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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 13 Ordinance/Resolution# 10-035 Council District:

For Meeting of July 20, 2009

TITLE:

A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2009/2010 IN THE AMOUNT OF \$49,000.00 FOR THE SOLANO DRIVE A.D.A. IMPROVEMENTS PROJECT FROM SPRUCE AVENUE TO CACTUS STREET AND TO AMEND THE FISCAL YEAR 2009/2010 BUDGET.

PURPOSE(S) OF ACTION: Grant Acceptance and Budget Amendment

Name of Drafter: Louis Grijalva <i>AG</i>		Department: Public Works Project Development		Phone: 528-3479	
Department	Signature	Phone	Department	Signature	Phone
Public Works	<i>[Signature]</i>	528-3333	Budget	<i>[Signature]</i>	541-2106
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>[Signature]</i>	2124	City Manager	<i>[Signature]</i>	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 2009/2010 for the Solano Drive A.D.A. Improvements Project from Spruce Avenue to Cactus Street pursuant to Resolution 09-192.

The Solano Drive A.D.A. Improvements Project from Spruce Avenue to Cactus Street was estimated to cost \$100,000.00 for project development and construction. Historically NMDOT has awarded the City approximately \$55,000.000 per year under the Local Government Road Fund Program. The City is required to match 25% of the awarded amount and is responsible for paying 100% of the cost of the project in excess of the awarded amount.

(Continue on additional sheets as required)

The City of Las Cruces has been offered \$49,000.00 from the New Mexico Department of Transportation, Local Government Road Fund program to complete the project (See letter from NMDOT, dated May 21, 2009). This would require the City to match funds (25%) for the project in the amount of \$16,333.00 for the total project funding in the amount of \$65,333.00. The City would also be required to fund the difference in the total project funding amount of \$65,333.00 and the total construction cost. The project will consist of the removal and replacement of wheel chair ramps, sidewalks, and drive pads; including curb & gutter, asphalt patching, and removal and installation of pull boxes on Solano Drive from Spruce Avenue to Cactus Street. The funds for the City match and additional construction costs have been budgeted and are available in the Street Maintenance and Flood Control funds.

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 19, 2009) prior to processing the agreements between NMDOT and the City of Las Cruces.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
GRT Street Maint Fund 4202/ 42806040-854121-70xxx	\$16,333.00	\$25,000.00 pending adjustment
State Street Imp Grants Fund 4212/ 42806180-854121-70xxx	\$49,000.00	\$49,000.00 pending adjustment

1. Resolution.
2. Resolution 09-192, Attachment "A".
3. Letter from NMDOT, dated May 21, 2009, Attachment "B".
4. Letter from NMDOT, dated June 19, 2009, Attachment "C".
5. Vicinity Map, Attachment "D".
6. Budget Adjustment, Exhibit "A".

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Accept the grant from the New Mexico Department of Transportation, Local Government Road Fund, Fiscal Year 2009/2010 in the amount of \$49,000.00 for the Solano Drive A.D.A. improvements Project from Spruce Avenue to Cactus Street. This will commit the City to provide matching funds and to pay for the differences between the total funding amount of the grant and the total cost to construct the project. This will also approve the recommended budget adjustment.
2. Reject and abandon the project.

RESOLUTION NO. 10-035

A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2009/2010 IN THE AMOUNT OF \$49,000.00 FOR THE SOLANO DRIVE A.D.A. IMPROVEMENTS PROJECT FROM SPRUCE AVENUE TO CACTUS STREET AND TO AMEND THE FISCAL YEAR 2009/2010 BUDGET.

The City Council is informed that:

WHEREAS, the New Mexico Department of Transportation (NMDOT) have entered into a joint and coordinated effort in Cooperative Agreement Project Number SP-1-10(911), Control Number HW2 M100134 known as Local Government Road Fund Project for Fiscal year 2009/2010 to design and install new A.D.A. Improvements on Solano Drive from Spruce Avenue to Cactus Street. The project will also include the removal and replacement of wheel chair ramps, sidewalks, and drive pads; including curb & gutter, asphalt patching, removal and installation of new pull boxes, and

