<b>Goal:</b> N/A	<b>Objective:</b> N/A	<b>Strategy:</b> N/A
<b>Performance Budget</b>	<b>Goal:</b> N/A	<b>Objective:</b> N/A	<b>Strategy:</b> 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:*  
There is no specific requirement for this.

**Amount Section anticipates requesting:** \$1,288,075      **Match Requirement (%):** 50%

**Projected Match      In-Kind:**      **Cash:** \$1,291,703  
**Match Source:** City General Fund, Gas Tax Fund

**Grant Application Due:** June 2010      **Grant Duration** *(Months/Years):* until used up

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

**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 Overview <sup>281</sup> Worksheet

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

**Name:** Michael Bartholomew

**Title:** Transit Admin.

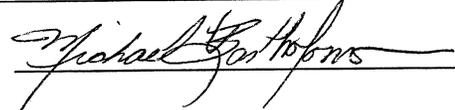
**Phone:** 541-2537

**E-mail:** mbartholomew@las-cruces.org

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**Submitted by:** Michael Bartholomew

Signature



**Date:** May 18, 2010

**Reviewed & Approved by:** LORI GRUNET  
Department Director

Signature



**Date:**