

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Building & Planning Services

AGENDA DATE: May 3, 2005

CONTACT PERSON/PHONE: Patricia D. Aduato, Deputy City Manager for Building & Planning Services.

DISTRICT AFFECTED: 7/1 *DA 4/25/05*

SUBJECT:

Item is to request APPROVAL of a resolution supporting that the State through the Texas Transportation Commission void Minute Order No. 91219 for the purposes of adopting a new Minute Order which would reduce the City's financial responsibility from a hundred percent match to a ten percent match of Right of Way and eligible utility adjustment costs and accelerate the new roadway construction for the Loop 375 Spur road at Doniphan and Talbot.

BACKGROUND / DISCUSSION:

Council, in March 1991, approved a resolution approving Minute Order # 91219 which set forth the City's responsibilities at 100% cost for right-of-way acquisition for Loop 375 Spur at Doniphan and Talbot. The City has been working with TXDOT to reduce this amount to expedite construction of the spur. TXDOT has requested a resolution in support of voiding the March 1991 minute order and establishing a new order reducing the City's match to 10% of right-of-way costs and utility relocations.

PRIOR COUNCIL ACTION:

March 1991 resolution approving minute order #91219 and budget allocation for this project.

AMOUNT AND SOURCE OF FUNDING:

This item is funded through previously issued general obligation bonds. No further budgetary allocations are necessary. The City's share for right-of-way acquisition is estimated at \$200,000 based on the most recent information from TXDOT. City funding source is as follows:

<u>Project</u>	<u>Fund</u>	<u>Department</u>	<u>Account</u>
PST05001	26061	31115108	508027

BOARD / COMMISSION ACTION:

(N/A)

CITY CLERK DEPT.
05 APR 25 PM 2:51

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

WHEREAS, on March 12, 1991, the City of El Paso (City) accepted the terms and conditions of Minute Order No. 91219 as it related to the relocation and designation of a portion of state Highway Loop 375 to a new location from State Highway 20, approximately 0.47 miles north of Borderland Road to State Highway 375, approximately 0.13 miles west of Interstate Highway 10, a distance of approximately 1.2 miles; and,

WHEREAS, the relocation was necessary because the expansion of State Highway Loop 375 as originally proposed was too difficult and costly due to the narrow right of way and extensive existing development; and,

WHEREAS, Minute Order No. 91219 designated the responsibilities of both the State and the City, specifically that the State provide ninety percent of the cost of eligible utility adjustments, designate the section as a State Highway Loop, and provide for relocation assistance; while the City was responsible for one hundred percent of the right of way clear of obstructions and ten percent of the cost eligible utility adjustments, and was responsible to maintain that section in accordance with any existing maintenance agreements; and,

WHEREAS, the Texas Transportation Department (TXDOT) wants Minute Order No. 91219 to be voided and a new Minute Order be approved which will provide alternative funding for the right of way acquisitions in order to accelerate the new roadway construction: and,

WHEREAS, the new Minute Order would reduce the City's financial responsibility from a hundred percent match to a ten percent match of Right of Way and eligible utility adjustment costs; and,

WHEREAS, the new Minute Order would return Talbot Road to the City' jurisdiction with maintenance in accordance with existing maintenance agreements; and,

WHEREAS, the Texas Transportation Department (TXDOT) requested that the City provide a resolution in support of voiding Minute Order No. 91219,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso supports voiding Minute Order No. 91219 for the purposes of having the State adopt a new Minute Order which would reduce the City's financial responsibility from a hundred percent match to a ten percent match of Right of Way and eligible utility adjustment costs and accelerate the new roadway construction. The new Minute Order would be subject to any appropriate agreements being prepared between the City of El Paso and TXDOT.

ADOPTED this _____ day of May, 2005.

SIGNATURES OF FOLLOWING PAGE

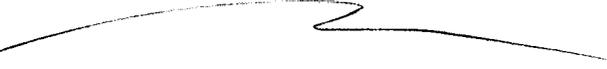
THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

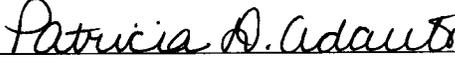
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Guadalupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Patricia D. Adauto, Deputy City Manager
Building and Planning Services