

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING SOUTH)	RESOLUTION NO. 04-3456
METRO AREA RAPID TRANSIT (SMART) TRANSIT)	
DISTRICT AS ELIGIBLE TO RECEIVE FEDERAL)	Introduced by
URBANANIZED AREA FORMULA PROGRAM)	Councilor Rod Park
FUNDS AND TO AMEND THE 2004-07)	JPACT Chair
METROPOLITAN TRANSPORTATION)	
IMPROVEMENT PROGRAM (MTIP) TO REFLECT)	
DISTRIBUTION OF FEDERAL FUNDS TO SMART.)	

WHEREAS, the City of Wilsonville’s South Metro Area Rapid Transit service area has been designated by the federal government as a part of the contiguous Portland Metro urbanized area as a result of an analysis of the 2000 Census data; and

WHEREAS, public transit service agencies within an urbanized area of more than 200,000 population are eligible for federal transit funding through the Urbanized Area Formula Program (Title 49 United States Code section 5307); and

WHEREAS, federal rules require a certified resolution of the policy-making body of the Metropolitan Planning Organization in an urbanized area concurring with the designation of a transit agency as an eligible recipient for Urban Area Formula Program funding; and

WHEREAS, Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council are identified in federal regulations as the Portland Area Metropolitan Planning Organization responsible for the allocation of federal highway and transit funding; and

WHEREAS, legal counsel for SMART will provide the required documentation to the Federal Transit Administration regarding the legal capacity of SMART to perform the functions of a Designated Recipient; and

WHEREAS, SMART, TriMet and C-Tran, the public transit service agencies within the boundaries of the Portland Metro urbanized area have agreed to an allocation formula for the division and distribution of Portland Metro area Urbanized Area Formula Program funds; and

WHEREAS, federal regulations identify preparation of a metropolitan transportation improvement program (MTIP) as the means for programming of such funds; now, therefore,

BE IT RESOLVED,

1. The Joint Policy Advisory Committee on Transportation and the Metro Council concur that the City of Wilsonville’s South Metro Area Rapid Transit service is an eligible Designated Recipient of federal Urbanized Area Formula Program funds in the Portland Metro area, and

2. The 2004-07 Metropolitan Transportation Improvement Program is amended as shown in Exhibit A.

ADOPTED by the Metro Council this 24 day of June, 2004.


David Bragdon, Council President

APPROVED AS TO FORM:

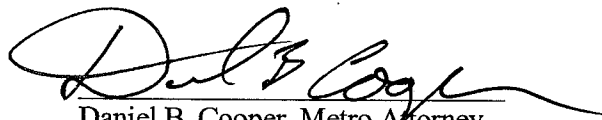

Daniel B. Cooper, Metro Attorney



Exhibit A to Resolution No. 04-3456

April 19, 2004

Mr. Richard Krochalis
Regional Administrator
Federal Transit Administration
915 Second Avenue, Suite 3142
Seattle, WA 98174-1002

RE: Portland, OR--WA UZA
FY04 Section 5307 Sub-Apportionment

Dear Mr. Krochalis:

This letter documents the understanding reached by TriMet, SMART and C-TRAN regarding the sub-apportionment of the FY04 Section 5307 formula funds for the Portland, OR--WA region. The division of the total funds available to the UZA is also a part of this understanding.

Grant personnel from each authority reached consensus regarding the sub-apportionment of the FY04 funds and utilized Region 10's worksheets, *FY2004 Section 5307 Urbanized Area Formula Apportionments and Fiscal Year 2004 Formula Grant Apportionments – Unit Values of Data*, to calculate the funds available and the division of funds between the three agencies.

We hereby certify that the following represents the correct and agreed upon sub-apportionment between our three agencies for the FY04 Section 5307 funds. The agreed upon allocation is:

	<u>TriMet</u>	<u>SMART</u>	<u>C-TRAN</u>	<u>Total</u>
FY04 Apportionment	\$26,424,620	\$206,162	\$3,830,630	\$30,461,412
Transit Enhancements	<u>266,915</u>	<u>2,082</u>	<u>38,693</u>	<u>307,691</u>
Total FY04 Apportionment	\$26,691,535	\$208,245	\$3,869,323	\$30,769,103

SMART and C-TRAN confirm they are not eligible for Fixed Guideway Modernization funds.

Based on correspondence received from Ken Johnson at FTA in DC, clarifying language on page 6731 of the February 11, 2004 Federal Register (Vol. 69, No. 28) SMART is eligible for FY03 Section 5307 formula funds.

