

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 8 Ordinance/Resolution# 11-019 Council District:

For Meeting of July 19, 2010

(Adoption Date)

TITLE: A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2010/2011 IN THE AMOUNT OF \$40,500.00 FOR THE UNION AVENUE/STERN DRIVE INTERSECTION IMPROVEMENTS PROJECT AND TO AMEND THE FISCAL YEAR 2010/2011 BUDGET. A \$13,500.00 CITY MATCH IS REQUIRED.

PURPOSE(S) OF ACTION: To accept the Grant from the Local Government Road Fund Program for the construction of the north leg of the intersection to include removal and replacement of wheel chair ramps, sidewalk, curb and gutter, hot mix asphalt paving, base course, sub-grade prep, street lighting, signal improvements, pavement marking, retaining walls, construction staking, traffic control and miscellaneous for the intersection of Union Avenue (NM 373) and Stern Drive.

Name of Drafter: <i>awl</i> Amber Vaughn		Department: Public Works		Phone: (575)528-3228	
Department	Signature	Phone	Department	Signature	Phone
Originating Department	<i>[Signature]</i>	(575) 528-3333	Budget	<i>[Signature]</i>	(575) 541-2300
Grants Administration Office	<i>[Signature]</i>	(575) 541-2281	Assistant City Manager	<i>[Signature]</i>	(575) 541-2271
Legal	<i>[Signature]</i>	(575) 541-2028	City Manager	<i>[Signature]</i>	(575) 541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces, Public Works Department, Project Development Section, submitted an application to the New Mexico Department of Transportation (NMDOT), Local Government Road Fund Program, Fiscal Year 2010/2011 for the Union/Stern Intersection Improvements pursuant to Resolution 10-223.

The Union/Stern Drive Intersection Improvements Project was estimated to cost \$101,100.00 for project development and construction. The City is required to match 25% of the awarded amount and is responsible for pay 100% of the cost of the project in excess of awarded amount.

The City of Las Cruces has been offered \$40,500.00 from the New Mexico Department of Transportation, Local Government Road Fund program to complete the project (see letter from NMDOT, dated May 13, 2010). This would require the City to match funds (25%) for the project in the amount of \$13,500.00 for the total project funding amount of \$54,000.00.

(Continue on additional sheets as required)

The City would also be required to fund the difference in the total project amount of \$54,000.00 and the total construction cost. The project will consist of the construction of the north leg of the intersection to include removal and replacement of wheel chair ramps, sidewalk, curb and gutter, hot mix asphalt paving, base course, sub-grade prep, street lighting, signal improvements, pavement marking, retaining walls, construction staking, traffic control and miscellaneous for the intersection of Union Avenue (NM 373) and Stern Drive. The funds for the City match and additional construction costs have not been budgeted but are available in the Street Maintenance fund.

The application process requires the City to pass a Resolution that references the scope of work and monetary amounts submitted to the State Highway Commission for the project and to adopt the project as priority (see letter from NMDOT dated June 18, 2010) prior to processing the agreements between NMDOT and the City of Las Cruces.

A budget adjustment is required to appropriate funding for this project. The 25% or \$13,500.00 match requirement is available in Fund 4202 GRT Street Maintenance balance. Fund 4212 State Street Improvement Grants needs to be adjusted to reflect the award amount. No funds will be expended at this time.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
GRT Street Maintenance Fund 4202/ 42806040-854121-70XXX	N/A	\$13,500.00 pending budget adjustment
State Street Improvement Grants 4212/42806180-854121-70XXX	N/A	\$40,500.00 pending budget adjustment

1. Resolution.
2. Resolution 10-223, Exhibit "A"
3. Letter from NMDOT, dated May 13, 2010, Exhibit "B"
4. Letter from NMDOT, dated June 18, 2010, Exhibit "C"
5. Vicinity Map, Exhibit "D"
6. Budget Adjustment, Exhibit "E"

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Resolution accepting a grant from the New Mexico Department of Transportation, Local Government Road Fund Program, Fiscal Year 2010/2011 in the amount of \$40,500.00 for the Union Avenue/Stern Drive Intersection Improvements project and amend the Fiscal Year 2010/2011 budget as indicated.
2. Vote "No"; this will reject and abandon the Union Avenue/Stern Drive Intersection Improvements project.
3. Vote to "Amend"; modify the Resolution and provide staff alternate direction on how to proceed with project and/or grant award. This could possibly impact the availability of the funding from New Mexico Department of Transportation.