WHEREAS, the City of Las Cruces is being offered an award of \$65,333.00 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 \$49,000.00, and the City of Las Cruces is required to match 25% of the total project award amount of \$65,333.00, for a match of \$16,333.00, and

WHEREAS, the City of Las Cruces is required to fund the difference between the Engineer's estimated total project amount 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, 2010 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 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 a Cooperative Agreement for Project Number SP-1-10(911), Control Number HW2 M100134 with the New Mexico Department of Transportation, Local Government Road Fund Project, Fiscal Year 2009/2010 to design and install new A.D.A. Improvements on Solano Drive from Spruce Avenue to Cactus Street. The project will also include the removal and replacement of wheelchair ramps, sidewalks, and drive pads, including curb & gutter, asphalt patching, and removal and installation of pull boxes within the control of the City of Las Cruces, New Mexico.

(II)

THAT the grant from the New Mexico Department of Transportation, Local Government Road Fund Program, in the amount of \$49,000.00, is hereby accepted and the City of Las Cruces will commit \$16,333.00 in matching funds and all additional construction costs for the project.

(III)

THAT the Fiscal Year 2009/2010 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 20th day of July 2009.

(SEAL)

APPROVED:

Mayor

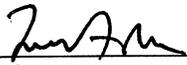
ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Archuleta:	_____
Councillor Small:	_____
Councillor Jones:	_____
Councillor Thomas:	_____

RESOLUTION NO. 09-192

A RESOLUTION AUTHORIZING THE APPLICATION FOR 2009 / 2010 CO-OP FUNDING WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE SOLANO DRIVE A.D.A. IMPROVEMENTS PROJECT WITH THE UNION AVENUE/STERN DRIVE INTERSECTION IMPROVEMENTS PROJECT AS AN ALTERNATIVE.

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 Solano Drive A.D.A. Improvements Project is hereby authorized.

(II)

THAT if the Solano Drive A.D.A. Improvements Project is selected to receive Reinvestment and Recovery Act funding, City Staff is authorized to proceed with the Union Avenue/Stern Drive Intersection Improvements as an alternative.

(III)

THAT City Staff shall place the Solano Drive A.D.A. Improvements Project or the Union Avenue/Stern Drive Intersection Improvements in the FY 2009/2010

Budget.

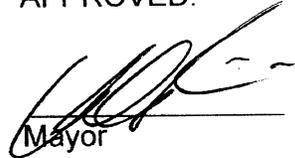
(IV)

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

DONE AND APPROVED this 17th day of February 2009.

(SEAL)

APPROVED:


Mayor

ATTEST:


City Clerk

VOTE:

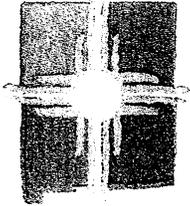
Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Archuleta:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Jones:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

Moved by: Archuleta

Seconded by: Jones

APPROVED AS TO FORM:


City Attorney



New Mexico DEPARTMENT OF
TRANSPORTATION
 MOBILITY FOR EVERYONE

May 21, 2009

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 2009 / 2010 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	\$16,333.00	\$49,000.00	\$65,333.00

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 575-546-0272, a hard copy also needs to be forwarded through the mail.

The scope of work shows *"Removal and replacement of wheel chair ramps, sidewalks and drivepads, including curb & gutter, asphalt patching, remove and install new pull box - Solano Drive - "from Spruce Avenue to Cactus Street"*

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

This information will be presented at the June 18th 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

RECEIVED

MAY 28 2009

CITY OF LAS CRUCES
 PW/PROJECT DEVELOPMENT

Bill Richardson
 Governor

Gary L. J. Girón
 Cabinet Secretary

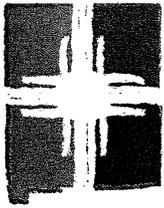
Commission

Johnny Cope
 Chairman

John Hummer
 Commissioner
 District 1

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

Frank E. Guzman, P.E.
 District Engineer
 District 1



New Mexico DEPARTMENT OF
TRANSPORTATION
 MOBILITY FOR EVERYONE

June 19, 2009

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

Re: 2009 - 2010 Local Government Road Fund Program

Dear Mr. Grijalva:

The State Transportation Commission approved the above program during their **June 18th 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 21, 2009**. Additional information to be included in the resolution is the termini, project number **SP-1-10 (911)** and control number **HW2 M100134**. A sample resolution is included for your convenience.

