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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 20 Ordinance/Resolution# 12-190

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of May 7, 2012
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION RENAMING THOSE SECTIONS OF NORTH AND SOUTH DOWNTOWN MALL WITHIN DOWNTOWN LAS CRUCES TO NORTH AND SOUTH MAIN STREET, RESPECTIVELY, AND GRANTING AN EXCEPTION TO RESOLUTION 80-338 IN ORDER TO IMPLEMENT THIS STREET NAME CHANGE.

PURPOSE(S) OF ACTION:

To rename the previous Downtown Mall to North and South Main Street.

COUNCIL DISTRICT: N/A		
<u>Drafter/Staff Contact:</u> David Dollahon	<u>Department/Section:</u> Community Development/ Neighborhood Services	<u>Phone:</u> 528-3060
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Properties fronting on the re-opened and soon-to-be re-opened segments of Main Street have been re-addressed to have Main Street addresses instead of their former addresses of "Downtown Mall", with limited exceptions (i.e. the last 5 Downtown Mall addresses are in the process of being changed). Staff researched past City Council Resolutions to determine if the portion of Main Street running through the area known as the Downtown Mall had ever been officially re-named or re-designated as "Main Street;" it had not. Therefore, this Resolution proposes, if adopted, to rename the blocks between 500 N. Downtown Mall heading south through 200 S. Downtown Mall to North and South Main Streets, respectively. An exception is needed from the Street Name Change policies established under Resolution 80-338 whereby public hearings and notice are required. This exception allows for staff to expedite the street naming process because actions have been taken to date to implement such changes (posting of street signs and re-assigning addresses using "Main Street") and this name change is the most logical name for the street and in keeping with the continued revitalization of Downtown Las Cruces.

SUPPORT INFORMATION:

1. Resolution.
2. Attachment "A", Map of affected blocks to be renamed.

3. Attachment "B", Resolution 80-338.

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below	
	No	<input type="checkbox"/>	If No, then check one below:	
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____	
	<input type="checkbox"/>	<input 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.
Does this action create any revenue? N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$_____ for FY_____	
	No	<input type="checkbox"/>	There is no new revenue generated by this action.	

BUDGET NARRATIVE

N/A

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. Such action would officially name Main Street within Downtown Las Cruces.
2. Vote "No"; this will not approve the Resolution. Such action would officially retain the name of "Downtown Mall" and potentially cause great confusion with the street names and addresses along the re-opened sections of Main Street in Downtown Las Cruces.
3. Vote to "Amend"; this modification would be at the Council's discretion and direction to staff.
4. Vote to "Table/Postpone"; and Council direction would be required to proceed further.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. N/A

RESOLUTION NO. 12-190

A RESOLUTION RENAMING THOSE SECTIONS OF NORTH AND SOUTH DOWNTOWN MALL WITHIN DOWNTOWN LAS CRUCES TO NORTH AND SOUTH MAIN STREET, RESPECTIVELY, AND GRANTING AN EXCEPTION TO RESOLUTION 80-338 IN ORDER TO IMPLEMENT THIS STREET NAME CHANGE.

The City Council is informed that:

WHEREAS, the Downtown Mall was created through the City's efforts of Urban Renewal in the late 1960's and early 1970's; and

WHEREAS, the words/name "Downtown Mall" was used for both geographical reference and addressing purposes; and

WHEREAS, since the mid-2000's, the City has been actively working to revitalize Downtown Las Cruces through the designation of a Metropolitan Redevelopment Area, the creation of a Tax Increment Development District, as well as the efforts to reconstruct and open Main Street in place of the area known as "Downtown Mall"; and

WHEREAS, with the reconstruction of the last two blocks of Main Street well under way, the sections south of Griggs Avenue, and the full re-opening of Main Street by the end of the calendar year 2012, it is appropriate that the sections of the entire re-opened roadway be officially renamed to "Main Street."

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

(I)

THAT the blocks of 100 S., 200 S., 100 N., 200 N., 300 N., 400 N., and 500 N. Downtown Mall are hereby renamed "South Main Street" and "North Main Street", respectively, and the street addresses are retained with the exception of the change of street name.