We hereby certify that the following represents the correct and agreed upon revised FY04 sub-apportionment between our three agencies for the FY03 Section 5307 funds previously not allocated to SMART:

	<u>TriMet</u>	<u>SMART</u>	<u>C-TRAN</u>	<u>Total</u>
FY04 Apportionment	\$26,424,620	\$206,162	\$3,830,630	\$30,461,412
Total FY03 SMART Apportionment	<u>(115,300)</u>	<u>126,438</u>	<u>(11,137)</u>	<u>-0-</u>
<i>Revised FY04 Apportionment</i>	<i>\$26,309,320</i>	<i>\$332,600</i>	<i>\$3,819,493</i>	<i>\$30,461,412</i>
Transit Enhancements	<u>266,915</u>	<u>2,082</u>	<u>38,693</u>	<u>307,691</u>
<i>Total Revised FY04 Apportionment</i>	<i>\$26,576,235</i>	<i>\$334,682</i>	<i>\$3,858,186</i>	<i>\$30,769,103</i>

If there are questions regarding the above information, please contact Alison Langton at TriMet, 503-962-5850, Steve Dickey at SMART, 503-570-1576 or Jan Allen at C-TRAN, 360-906-7312.

Sincerely,

TriMet

SMART

C-TRAN

Fred Hansen
General Manager

Steve Dickey
General Manager

Lynne Griffith
Executive Director/CEO

cc: Jan Allen, Budget & Grants Coordinator, C-TRAN
Frederick Bateman, Director, Finance & Administration, C-TRAN
Dale Robbins, Regional Transportation Council
Alison Langton, Finance Administrator, TriMet
Claire Potter, Director, Financial Analysis & Grants Administration, TriMet
Ted Leybold, MTIP Program Administrator, Metro

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3456, FOR THE PURPOSE OF DESIGNATING SOUTH METRO AREA RAPID TRANSIT (SMART) TRANSIT DISTRICT AS ELIGIBLE TO RECEIVE FEDERAL URBANIZED AREA FORMULA PROGRAM FUNDS AND TO AMEND THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO REFLECT DISTRIBUTION OF FEDERAL FUNDS TO SMART.

Date: June 1, 2004

Prepared by: Ted Leybold

BACKGROUND

Prior to the 2000 census, the City of Wilsonville and its South Metro Area Rapid Transit (SMART) service area was not part of the contiguous Portland Metro urbanized area as recognized by the US Department of Transportation. This boundary is defined by population density and similar factors and is distinct from the Metro boundary or the Metropolitan Planning Organization (MPO) boundary. The urbanized area boundary is used by the department of transportation to establish eligibility for their distinct federal urban and rural transit funding programs.

In 2003, the department of transportation established rules for the transition of transit service districts that had moved between an urbanized and rural area as a result of the new data from the 2000 census. The transition of including SMART as eligible for federal urban transit funding corresponds to inclusion of data from the Wilsonville area in the Federal Transit Administration's determination of the Portland Metro urbanized areas share of federal urban transit funds.

As the city of Wilsonville and its SMART service area became a part of the Portland Metro urbanized area, an agreement between SMART and the other public transit operators in the Portland Metro area (TriMet and C-Tran) was completed to define how to divide the Portland Metro urbanized area's federal transit funds, also known as Section 5307 funds. This agreement was completed by the three public transit agencies and is attached as Exhibit A to this resolution. The agreement uses factors such as population, population density and vehicle service hours to divide the funds among the transit agencies. These are similar to factors used by the Federal Transit Administration to apportion these funds between the urban areas.

While the Portland Metro urbanized area now includes the Wilsonville area, the Metropolitan Planning Organization and the Governor for the urbanized area must concur that a public transit operator is eligible to receive Section 5307 federal urban transit funds. Adoption of this resolution will serve this function for Metro as the region's MPO. Acceptance of this resolution and other applicant materials will establish eligibility for SMART to apply to the Federal Transit Administration for the grant funds apportioned to the Portland Metro urbanized area consistent with the sub-allocation of funds per the public transit agency agreement.

ANALYSIS/INFORMATION

As data for the Wilsonville area is included in the factors considered by the Federal Transit Administration in apportioning urban transit funds to the Portland Metro urbanized area, the agreement

sub-allocating funds to SMART does not represent a reduction in funds to the other public transit agencies in the Metro area.

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** This resolution fulfills Metro's obligation under federal rules (Federal Register/ Vol. 69, No. 28/ March 12, 2003, p 11908 III C.3) as the Portland Metro urbanized area's Metropolitan Planning Organization to concur that the South Metro Area Rapid Transit is an eligible designated recipient of federal urban transit (Section 5307) funds. It also amends the 2004-07 Metropolitan Transportation Improvement Program (MTIP) as adopted by Metro Resolution No. 03-3381A (FOR THE PURPOSE OF APROVING THE 2004-07 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA, adopted December 11, 2003) to reflect the distribution of urban transit funds between TriMet, C-Tran and SMART for federal fiscal year 2004.
3. **Anticipated Effects** Adoption of this resolution is a necessary step to make SMART eligible to receive federal urban transit funds.
4. **Budget Impacts** Adoption of this resolution has no effect on the Metro budget.

RECOMMENDED ACTION

Metro Council approve Resolution No. 04-3456.