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

**Council Action and Executive Summary**

Item # 7                      Ordinance/Resolution# 12-014

For Meeting of \_\_\_\_\_  
 (Ordinance First Reading Date)

For Meeting of July 18, 2011  
 (Adoption Date)

**TITLE:** A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2011/2012, IN THE AMOUNT OF \$38,875.00 FOR THE EL PASEO ROAD MEDIAN IMPROVEMENTS PROJECT AND TO AMEND THE FISCAL YEAR 2011/2012 BUDGET, A \$12,958.00 CITY MATCH IS REQUIRED.

**PURPOSE(S) OF ACTION:** To accept the grant from for the El Paseo Median Improvement Project and amend the FY 2011/2012 Budget.

<b>COUNCIL DISTRICT 4</b>		
<b><u>Drafter/Staff Contact:</u></b> Amber Vaughn	<b><u>Department/Section:</u></b> Public Works	<b><u>Phone:</u></b> 575-528-3228
<b><u>City Manager Signature:</u></b>		

**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 2011/2012, for the El Paseo Road Median Improvements Project pursuant to Resolution 11-185.

The El Paseo Road Median Improvements Project was estimated to cost \$198,600.00 for project development and construction. The City is required to match 25% of the awarded amount and is responsible for 100% of the cost of the project in excess of the awarded amount. The project may be scaled back to fit within available funding. This can be accomplished by reducing the number of medians to be constructed.

The City of Las Cruces has been offered \$38,875.00 from the NMDOT, Local Government Road Fund Program to complete the project, (see letter from NMDOT, dated April 26, 2011 Attachment "B"). This would require the City to contribute a 25% match of \$12,958.00 for the total project funding amount of \$51,833.00. The City would be required to fund the difference in the total project award and the total construction cost.

This project will consist of constructing access control medians including design, removal and replacement of hot mix asphalt paving, pavement markings, construction staking, traffic control, and miscellaneous items along the El Paseo Road corridor at Wyatt Drive, Idaho Ave., and Boutz Road. This project will improve the pedestrian and vehicle safety at the major intersections as recommended by the El Paseo Road Safety Assessment Study. The funds for the City match have been included in the FY 2011/2012 Budget.

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 17, 2011, Attachment "C") prior to processing the agreements between NMDOT and the City of Las Cruces.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Budget Adjustment.
3. Attachment "A", Resolution 11-185.
4. Attachment "B", Letter from NMDOT dated April 26, 2011.
5. Attachment "C", Letter from NMDOT dated June 17, 2011.
6. Attachment "D", Vicinity Map.

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input checked="" type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the ___ Fund.
<b>Does this action create any revenue?</b>	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: 4212 in the amount of <u>\$38,875.00</u> for FY12.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

Grant funds will be deposited into Fund 4212 to be used by Public Works to pay for constructing access control medians along the El Paseo Road corridor at Wyatt Drive, Idaho Ave., and Boutz Road. The required City match of \$12,958.00 has previously been budgeted into Fund 4202 GRT Street Maintenance for FY 2011/2012.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

**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 2011/2012 in the amount \$38,875.00 for the El Paseo Road Median Improvements Project and to amend the Fiscal Year 2011/2012 Budget. A \$12,958.00 City match is required.
2. Vote "No"; this will reject the Resolution accepting a grant from the New Mexico Department of Transportation, Local Government Road Fund Program, Fiscal Year 2011/2012 in the amount \$38,875.00 for the El Paseo Road Median Improvements Project and to amend the Fiscal Year 2011/2012 Budget.
3. Vote to "Amend"; modify the Resolution and provide staff alternate direction on how to proceed with project and/or grant award. This could impact the availability of the funding from the New Mexico Department of Transportation.
4. Vote to "Table"; this could impact the availability of the funding from the New Mexico Department of Transportation.