(Continue on additional sheets as required)

4. Vote to "Table"; this could possibly impact the availability of the funding from New Mexico Department of Transportation NMDOT.

RESOLUTION NO. 11-019

A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2010/2011 IN THE AMOUNT OF \$40,500.00 FOR THE UNION AVENUE/STERN DRIVE INTERSECTION IMPROVEMENTS PROJECT AND TO AMEND THE FISCAL YEAR 2010/2011 BUDGET. A \$13,500.00 CITY MATCH IS REQUIRED.

The City Council is informed that:

WHEREAS, the New Mexico Department of Transportation (NMDOT) has entered into a joint and coordinated effort in Cooperative Agreement Project Number SP-1-11(960), Control Number HW2 M100188 known as Local Government Road Fund Project Fiscal Year 2010/2011 for the construction of the north leg of the intersection to include removal and replacement of wheel chair ramps, sidewalk, curb and gutter, hot mix asphalt paving, base course, sub-grade prep, street lighting, signal improvements, pavement marking, retaining walls, construction staking, traffic control and miscellaneous for the intersection of Union Avenue (NM 373) and Stern Drive, and

WHEREAS, the City of Las Cruces is being offered an award of \$40,500.00 from the New Mexico Department of Transportation, Local Government Road Fund Program for this project, and

WHEREAS, the New Mexico Department of Transportation's share will be 75% or \$40,500.00 and the City of Las Cruces is required to match 25% of the total project award amount of \$54,000.00, for a match of \$13,500.00, and

WHEREAS, the City of Las Cruces is required to fund the difference between the total project award amount of \$54,000.00 and the actual cost of the project, which will incorporate the additional funding necessary for the design, construction costs, materials testing, and inspection for the project, and

WHEREAS, the agreement terminates on December 31, 2011 and the City of Las Cruces incorporates all the agreements, covenants and

understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement, and

WHEREAS, the New Mexico Department of Transportation requires the City to pass a resolution that references the scope of work and the monetary amounts submitted to the State Highway Commission and that the project is adopted and has priority standing, and

WHEREAS, the City of Las Cruces has the remaining necessary funding in place and have commenced with the project design plans.

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

(I)

THAT the City of Las Cruces will enter into Cooperative Agreement for Project Number SP-1-11(960), Control Number HW2 M100188 with the New Mexico Department of Transportation, Local Government Road Fund Project, Fiscal Year 2010/2011 for the construction of the north leg of the intersection to include removal and replacement of wheel chair ramps, sidewalk, curb and gutter, hot mix asphalt paving, base course, sub-grade prep, street lighting, signal improvements, pavement marking, retaining walls, construction staking, traffic control and miscellaneous for intersection of Union Avenue (NM 373) and Stern Drive.

(II)

THAT the grant from the New Mexico Department of Transportation, Local Government Road Fund Program, in the amount of \$40,500.00, is hereby accepted and the City of Las Cruces will commit \$13,500.00 in matching funds and all additional construction costs for the project.

(III)

THAT the Fiscal Year 20010/2011 Budget is hereby amended as outlined on the attached Exhibit "E".

(IV)

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

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

RESOLUTION NO. 10-223**A RESOLUTION AUTHORIZING THE APPLICATION FOR 2010 / 2011 CO-OP FUNDING WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE UNION AVENUE/STERN DRIVE INTERSECTION IMPROVEMENTS PROJECT.**

The City Council is informed that:

WHEREAS, The City of Las Cruces (City) Staff has identified three projects that could be considered for Co-op funding with New Mexico Department of Transportation(NMDOT), and

WHEREAS, NMDOT requires a Resolution of Support from the City Council to complete the application for Co-op funding, and

WHEREAS, the Public Works Department Staff recommends that a single project be identified on the application for Co-op funding to NMDOT.