(II)

THAT an exception to Resolution 80-338 is hereby granted for the street name change approved under this Resolution as it expedites the process, ensures continued public safety, formalizes previous steps taken by City staff to re-open Main Street in Downtown Las Cruces, and is the most logical name for the respective blocks listed above.

(III)

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

DONE AND APPROVED this _____ day of _____, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Small: _____

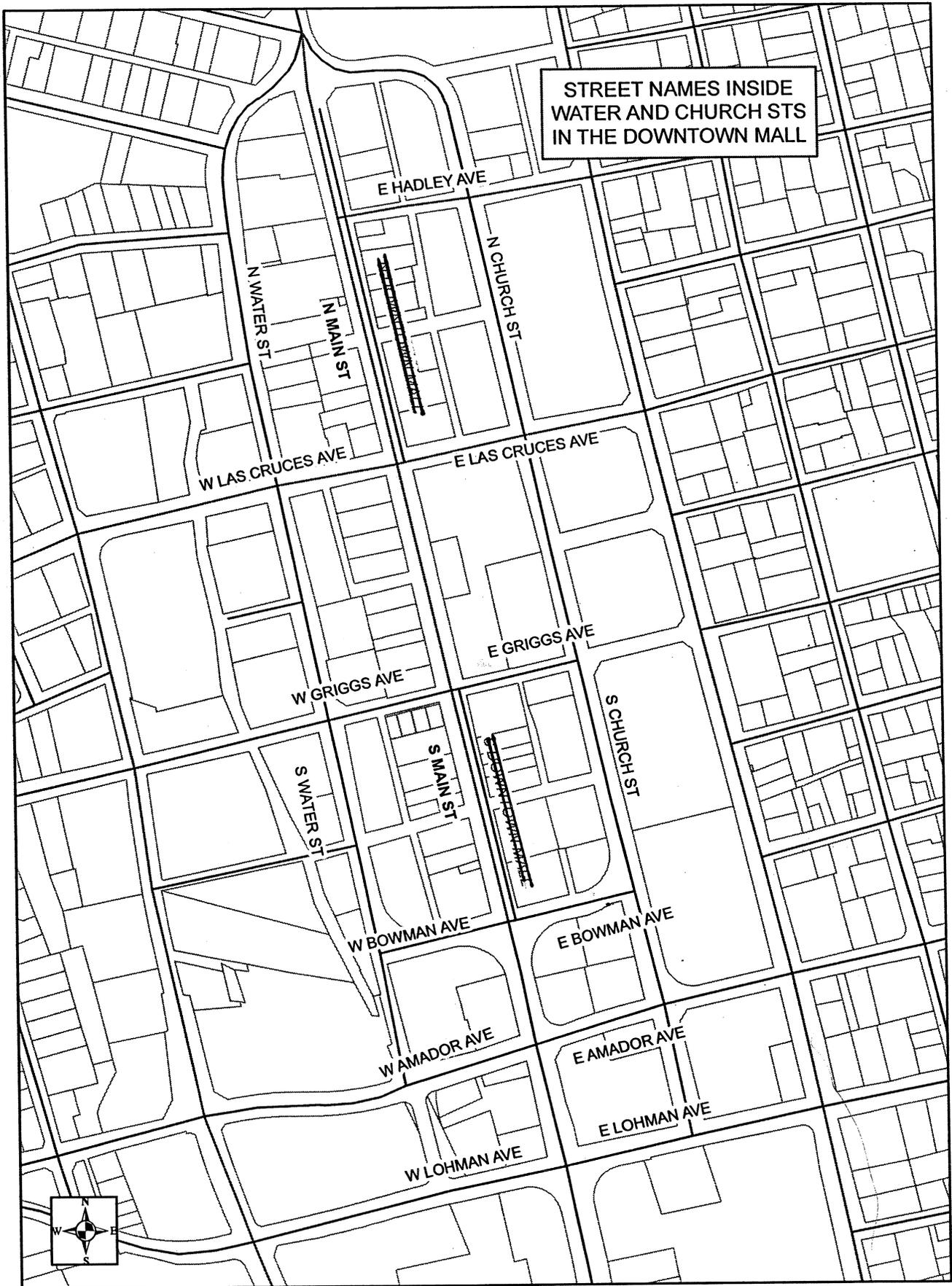
Councillor Sorg: _____

Councillor Thomas: _____

APPROVED AS TO FORM:



City Attorney



RESOLUTION NO. 80-338

A RESOLUTION APPROVING THE STREET NAME CHANGE POLICY

The City Commission is informed that:

In the past, the City Commission and City Staff have had to deal with confusing cases of street name changes.