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

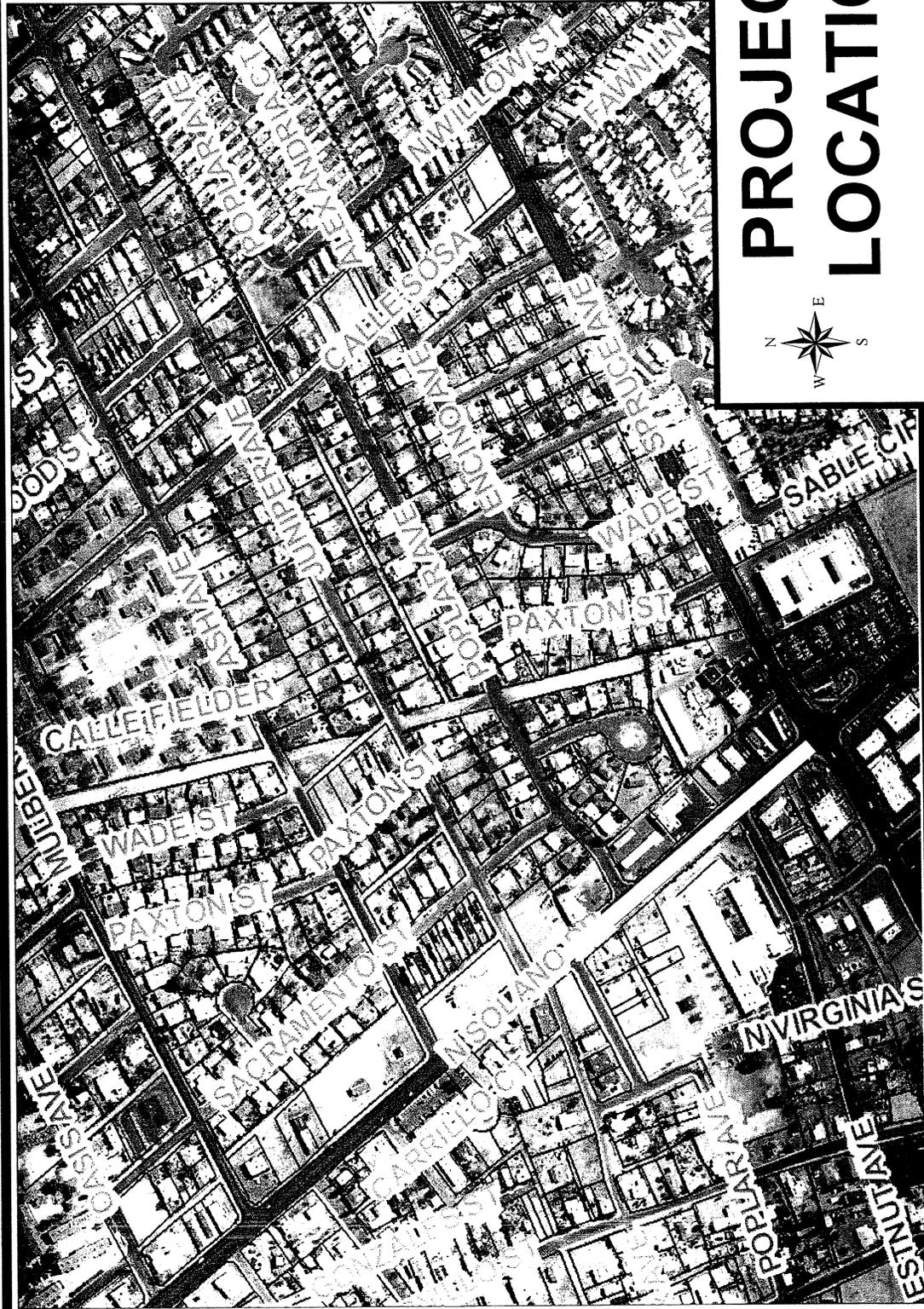
Frank E. Guzman, P.E.
 District Engineer
 District I