**REFERENCE INFORMATION:**

N/A

**RESOLUTION NO. 12-014**

**A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2011/2012, IN THE AMOUNT OF \$38,875.00 FOR THE EL PASEO ROAD MEDIAN IMPROVEMENTS PROJECT AND TO AMEND THE FISCAL YEAR 2011/2012 BUDGET, A \$12,958.00 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-1-12(912), Control Number HW2 L100021, known as the Local Government Road Fund Project Fiscal Year 2011/2012 for constructing access control medians including design, removal and replacement of hot mix asphalt paving, pavement markings, construction staking, traffic control, and miscellaneous items along the El Paseo Road corridor at Wyatt Drive, Idaho Ave., and Boutz Road; and

**WHEREAS**, the City of Las Cruces is being offered an award of \$38,875.00 from the NMDOT, Local Government Road Fund Program for this project; and

**WHEREAS**, the NMDOT's share will be 75% or \$38,875.00, and the City of Las Cruces is required to match 25% of the total project award amount of \$51,833.00, for a match of \$12,958.00; and

**WHEREAS**, the City of Las Cruces is required to fund the difference between the total project award amount of \$51,833.00 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, 2012, 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**, NMDOT 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-1-12(912), Control Number HW2 L100021, NMDOT, Local Government Road Fund Project, Fiscal Year 2011/2012 for constructing access control medians including design, removal and replacement of hot mix asphalt paving, pavement markings, construction staking, traffic control, and miscellaneous along the El Paseo Road corridor at Wyatt Drive, Idaho Ave., and Boutz Road.

**(II)**

**THAT** the grant from the NMDOT, Local Government Road Fund Program, in the amount of \$38,875.00, is hereby accepted and the City of Las Cruces will commit \$12,958.00 in matching funds and all additional construction costs for the project.

**(III)**

**THAT** the Fiscal Year 2011/2012 Budget is hereby amended as outlined on the attached Exhibit "A".

(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 \_\_\_\_\_, 2011.

APPROVED:

(SEAL)

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE:

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

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

**CITY OF LAS CRUCES  
ADOPTED BUDGET FY 2011/2012**

<b>FUND</b>	<b>DIVISION</b>		<b>FUND TYPE</b>	
<b>State Street Improvement Grants Fund 4212</b>	<b>Public Works</b>		<b>Capital Project</b>	
	<b>FY 2010/11 Projected*</b>	<b>FY 2011/12 Adopted</b>	<b>FY 2011/12 Adjustment</b>	<b>FY 2011/12 Adjusted</b>
<b>RESOURCES</b>				
Beginning Balance	\$ 79,534	79,534		79,534
<b>REVENUES</b>				
60805 Downtown Revitalization	0	128,135		128,135
60806 Downtown Revitalization	0	103,105		103,105
70Q02 Union Avenue/Stern Drive Intersection Imp	0	40,500		40,500
70R00 NM DOT Grant (Street Lighting)	0	10,280		10,280
70W01 Las Cruces Main Street Downtown	0	1,676,000		1,676,000
70W03 S. Main Reconstruction/Rehab (Alameda/Idaho)	0	228,019		228,019
70Y02 Telshor/Lohman Intersection Imp (GRIP 2)	0	0		0
71010 Solano Drive A.D.A. Imp (Spruce/Cactus)	38,429	0		0
70Z01 Amador Rehab (Archuleta to Motel Blvd)	179,126	0		0
70Z03 Amador Ave 17th to Motel Blvd	0	742,500		742,500
70M31 El Paseo Medians	0	148,950	(110,075)	38,875
<b>Total Revenues</b>	\$ 217,555	3,077,489	(110,075)	2,967,414
<b>Total Resources</b>	\$ 297,089	3,157,023	(110,075)	3,046,948
<b>EXPENDITURES</b>				
60805 Downtown Revitalization	\$ 0	128,135		128,135
60806 Downtown Revitalization	0	103,105		103,105
70Q02 Union Avenue/Stern Drive Intersection Imp	0	40,500		40,500
70R00 Street Lighting	0	10,280		10,280
70U01 Jack Rabbit Interchange	0	0		0
70W01 Las Cruces Main Street Downtown	0	1,676,000		1,676,000
70W03 S. Main Reconstruction/Rehab (Alameda/Idaho)	0	228,019		228,019
71010 Solano Drive A.D.A. Imp (Spruce/Cactus)	38,429	0		0
70Z01 Amador Rehab (Archuleta to Motel Blvd)	179,126	0		0
70Z03 Amador Ave 17th to Motel Blvd	0	742,500		742,500
70M31 El Paseo Medians	0	148,950	(110,075)	38,875
<b>Total Expenditures</b>	\$ 217,555	3,077,489	(110,075)	2,967,414
<b>OTHER FINANCING SOURCES (USES)</b>				
Transfer to Fund 4201 - Streets (General) Fund	\$ 0	0	0	0
<b>Total Other Financing Sources (Uses)</b>	\$ 0	0	0	0
<b>ENDING BALANCE</b>	\$ 79,534	79,534	0	79,534

