City of Las Cruces®
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Council Action and Executive Summary

Item # 6 **Ordinance/Resolution#** 14-063

For Meeting of _____ (Ordinance First Reading Date)

For Meeting of October 7, 2013 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☐ LEGISLATIVE ☒ ADMINISTRATIVE

TITLE: **A RESOLUTION DECLARING THE ELIGIBILITY AND INTENT OF THE CITY OF LAS CRUCES TO SUBMIT AN APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATION ALTERNATIVE PROGRAM FUNDS FOR FEDERAL FISCAL YEAR 2014/2015.**

PURPOSE(S) OF ACTION:

Application submittal.

COUNCIL DISTRICT: 6		
Drafter/Staff Contact: Louis Grijalva, P.E.	**Department/Section:** Public Works/ Project Development	**Phone:** 528-3479
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Transportation Alternative Program (TAP) is a new federal program authorized under Section 1122 of the most recent Federal Transportation Funding Act, Moving Ahead for Progress in the 21st Century (MAP-21). Funding for the TAP is derived from several programs and encompasses most of the activities previously funded under Transportation Enhancements (TE), Recreational Trails Program (RTP), and the Safe Routes to School (SRTS) Program of the previous Federal Transportation Bill, SAFETEA-LU.

The TAP funding is being allocated through the Metropolitan Planning Organizations (MPOs) and Regional Planning Organizations (RPOs) in New Mexico. The Mesilla Valley Metropolitan Planning Organization (MVMPO) staff scored all applications according to the TAP application requirements. The scores were submitted to the Bicycle and Pedestrian Advisory Committee, as well as the Technical Advisory Committee for their recommendations on which applications should move forward for final approval.

MVMPO staff submitted the Las Cruces Dam Trail Improvements Project and the MVMPO Policy Committee approved the project to be considered for the TAP funding for Federal Fiscal Year 2014/2015.

Las Cruces Dam Trail Improvements: This project will consist of constructing 2.8 miles of trail that were removed due to funding constraints from the Section 1135 Las Cruces Dam Environmental Restoration Project currently under construction. The project will also include additional trail amenities like benches and dog waste stations.

The New Mexico Department of Transportation (NMDOT) requires a Resolution of Support from City Council to complete the application for the TAP funding. Funds for the project will require a 14.56% City match. The total cost for the planning, design, and construction is estimated to be $465,000.00 (NMDOT - $390,000.00; City - $75,000.00). The match and the amount over the federal funding limit will be included in the Fiscal Year 2014/2015 Budget: Infrastructure and Rehabilitation Funds (4001).

If only partial funding is received, the project can be re-scoped to reflect the available funding.

SUPPORT INFORMATION:

1. Resolution.
2. Attachment "A", Vicinity Map.

SOURCE OF FUNDING:

Is this action already budgeted?			
N/A	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the ____Fund.
Does this action create any revenue?			
	Yes	☐	Funds will be deposited into this fund: _____ in the amount of $_____for FY__.
	No	☒	There is no new revenue generated by this action.

BUDGET NARRATIVE

City match funds will be requested in the FY14/15 budget. It is anticipated that the funding will come from the Infrastructure and Rehabilitation Fund (4001).

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 and application for the TAP funding with the NMDOT for the Las Cruces Dam Trail Improvements Project.
2. Vote "No"; this will reject the Resolution in its entirety and the TAP funds will not be applied for.
3. Vote to "Amend"; this could modify the Resolution to reflect other projects.
4. Vote to "Table"; this could impact the application for funding and possibly cause the application deadline to be missed.

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. 14-063

A RESOLUTION DECLARING THE ELIGIBILITY AND INTENT OF THE CITY OF LAS CRUCES TO SUBMIT AN APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATION ALTERNATIVE PROGRAM FUNDS FOR FEDERAL FISCAL YEAR 2014/2015.

The City Council is informed that:

WHEREAS, the City of Las Cruces (City) staff has identified the Las Cruces Dam Trail Improvements Project that could be considered for the Transportation Alternative Program (TAP) funding with the New Mexico Department of Transportation (NMDOT); and

WHEREAS, the Mesilla Valley Metropolitan Planning Organization Policy Committee approved the project to be submitted to the NMDOT; and

WHEREAS, the City is submitting an application for the Federal Fiscal Year 2014/2015 New Mexico TAP funds in the amount of $465,000.00 as set forth by the Federal Legislation, Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the City acknowledges to seek availability of the required local match of 14.56% and the availability of funds to pay all upfront costs, since the TAP is a cost-reimbursement program; and

WHEREAS, the City agrees to pay any costs that exceed the project amount if the application is selected for funding; and

WHEREAS, the City agrees to maintain the project constructed with the TAP funds for the useable life of the project; and

WHEREAS, the NMDOT requires a Resolution of Support from City Council to complete the application for the TAP fund.