RECEIVED

JUN 23 2009

JW
 CITY OF LAS CRUCES
 PW/PROJECT DEVELOPMENT

SOLANO DR. A.D.A. IMPROVEMENTS FROM SPRUCE AVE TO CACTUS ST



PROJECT LOCATION

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010**

FUND	DIVISION		FUND TYPE	
GRT Street Maintenance Fund 4202	Public Works		Capital Project	
	FY 2008/09 Projected*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
RESOURCES				
Beginning Balance	\$ 258,835	0		0
REVENUES				
512010 Municipal Gross Receipts	\$ 6,160,000	6,185,000		6,185,000
570010 Interest Income	12,000	1,000		1,000
570015 Net Incr (Decr) Fair Value Investment	0	0		0
592001 Other Revenue - GGRT St Maintenance	275,000	350,000		350,000
Total Revenues	\$ 6,447,000	6,536,000	0	6,536,000
Total Resources	\$ 6,705,835	6,536,000	0	6,536,000
EXPENDITURES				
42226020 Contract Services (admin fee for GRT collect.)	\$ 176,000	176,000		176,000
42806130 ADA Improvements	220,000	220,000		220,000
42806130 Sidewalk Reconstruction - Capital	37,165	50,000		50,000
42806140 Overlay	490,100	500,000		500,000
42806150 Sealing	333,900	350,000		350,000
70K02 Del Rey Widening (MAP Match)	215,694	300,000		300,000
70M15 Amador Resurfacing	8,110	0		0
70M17 Melendrez Rehab. Phase I	(50,000)	0		0
70M25 Fred Way	181,690	0		0
70P00 Trivz Bike Path	2,884	0		0
70Q00 Union	25,000	0		0
70R01 Stern Street Lighting (Co-op Match)	29,725	25,000	(25,000)	0
70xxx Solano Drive A.D.A.	0	0	25,000	25,000
70Y01 Telshor/Lohman Intersection Improvements	326,640	1,007,100		1,007,100
70Z01 MAP Project (Match)	0	125,000		125,000
Total Expenditures	\$ 1,996,908	2,753,100	0	2,753,100
OTHER FINANCING SOURCES (USES)				
Transfer to Fund 1005 - Engineering Services	\$ (745,000)	(745,000)		(745,000)
Transfer to Fund 1005 - Engineering Services (New position)	(15,000)	(15,000)		(15,000)
Transfer to Fund 2600 - Street Maintenance Operations	(87,831)	(482,386)		(482,386)
Transfer to Fund 3230 - 1999 GRT Bonds	(1,539,544)	(1,238,840)		(1,238,840)
Transfer to Fund 3613 - NMFA Street Loans DS	(1,380,862)	(800,258)		(800,258)
Transfer to Fund 3615 - New Street Projects Loans DS	(945,009)	(203,298)		(203,298)
Transfer from Fund 4208 - 1991 Improvement District	4,319	0		0
Total Other Financing Sources (Uses)	\$ (4,708,927)	(3,484,782)	0	(3,484,782)
ENDING BALANCE	\$ 0	298,118	0	298,118

*Projected based on 8 months actual through February 28, 2009 and 4 months projected.

