



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 28Ordinance/Resolution# 16-078For Meeting of _____
(Ordinance First Reading Date)For Meeting of September 21, 2015
(Adoption Date)

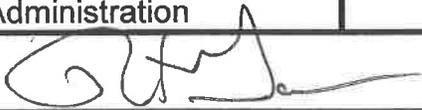
Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO NEGOTIATE A ROAD TRANSFER AGREEMENT BETWEEN THE CITY OF LAS CRUCES (CITY) AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) TO ACCEPT JURISDICTION OVER VALLEY DRIVE FROM AVENIDA DE MESILLA TO THE NORTHERN MOST CITY LIMITS.

PURPOSE(S) OF ACTION:

Authorize a member of City staff to negotiate a road transfer agreement.

COUNCIL DISTRICT: All		
<u>Drafter/Staff Contact:</u> Loretta M. Reyes	<u>Department/Section:</u> Public Works/ Administration	<u>Phone:</u> 528-3125
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

In 1992, the NMDOT Highway Commission directed Highway Districts to work toward a comprehensive state wide movement to transfer ownership of State routes within the boundaries of local governments to those agencies for operation and maintenance.

The NMDOT approached the Public Works Department with a proposal for the City to agree to accept jurisdiction, ownership, operation, and maintenance responsibilities for Valley Drive from Avenida de Mesilla to the northern most City limits in the form of a road transfer agreement. The portion of Valley Drive from Avenida de Mesilla to Picacho Avenue is still under the jurisdiction of the NMDOT. The NMDOT is currently in the initial project planning phase for Valley Drive between Avenida de Mesilla and Picacho Avenue, referred to as the Phase A/B Location and Environmental Study – Initial and Detailed Evaluation of Alternatives. The NMDOT has programmed \$11.0 million in the State Transportation Improvement Program for this portion of Valley Drive. The project is funded by the Federal Highway Administration.

City staff has held meetings with the NMDOT to discuss the road transfer proposal and has been involved in the initial phase of the project, providing input and participating in the public outreach

process. City staff has brought forward infrastructure and amenities to include in the project that would be beneficial to the City and would facilitate the transfer of Valley Drive to the City. These include items such as oversizing the storm drain system to accommodate the drainage from surrounding neighborhoods and providing stub-outs to these neighborhoods; improving pumping system(s) at ponding areas adjacent to Valley Drive, proposed to be used by the NMDOT for drainage; construction of needed geometric improvements (e.g., right turn lanes, etc.) at intersections including necessary right-of-way acquisition; and, construction of a cross section that meets the needs of the City.

Additionally, the recent City Council approval of the Amador Proximo Community Blueprint introduces a conceptual cross section for Valley Drive, different from what is proposed in the NMDOT's Phase A/B Location and Environmental Study. This is likely to generate discussion between City staff and NMDOT regarding which infrastructure elements from this conceptual cross section should be considered in the cross section for Valley Drive. Furthermore, it could raise additional questions and discussion by the City Council to establish the vision, mission, and purpose of what the City should be trying to achieve with the reconstruction of this corridor.

The NMDOT has not developed a road transfer agreement because they do not have all the details to include in an agreement at this time (i.e., alternatives, costs, oversizing the drainage structures, etc.). Although there is no formal agreement for the City Council to approve, it is imperative the City solidify its commitment and participation in the Valley Drive Project at this time. This can be achieved by authorizing a member of staff to negotiate, on behalf of the City, the details of the road transfer agreement with the authority and support from the City Council. This individual will convey the City's vision, mission, and purpose of what the City should be trying to achieve with the reconstruction of this corridor. Additionally, they can ensure infrastructure and amenities that would be beneficial to the City are included in the project, as a means to facilitate the transfer of Valley Drive. Once the negotiations are complete, a formal road transfer agreement will be brought forward to City Council for their approval.

It is recommended the City Council authorize the Public Works Director to negotiate the road transfer agreement between the City and the NMDOT for the City to accept jurisdiction over Valley Drive from Avenida de Mesilla to the northern most City limits.