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

(I)

THAT the application for the Co-op funding with NMDOT for the Union Avenue/Stern Drive Intersection Improvements Project is hereby authorized.

(II)

THAT City Staff shall place the Union Avenue/Stern Drive Intersection Improvements Project or in the FY 2010/2011 Budget.

(III)

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

DONE AND APPROVED this 1st day of March, 2010.

(SEAL)

APPROVED:


Mayor

ATTEST:


City Clerk

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Pedroza:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Sorg:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

Moved by: Thomas

Seconded by: Small

APPROVED AS TO FORM:


City Attorney



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

May 13, 2010

Louis Grijalva, Project Development Administrator
City of Las Cruces
P.O. Box 20000
Las Cruces, NM 88004-9002

Dear Mr. Grijalva:

Our office has been in contact with you regarding the Local Government Road Fund Program funding for the 2010 / 2011 fiscal year. This letter is to confirm what has been discussed over the phone.

The preliminary funding, subject to change, being offered for the City of Las Cruces is as follows:

	Entity Share	State Share	Project Total
Cooperative Agreement	\$13,500.00	\$40,500.00	\$54,000.00

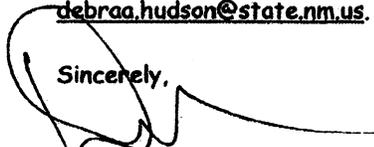
Please forward a **written response** as soon as possible showing acceptance of the offer per our telephone conversation with your office recently. If you decide to fax the information to 575-544-7380, a hard copy also needs to be forwarded through the mail.

The scope of work shows *"Construction of north leg of intersection to include removal & replacement of wheel chair ramps, sidewalk, curb & gutter, hot mix asphalt paving, base course, sub-grade prep, street lighting, signal improvements, pavement markings, retaining walls, construction staking, traffic Control and miscellaneous - intersection of Union Avenue (NM 373) and Stern Drive"*.

Please let us know as soon as possible if this scope of work is incorrect.

This information will be presented at the June 17th State Transportation Commission meeting. As soon as we have obtained approval of the funding distribution, you will be notified. Should you have any questions, please contact me at (575) 544-6536 or debraa.hudson@state.nm.us.

Sincerely,


Debbie Hudson
Local Government Road Fund Coordinator

District One Office
"The No. 1 District"

2912 E. Pine Street

Deming, N M

88030

Bill Richardson
Governor

Gary L. J. Girón
Cabinet Secretary

Commission

Johnny Cope
Chairman

John Hummer
Commissioner
District I

District One Office
2912 E. Pine Street
Deming, NM 88030-7075
575-544-6530

Frank E. Guzman, P.E.
District Engineer
District I



NEW MEXICO DEPARTMENT OF
TRANSPORTATION
 MOBILITY FOR EVERYONE

June 18, 2010

Louis Grijalva, Proj. Dev. Admin.
 City of Las Cruces
 P.O. Box 20000
 Las Cruces, NM 88004

Re: 2010 - 2011 Local Government Road Fund Program

Dear Mr. Grijalva:

The State Transportation Commission approved the above program during their June 17th meeting.

A resolution passed by the governing body or agency head respectively adopting the project and verifying its priority standing with the Public Entity is the next item needed. The resolution should contain the scope of work and monetary amounts as submitted to the Transportation Commission and shown on the preliminary offer letter forwarded to your office on May 13, 2010. Additional information to be included in the resolution is the termini, project number SP-1-11 (960) and control number HW2 M100188. A sample resolution is included for your convenience.**

**There are two sample resolutions included with this notification. If you are asking for match waiver this year, please submit the "match waiver sample resolution". If you will not be asking for match waiver then submit the normal resolution as you have done in past years.