\*Projected based on 8 months actual through February 28, 2011 and 4 months projected.

RESOLUTION NO. 11-185

**A RESOLUTION AUTHORIZING THE APPLICATION FOR 2011/2012 CO-OP FUNDING WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE EL PASEO RD. MEDIAN 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 El Paseo Rd. Median Improvements Project is hereby authorized.

(II)

**THAT** City Staff shall place the El Paseo Rd. Median Improvements Project in the FY 2011/2012 Budget.

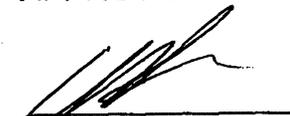
(III)

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

**DONE AND APPROVED** this 22nd day of February, 2011.

(SEAL)

APPROVED:

  
Mayor

ATTEST:

Esther Martinez  
City Clerk

Moved by: Small

Seconded by: Thomas

APPROVED AS TO FORM:

Jared  
City Attorney

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Thomas:	<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>



*NEW MEXICO* DEPARTMENT OF  
**TRANSPORTATION**  
 MOBILITY FOR EVERYONE

April 26, 2011

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

**COPY**

**Susana Martinez**  
 Governor

**Alvin C. Dominguez, P.E.**  
 Cabinet Secretary

Dear Mr. Grijalva:

Our office has been in contact with you regarding the Local Government Road Fund Program funding for the 2011 / 2012 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	\$12,958.00	\$38,875.00	\$51,833.00

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 access control medians, including design, removal and replacement of hot mix asphalt paving, pavement markings, construction staking, traffic control and miscellaneous - along the El Paseo Road corridor - "from Wyatt Drive and Boutz Road"*

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

This information will be presented at the June 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](mailto:debraa.hudson@state.nm.us).

Sincerely,

Debbie Hudson  
 Local Government Road Fund Coordinator

**Commissioners**

**Pete Rahn**  
 Chairman  
 District 3

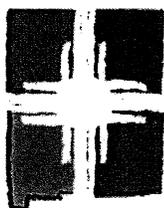
**Debra Hicks**  
 Vice Chairman  
 District 2

**Dr. Kenneth White**  
 Secretary  
 District 1

**Ronald Schmeits**  
 Commissioner  
 District 4

**Butch Mathews**  
 Commissioner  
 District 5

**Jackson Gibson**  
 Commissioner  
 District 6



*New Mexico* DEPARTMENT OF  
**TRANSPORTATION**  
 MOBILITY FOR EVERYONE

**RECEIVED**

JUN 21 2011

CITY OF LAS CRUCES  
 PW/PROJECT DEVELOPMENT

June 17, 2011

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

Re: 2011 - 2012 Local Government Road Fund Program

Dear Mr. Grijalva:

The State Transportation Commission approved the above program during their June 16<sup>th</sup> 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 April 26, 2011. Additional information to be included in the resolution is the termini, project number SP-1-12 (912) and control number HW2 L100021. 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" along with the "letter of intent to apply for a hardship waiver" (samples attached). If you will not be asking for match waiver then submit the normal resolution included in your samples.