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

Cruces:

(I)

THAT City Council authorizes staff to make an application for the Federal Fiscal Year 2014/2015 for New Mexico TAP funds in the amount of $465,000.00 from the NMDOT for the Las Cruces Dam Trail Improvements Project.

(II)

THAT the City hereby informs the NMDOT that if the TAP funds are awarded, City staff will seek to obtain sufficient funding by placing this matter in the proposed budget for Fiscal Year 2014/2015, for the local match and for upfront costs, since the TAP is a cost-reimbursement program, and that any costs exceeding the awarded amount will be paid for by the City.

(III)

THAT the City hereby informs the NMDOT that if the TAP funds are awarded, City staff will seek sufficient funding for the operation and maintenance of the TAP project in the proposed budget for Fiscal Year 2014/2015, for the life of the project.

(IV)

THAT the City Manager is authorized to make an application to seek a cooperative project agreement with the NMDOT for the construction of the TAP funded project.

(V)

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

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

Moved by: _____

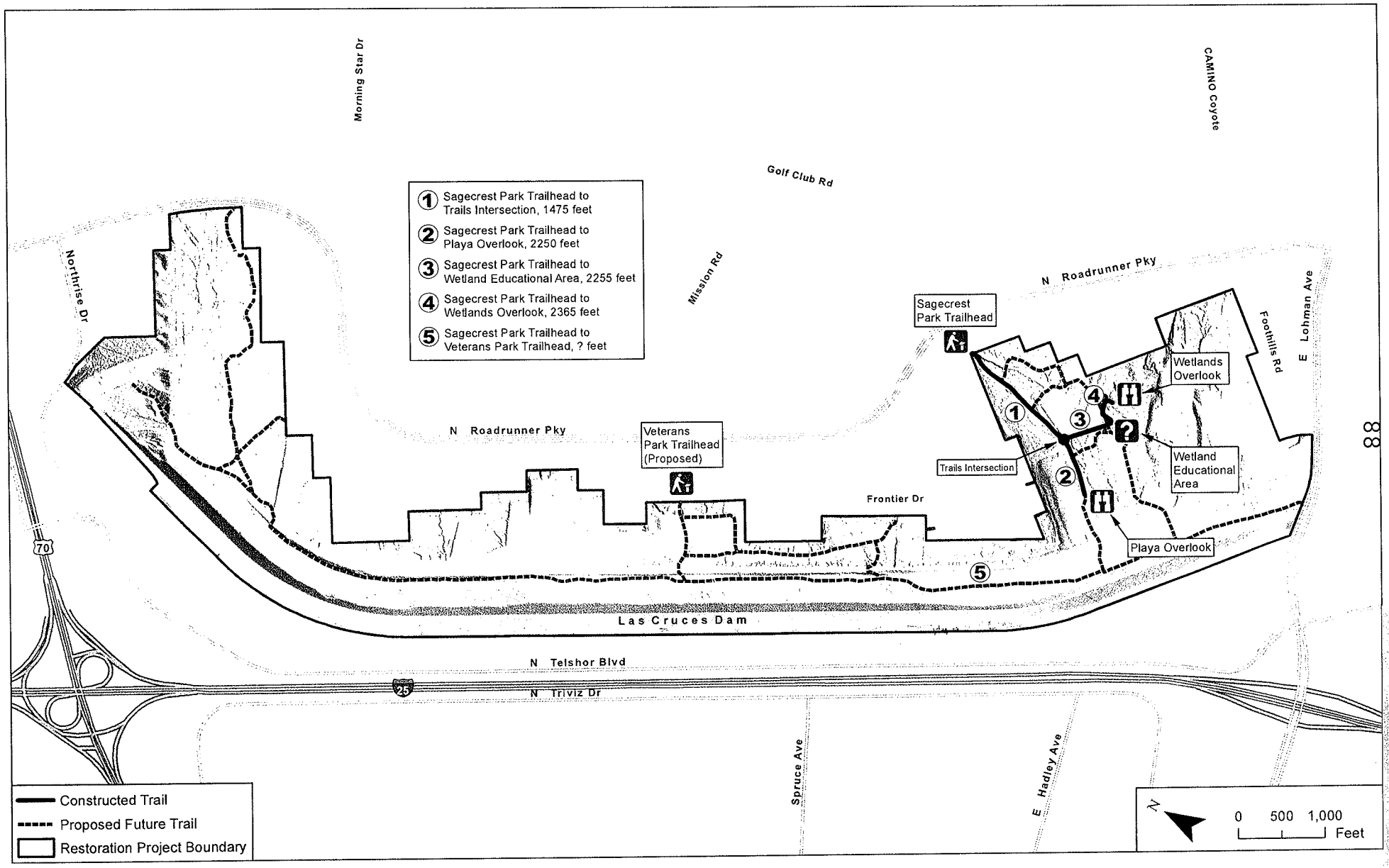
Seconded by: _____

APPROVED AS TO FORM:

_____
City Attorney

VOTE:

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



ATTACHMENT "A"