Agreements will be forwarded for signature upon receipt of the resolution in our office. Please remember that **NO** aspect of the project can begin prior to the execution of the agreement.

We appreciate your assistance and please email debraa.hudson@state.nm.us, fax 575-544-7380 or call 575-544-6536 if you should have any questions or need further assistance.

Sincerely,

Debbie Hudson
 District One LGRF Coordinator

Enclosures

Bill Richardson
 Governor

Gary L. J. Girón
 Cabinet Secretary

Commission

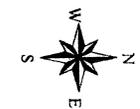
Johnny Cope
 Chairman

John Hummer
 Commissioner
 District I

District One Office
 2912 E. Pine Street
 Deming, NM 88030-7075
 575-544-6530

Frank E. Guzman, P.E.
 District Engineer
 District I

Union Ave. / Stern Dr. Intersection Improvements Project



**PROJECT
LOCATION**

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011**

FUND	DIVISION		FUND TYPE	
GRT Street Maintenance Fund 4202	Public Works		Capital Project	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
RESOURCES				
Beginning Balance	\$ 341,395	1,575,474		1,575,474
REVENUES				
512010 Municipal Gross Receipts	\$ 6,280,000	6,434,000		6,434,000
570010 Interest Income	9,494	8,000		8,000
570015 Net Incr (Decr) Fair Value Investment	0	0		0
592001 Other Revenue - GGRT St Maintenance	387,666	350,000		350,000
Total Revenues	\$ 6,677,160	6,792,000	0	6,792,000
Total Resources	\$ 7,018,555	8,367,474	0	8,367,474
EXPENDITURES				
42226020 Contract Services (admin fee for GRT collect.)	\$ 174,026	178,294		178,294
42806130 ADA Improvements	220,000	250,000		250,000
42806130 Sidewalk Reconstruction - Capital	50,000	100,000		100,000
42806140 Overlay	1,163,360	1,300,000		1,300,000
42806150 Sealing	171,640	1,200,000		1,200,000
70K02 Del Rey Widening (MAP Match)	226,747	0		0
70M0F Traffic Signal Improvements	0	150,000		150,000
70XXX Union Avenue/Stern Drive Intersection Imp	0	0	13,500	13,500
70R01 Stern Street Lighting (Co-op Match)	399	0		0
71010 Solano Drive A.D.A. (Spruce/Cactus)	25,000	0		0
70Y01 Telshor/Lohman Intersection Improvements	0	0		0
70Y02 Telshor/Lohman Intersection Improvements	155,146	66,841		66,841
70Z01 MAP Project (Match)	125,000	0		0
42806090 Equipment Replacement	250,000	0		0
XXXXX El Paseo/Idaho Intersection Improvements	0	125,000		125,000
XXXXX Paving Maintenance Software	0	250,000		250,000
60XXX Downtown North	131,392	0		0
Total Expenditures	\$ 2,692,710	3,620,135	13,500	3,633,635
OTHER FINANCING SOURCES (USES)				
Transfer to Fund 1005 - Engineering Services	\$ (760,000)	(1,220,210)		(1,220,210)
Transfer to Fund 2600 - Street Maintenance Operations	(482,386)	(558,851)		(558,851)
Transfer to Fund 3230 - 1999 GRT Bonds	(1,238,840)	(831,937)		(831,937)
Transfer to Fund 3613 - NMFA Street Loans DS	(85,847)	(606,729)		(606,729)
Transfer to Fund 3615 - New Street Projects Loans DS	(203,298)	(1,193,306)		(1,193,306)
Transfer from Fund 4208 - 1991 Improvement District	20,000	6,358		6,358
Total Other Financing Sources (Uses)	\$ (2,750,371)	(4,404,675)	0	(4,404,675)
Adjustment due to accrual				
ENDING BALANCE	\$ 1,575,474	342,664	(13,500)	329,164

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.