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](mailto: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

**Susana Martinez**  
 Governor

**Alvin C. Dominguez, P.**  
 Cabinet Secretary

Commissioners

**Pete Rahn**  
 Chairman  
 District 3

**Debra Hicks**  
 Vice Chairman  
 District 2

**Dr. Kenneth White**  
 Secretary  
 District 1

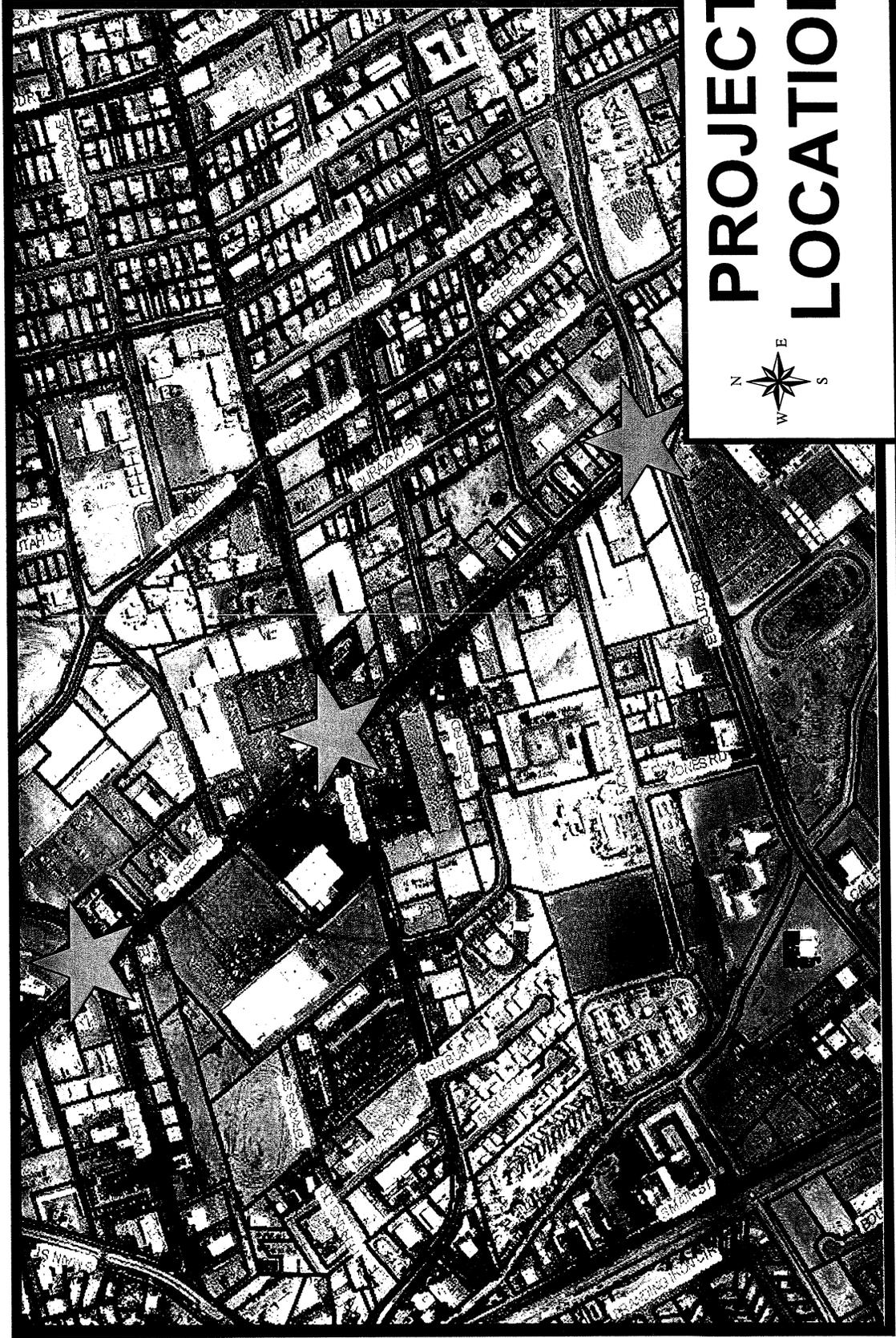
**Ronald Schmeits**  
 Commissioner  
 District 4

**Butch Mathews**  
 Commissioner  
 District 5

**Jackson Gibson**  
 Commissioner  
 District 6

Enclosures

# El Paseo Rd. Median Improvements Project



**PROJECT  
LOCATION**