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010**

Page 1 of 2

FUND	DIVISION		FUND TYPE	
State Street Improvement Grants Fund 4212	Public Works		Capital Project	
	FY 2008/09 Projected*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
RESOURCES				
Beginning Balance	\$ 119,904	167,404		167,404
REVENUES				
60805 Downtown Revitalization	\$ 35,497	537,223		537,223
60806 Downtown Revitalization	60,000	200,000		200,000
70740 Valley Drive Master Plan	0	20,000		20,000
70A07 Elks Drive Widening	172,930	0		0
70D01 Central/Calico Drainage Channel	150,000	0		0
70E01 El Molino Reconstruction	0	50,000		50,000
70E02 El Molino Reconstruction	0	100,000		100,000
70E05 El Molino Reconstruction	0	50,000		50,000
70E06 El Molino Reconstruction	0	50,000		50,000
70F01 East Mesa - Reynolds Drive	100,000	0		0
70F02 East Mesa - Reynolds Drive	197,330	0		0
70F03 Reynolds Drive Improvements	2,510	0		0
70F04 East Mesa Road Improvements	0	500,000		500,000
70F10 East Mesa - Davis/Jefferson Roads	47,757	0		0
70F11 Morningside Road	50,000	0		0
70F12 Morningside Road	130,648	0		0
70F17 East Mesa - Davis/Jefferson Roads	21,290	17,393		17,393
70F18 Solano Drive Improvements	55,000	0		0
70K02 Del Rey Blvd Reconstruction	0	541,441		541,441
70M07 State Grant - North Valley	0	5,891		5,891
70P00 NM Energy/Mineral Resources (Triviz)	39,487	159,139		159,139
70Q00 Union Avenue	0	20,000		20,000
70Q01 Union Avenue Multi Use Path	54,698	15,302		15,302
70R00 NM DOT Grant (Street Lighting)	11,960	4,481		4,481
70R01 Stern Street Lighting	57,000	0		0
70T01 Fred Way	100,000	0		0
70U01 Jack Rabbit Interchange	119,692	350,000		350,000
70Y02 Telshor/Lohman Intersection Imp (GRIP 2)	0	3,705,000		3,705,000
70W01 Las Cruces Main Street Downtown	0	1,176,000		1,176,000
70W02 Las Cruces Main Street Downtown	0	500,000		500,000
70xxx Solano Drive A.D.A. Imp (Spruce/Cactus)	0	0	49,000	49,000
Total Revenues	\$ 1,405,799	8,001,870	49,000	8,050,870
Total Resources	\$ 1,525,703	8,169,274	49,000	8,218,274

*Projected based on 8 months actual through February 28, 2009 and 4 months projected.

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010**

Page 2 of 2

FUND	DIVISION		FUND TYPE	
State Street Improvement Grants Fund 4212	Public Works		Capital Project	
	FY 2008/09 Projected*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
EXPENDITURES				
60805 Downtown Revitalization	\$ 35,497	537,223		537,223
60806 Downtown Revitalization	60,000	200,000		200,000
70740 Valley Drive Master Plan	0	20,000		20,000
70A07 Elks Drive Widening	172,930	0		0
70D01 Central/Calico Drainage Channel	150,000	0		0
70E01 El Molino Reconstruction	0	50,000		50,000
70E02 El Molino Reconstruction	0	100,000		100,000
70E05 El Molino Reconstruction	0	50,000		50,000
70E06 El Molino Reconstruction	0	50,000		50,000
70F01 East Mesa - Reynolds Drive	100,000	0		0
70F02 East Mesa - Reynolds Drive	197,330	0		0
70F03 Reynolds Drive Improvements	2,510	0		0
70F04 East Mesa Road Improvements	0	500,000		500,000
70F10 East Mesa - Davis/Jefferson Roads	47,757	0		0
70F11 Morningside Road	50,000	0		0
70F12 Morningside Road	130,648	0		0
70F17 East Mesa - Davis/Jefferson Roads	21,290	17,393		17,393
70F18 Solano Drive Improvements	55,000	0		0
70K02 Del Rey Blvd Reconstruction	0	541,441		541,441
70M07 North Valley	0	5,891		5,891
70P00 Triviz Multi-Use Path	39,487	159,139		159,139
70Q00 Union Avenue	0	20,000		20,000
70Q01 Union Avenue Multi Use Path	54,698	15,302		15,302
70R00 Street Lighting	11,960	4,481		4,481
70R01 Stern Street Lighting	57,000	0		0
70T01 Fred Way	100,000	0		0
70U01 Jack Rabbit Interchange	119,692	350,000		350,000
70Y02 Telshor/Lohman Intersection Imp (GRIP 2)	0	3,705,000		3,705,000
70W01 Las Cruces Main Street Downtown	0	1,176,000		1,176,000
70W02 Las Cruces Main Street Downtown	0	500,000		500,000
70xxx Solano Drive A.D.A. Imp (Spruce/Cactus)	0	0	49,000	49,000
Total Expenditures	\$ 1,405,799	8,001,870	49,000	8,050,870
OTHER FINANCING SOURCES (USES)				
Transfer from Fund 1000 - General Fund	\$ 47,500	0		0
Total Other Financing Sources (Uses)	\$ 47,500	0	0	0
ENDING BALANCE	\$ 167,404	167,404	0	167,404

*Projected based on 8 months actual through February 28, 2009 and 4 months projected.