EXHIBIT "E" CONTINUED

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011**

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FUND	DIVISION		FUND TYPE	
State Street Improvement Grants Fund 4212	Public Works		Capital Project	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
RESOURCES				
Beginning Balance	\$ 119,904	119,904		119,904
REVENUES				
60805 Downtown Revitalization	242,576	128,135		128,135
60806 Downtown Revitalization	19,777	103,105		103,105
70400 Flood Control Dam Restoration	63,147	0		0
70F04 East Mesa Road Improvements	360,895	0		0
70F17 East Mesa - Davis/Jefferson Roads	16,755	0		0
70K02 Del Rey Blvd Reconstruction	541,441	0		0
70Q00 Union Avenue	178,125	0		0
70Q01 Union Avenue Multi Use Path	11,919	0		0
70XXX Union Avenue/Stern Drive Intersection Imp	0	0	40,500	40,500
70R00 NM DOT Grant (Street Lighting)	0	20,280		20,280
70U01 Jack Rabbit Interchange	362,625	0		0
70W01 Las Cruces Main Street Downtown	0	1,176,000		1,176,000
70Y02 Telshor/Lohman Intersection Imp (GRIP 2)	1,957,516	1,747,484		1,747,484
71010 Solano Drive A.D.A. Imp (Spruce/Cactus)	0	38,429		38,429
70Z01 Amador Rehab (Archuleta to Motel Blvd)	0	179,126		179,126
Total Revenues	\$ 3,754,776	3,392,559	40,500	3,433,059
Total Resources	\$ 3,874,680	3,512,463	40,500	3,552,963

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.

EXHIBIT "E" CONTINUED

CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011

Page 2 of 2

FUND	DIVISION		FUND TYPE	
State Street Improvement Grants Fund 4212	Public Works		Capital Project	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
EXPENDITURES				
60805 Downtown Revitalization	\$ 242,576	128,135		128,135
60806 Downtown Revitalization	19,777	103,105		103,105
70400 Flood Control Dam Restoration	63,147	0		0
70740 Valley Drive Master Plan	0	0		0
70A07 Elks Drive Widening	0	0		0
70D01 Central/Calico Drainage Channel	0	0		0
70E01 El Molino Reconstruction	0	0		0
70E02 El Molino Reconstruction	0	0		0
70E05 El Molino Reconstruction	0	0		0
70E06 El Molino Reconstruction	0	0		0
70F04 East Mesa Road Improvements	360,895	0		0
70F17 East Mesa - Davis/Jefferson Roads	16,755	0		0
70F18 Solano Drive Improvements	0	0		0
70K02 Del Rey Blvd Reconstruction	541,441	0		0
70M0A Tashiro Road	0	0		0
70P00 Triviz Multi-Use Path	0	0		0
70Q00 Union Avenue	178,125	0		0
70Q01 Union Avenue Multi Use Path	11,919	0		0
70XXX Union Avenue/Stern Drive Intersection Imp	0	0	40,500	40,500
70R00 Street Lighting	0	20,280		20,280
70R01 Stern Street Lighting	0	0		0
70S01 Court Avenue Sidewalks	0	0		0
70T01 Fred Way	0	0		0
70U01 Jack Rabbit Interchange	362,625	0		0
70W01 Las Cruces Main Street Downtown	0	1,176,000		1,176,000
70W02 Las Cruces Main Street Downtown	0	0		0
70Y02 Telshor/Lohman Intersection Imp (GRIP 2)	1,957,516	1,747,484		1,747,484
71010 Solano Drive A.D.A. Imp (Spruce/Cactus)	0	38,429		38,429
70Z01 Amador Rehab (Archuleta to Motel Blvd)	0	179,126		179,126
Total Expenditures	\$ 3,754,776	3,392,559	40,500	3,433,059
OTHER FINANCING SOURCES (USES)				
Transfer from Fund 1000 - General Fund	\$			
Total Other Financing Sources (Uses)	\$ 0	0	0	0
ENDING BALANCE	\$ 119,904	119,904	0	119,904

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.