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

**Council Action and Executive Summary**

Item # 4 Ordinance/Resolution # 14-199

For Meeting of \_\_\_\_\_ For Meeting of June 16, 2014  
(Ordinance First Reading Date) (Adoption Date)

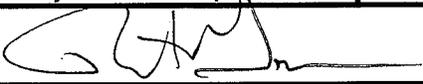
Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2014/2015, FOR THE AMADOR AVENUE A.D.A. IMPROVEMENTS PROJECT IN THE AMOUNT OF \$51,238.00, REQUIRING A CITY MATCH IN THE AMOUNT OF \$17,079.00; AND TO AMEND THE FISCAL YEAR 2013/2014 BUDGET.

**PURPOSE(S) OF ACTION:**

To accept a grant and amend the FY2013/2014 budget.

<b>COUNCIL DISTRICT:</b> 4		
<b>Drafter/Staff Contact:</b> Louis Grijalva, PE	<b>Department/Section:</b> Public Works/ Project Development	<b>Phone:</b> 528-3479
<b>City Manager Signature:</b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The City of Las Cruces (City), Public Works Department/Project Development Section submitted an application to the New Mexico Department of Transportation (NMDOT), Local Government Road Fund (LGRF) Program, Fiscal Year 2014/2015 for the Amador Avenue A.D.A. Improvements Project, pursuant to Resolution 14-136.

The Amador Avenue A.D.A. Improvements Project from McSwain Drive to Archuleta Road was estimated to cost \$111,500.00 for project development and construction. The City is required to match 25% of the grant amount and is responsible for 100% of the cost of the project in excess of the grant amount.

Recently, the City has been offered \$51,238.00 from the NMDOT, LGRF Program to complete the project (see letter from NMDOT, dated April 3, 2014, Attachment "B"). The City would be required to fund the difference in the total NMDOT project grant and the total construction cost. Acceptance of this grant will supplement a portion of the construction costs. This would require the City to contribute a 25% match of \$17,079.00 for the total project grant amount of

\$68,317.00. The 25% match and the excess of the grant amount to construct the project will be funded through the Street Bonds and Flood Control funds.

This project will include project development, design, construction, inspection, testing, construction of sidewalks and drive pads, to be in compliance with A.D.A requirements. The project will also include miscellaneous removals, curb and gutter, asphalt patching, construction staking, electrical pull boxes, traffic control and miscellaneous construction. The funds for the City match have been included in the Fiscal Year 2013/2014 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 number SP-1-15 (963), control number HW2 L100169 and to adopt the project as a priority (see letter from NMDOT, dated May 22, 2014, Attachment "C") prior to processing the agreements between the NMDOT and the City.

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A", Budget Adjustment.
3. Attachment "A", Vicinity Map.
4. Attachment "B", Letter from NMDOT, dated April 3, 2014.
5. Attachment "C", Letter from NMDOT, dated May 22, 2014.

**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: <u>4212</u> in the amount of <u>\$51,238.00</u> for <u>FY 14</u> .
	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 the Public Works Department for the Amador Avenue A.D.A Improvements Project. The required City match of \$17,079.00 was budgeted into Fund 4224 Street Bonds for FY2013/2014.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Paving: 4224	42806260- 854121	\$17,079.00	\$334,060.00	\$316,981.00	Construction of other street projects
St. Street Improvements: 4212	42806030- 854121- 70M32	\$51,238.00	\$51,238.00*	\$0.00	N/A

\*Pending adjustment

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve the Resolution accepting a grant from the NMDOT, LGRF, Fiscal Year 2014/2015, in the amount of \$51,238.00 for the Amador Avenue A.D.A. Improvements Project and to amend the Fiscal Year 2013/2014 budget. A \$17,079.00 City match is required.
2. Vote "No"; this will reject the Resolution. The grant will not be accepted from NMDOT, LGRF, Fiscal Year 2014/2015 budget.
3. Vote to "Amend"; this could modify the Resolution and provide staff alternate direction on how to proceed with the project and/or grant award. This could impact the availability of the funding from NMDOT.
4. Vote to "Table"; this could impact the availability of the funding from NMDOT.

**REFERENCE INFORMATION:**

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

1. Resolution 14-136.

**RESOLUTION NO. 14-199**

**A RESOLUTION ACCEPTING A GRANT FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, LOCAL GOVERNMENT ROAD FUND PROGRAM, FISCAL YEAR 2014/2015, FOR THE AMADOR AVENUE A.D.A. IMPROVEMENTS PROJECT IN THE AMOUNT OF \$51,238.00, REQUIRING A CITY MATCH IN THE AMOUNT OF \$17,079.00; AND TO AMEND THE FISCAL YEAR 2013/2014 BUDGET.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces (City), Public Works Department/Project Development Section submitted an application to the New Mexico Department of Transportation (NMDOT), Local Government Road Fund (LGRF) Program, Fiscal Year 2014/2015 for the Amador Avenue A.D.A. Improvements Project, pursuant to Resolution 14-136; and