SUPPORT INFORMATION:

1. Resolution.

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:
	Budget Adjustment Attached	<input type="checkbox"/>	Expense reallocated from: _____
		<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 authorizing the Public Works Director to negotiate the road transfer agreement between the City and the NMDOT for the City of Las Cruces to accept jurisdiction over Valley Drive from Avenida de Mesilla to the northern most City limits.
2. Vote "No"; this will not authorize the Public Works Director to negotiate the road transfer agreement with the NMDOT.
3. Vote to "Amend"; this could delay the road transfer agreement and would require direction and specific amendments from the City Council.
4. Vote to "Table"; this could delay the road transfer agreement. City staff will require direction from City Council on how to proceed.

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. 16-078

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO NEGOTIATE A ROAD TRANSFER AGREEMENT BETWEEN THE CITY OF LAS CRUCES (CITY) AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) TO ACCEPT JURISDICTION OVER VALLEY DRIVE FROM AVENIDA DE MESILLA TO THE NORTHERN MOST CITY LIMITS.

The City Council is informed that:

WHEREAS, in 1992, the NMDOT Highway Commission directed Highway Districts to work toward a comprehensive state wide movement to transfer ownership of State routes within the boundaries of local governments to those agencies for operation and maintenance; and

WHEREAS, the NMDOT approached the Public Works Department with a proposal for the City to agree to accept jurisdiction, ownership, operation, and maintenance responsibilities for Valley Drive from Avenida de Mesilla to the northern most City limits in the form of a road transfer agreement; and

WHEREAS, City staff has held meetings with the NMDOT to discuss the road transfer proposal and has been involved in the initial phase of the project, providing input and participating in the public outreach process; and

WHEREAS, City staff has brought forward infrastructure and amenities to include in the project that would be beneficial to the City and would facilitate the transfer of Valley Drive to the City; and

WHEREAS, the NMDOT has not developed a road transfer agreement because they do not have all the details to include in an agreement at this time (i.e., alternatives, costs, oversizing the drainage structures, etc.); and

WHEREAS, it is imperative that the City solidify its commitment and participation in the Valley Drive Project at this time; and

WHEREAS, this can be achieved by authorizing a member of staff to negotiate, on behalf of the City, the details of the road transfer agreement with the authority and support from the City Council. This individual will convey the City's vision, mission, and purpose of what the City should be trying to achieve with the reconstruction of this corridor. Additionally, they can ensure that infrastructure and amenities that would be beneficial to the City are included in the project, as a means to facilitate the transfer of Valley Drive.

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

(I)

THAT the Public Works Director is hereby authorized to negotiate the road transfer agreement between the City and the New Mexico Department of Transportation for the City to accept jurisdiction over Valley Drive from Avenida de Mesilla to the northern most City limits.

(II)

THAT once the negotiations are complete, a formal road transfer agreement will be brought forward to City Council for their approval.

(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:

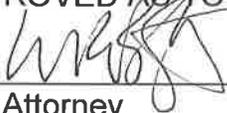
City Clerk

(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®

PEOPLE HELPING PEOPLE

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COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of September 21, 2015
(Adoption Date)

TITLE: A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO NEGOTIATE A ROAD TRANSFER AGREEMENT BETWEEN THE CITY OF LAS CRUCES (CITY) AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) TO ACCEPT JURISDICTION OVER VALLEY DRIVE FROM AVENIDA DE MESILLA TO THE NORTHERN MOST CITY LIMITS.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact		528-3125	8-28-15
Department Director		528-3125	8-28-15
Other			
Assistant City Manager /CAO Management & Budget Manager		541-2078 541-2106	8/30/15 8-28-15
Assistant City Manager/COO	David Waller for P. Avila	X-3060	9/1/2015
City Attorney		541-2128	1 SEPT 2015
City Clerk - Interim		X2116	9-11-15