The City Staff does not have an established policy concerning street name changes with which to follow.

The City Commission recognizes the need to establish a policy addressing the problem of street name changes.

The Planning and Zoning Commission at its regular meeting of April 22, 1980, recommended approval of this street name change policy.

NOW THEREFORE, the City Commission of the City of Las Cruces, New Mexico, determines, resolves and orders as follows:

(1)

THAT in accordance with the recommendations of the Planning and Zoning Commission that the guidelines for the naming of streets and the issuing of addresses are hereby adopted.

(2)

THAT City Staff and officials are authorized and directed to execute appropriate documentation, and to do all acts and deeds necessary in the accomplishment of the hereinabove.

DONE AND APPROVED this 19th day of May, 1980.

J. Cabanera
Mayor

ATTEST:

Karen Stevens
City Clerk

(SEAL)

Moved by: Ohler

Seconded by: Rios

VOTE:

Commissioner Kosik: Aye
Commissioner Ohler: Aye
Commissioner Camunez: Aye
Commissioner Rios: Aye
Commissioner Hudson: Aye

Approved as to form:

Robert Kelley
City Attorney

CHANGES OF STREET NAMES

PETITION

The person initiating a street name change shall present to the City Planning Department a petition with signatures of 75% of the persons who own property which fronts on or is adjacent to the subject street. The petition shall be based on one signature requirement per parcel of property. The petition must be dated and have a current mailing address of all petitioners.

FEE

A fee of \$250.00 will be charged at the time of submission of petition for a street name change. If it is determined, upon verification of ownership, that the petition does not have a sufficient number of signatures to meet the requirements, then the City Planning Department will notify the representative of the petitioners by registered mail. The representative will be given ten (10) days from receipt of the registered letter to acquire the sufficient number of signatures. If the required percentage of signatures is not presented, then the petition will be voided.

PUBLIC NOTICE

A public hearing shall be required by both the Planning and Zoning Commission and City Commission. The petitioners shall be responsible for notification in a newspaper of general circulation in the City of Las Cruces, and shall provide proof of publication to the Planning Department. Included in the publication shall be a list of the petitioners, the existing and proposed street name and general description. Notice must be published fifteen (15) days prior to consideration by both the Planning and Zoning Commission and the City Commission.

City Planning staff will send letters of notification to all property owners fronting on or adjacent to the subject street name change. Landowners shall be responsible for notification of tenants of the pending action, and shall provide the City Planning Department with a list of current tenants and addresses.

Upon final approval of the street name change by the City Commission, the City Planning staff shall send notice of the change to:

1. All property owners and tenants fronting on or adjacent to the subject name street,
2. Pertinent governmental agencies, and
3. Local utility companies.

RECONSIDERATION AND SUBSEQUENT CHANGES

Subsequent proposals to change the name of streets will not be permitted for one (1) year from the date of acceptance or denial by the City Commission.

PROTEST

Qualified protests shall include any property fronting on or adjacent to the subject street, as reflected on the most current tax rolls of the Dona Ana County Assessor. The protest will be based on one (1) vote per parcel of property.

CITY INITIATED STREET NAME CHANGE

If just cause can be shown to the Director of the Planning Department that a street name change would benefit the City from a public safety aspect, then he may waive the petition process and initiate the street name change.

The Planning Department shall have the responsibility of notifying by registered mail all property owners who front on or are adjacent

to the subject street and shall be responsible for public notification in a newspaper of general circulation in the City of Las Cruces prior to the required public hearings, (see public notice on page 1.)