**WHEREAS**, the Amador Avenue A.D.A. Improvements Project from McSwain Drive to Archuleta Road was estimated to cost \$111,500.00 for project development and construction. The City is required to match 25% of the grant amount and is responsible for 100% of the cost of the project in excess of the grant amount; and

**WHEREAS**, the City has been offered \$51,238.00 from the NMDOT, LGRF Program to complete the project. This would require the City to contribute a 25% match of \$17,079.00 for the total project grant amount of \$68,317.00. The City would be required to fund the difference in the total NMDOT project grant and the total construction cost. Acceptance of this grant will supplement a portion of the construction costs. The 25% match and the excess of the grant amount to construct the project will be funded through the Street Bonds and Flood Control funds; and

**WHEREAS**, this project will include project development, design, construction, inspection, testing, construction of sidewalks and drive pads, to be in compliance with

A.D.A requirements. The project will also include miscellaneous removals, curb and gutter, asphalt patching, construction staking, electrical pull boxes, traffic control, and miscellaneous construction. The funds for the City match have been included in the Fiscal Year 2013/2014 budget.

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

**(I)**

**THAT** acceptance of the grant from the NMDOT, LGRFP, Fiscal Year 2014/2015, for the Amador Avenue A.D.A. Improvements Project, number SP-1-15 (963), control number HW2 L100169 in the amount of \$51,238.00, requiring a City match in the amount of \$17,079.00, is hereby approved.

**(II)**

**THAT** Fiscal Year 2013/2014 budget is hereby amended as outlined on Exhibit "A", attached hereto and made part of this resolution.

**(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 \_\_\_\_\_, 20\_\_\_\_.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)

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

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

APPROVED AS TO FORM:

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

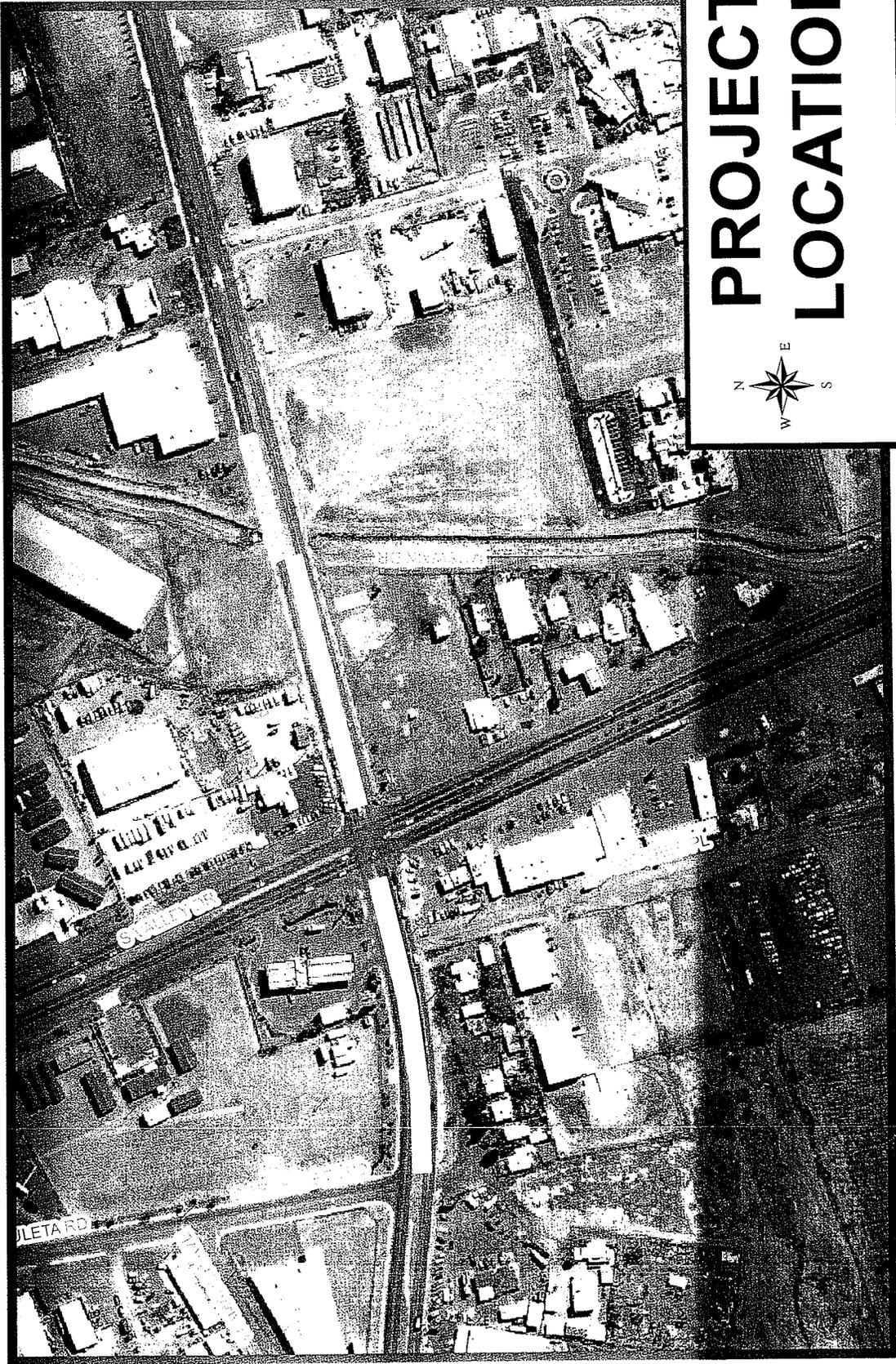
VOTE:

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

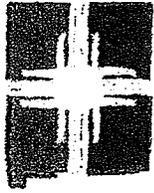
CITY OF LAS CRUCES  
2013-14 Fiscal Year Budget

FUND	DIVISION		FUND TYPE	
State Street Improvement Grants Fund 4212	Public Works		Capital Project	
	2012-13 Projected	2013-14 Adopted	2013-14 Adjustment	2013-14 Amended
<b>RESOURCES</b>				
Beginning Balance	\$ 79,534	79,534		79,534
<b>Revenues</b>				
State Grants	1,267,983	910,705	51,238	961,943
Operating Transfers In	0	0		0
<b>Total Revenues</b>	<u>1,267,983</u>	<u>910,705</u>	<u>51,238</u>	<u>961,943</u>
<b>TOTAL RESOURCES</b>	\$ <u>1,347,517</u>	<u>990,239</u>	<u>51,238</u>	<u>1,041,477</u>
<b>Expenditures</b>				
Public Works	0	0		0
14315 - El Paseo Safety Improvements	0	30,500		30,500
70M31 - El Paseo Medians	0	40,663		40,663
70M32 - Amador Ave Ada Improvements	0	0	51,238	51,238
70P20 - Outfall Channel Trail	188,100	0		0
70W01 - Main St Rehab Stp-9991-2	869,865	299,738		299,738
70Y03 - Telshor Ada Improvements	0	39,804		39,804
70Z03 - Amador Ave 17Th To Motel Blvd	210,018	0		0
30120 - Safe Routes to School FY 14	0	500,000		500,000
Operating Transfers Out	0	0		0
<b>Total Expenditures</b>	\$ <u>1,267,983</u>	<u>910,705</u>	<u>51,238</u>	<u>961,943</u>
Accrual Adjustments	0	0	0	0
<b>ENDING BALANCE</b>	\$ 79,534	79,534	0	79,534

# Amador Ave.- A.D.A. Improvements from Mc Swain Dr. to Archuleta Rd.



**PROJECT  
LOCATION**



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

**COPY**

April 3, 2014

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

Susana Martinez  
Governor

Tom Church  
Cabinet Secretary

Dear Mr. Grijalva:

Our office has been in contact regarding the Local Government Road Fund Program funding for the 2014 / 2015 fiscal year. This letter is to confirm what has been discussed.

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

Commissioners

Pete K. Rahn  
Chairman  
District 3

Ronald Schmeits  
Vice Chairman  
District 4

Dr. Kenneth White  
Secretary  
District 1

Robert R. Wallach  
Commissioner  
District 2

Butch Mathews  
Commissioner  
District 5

Jackson Gibson  
Commissioner  
District 6

	Entity Share	State Share	Project Total
Cooperative Agreement	\$17,079.00	\$51,238.00	\$68,317.00

Please forward a written response no later than 4-10-2014 showing acceptance of the offer. If you decide to fax the information to 575-544-7380, a hard copy also needs to be forwarded through the mail.

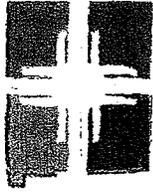
The scope of work shows "Reconstruct the existing <sup>Sidewalks,</sup> curb returns and drive pads to make the sidewalk in compliance with ADA requirements. Work to also include removals, sidewalk, curb & gutter, hot mix asphalt patching, construction staking, relocation of existing street light pull boxes, traffic control and miscellaneous construction - Amador Avenue - McSwain Drive to Valley Drive (NM 185/188) and from Valley Drive (NM 185/188) to Archuleta Road." <sup>[Eastern ROW Line]</sup>  
(Western ROW line)

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

This information will be presented at the May 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



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

May 22, 2014

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

Re: 2014 - 2015 Local Government Road Fund Program

Dear Mr. Grijalva:

The State Transportation Commission approved the above program during their **May 22<sup>nd</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 4, 2014**. Additional information to be included in the resolution is the termini, project number **SP-1-15 (963)** and control number **HW2 L100169**.

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.

Please submit the resolution no later than July 31<sup>st</sup>. This will allow the time needed to have the agreement fully executed by the **October 31<sup>st</sup>** deadline. **Any agreement not fully executed by this deadline could result in the loss of your funding.**

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

Enclosures



**Susana Martinez**  
Governor

**Tom Church**  
Cabinet Secretary

**Commissioners**

**Pete K. Rahn**  
Chairman  
District 3

**Ronald Schmeits**  
Vice Chairman  
District 4

**Dr. Kenneth White**  
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