



VALENCIA COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION No. 2017-24

A POLICY FOR INDIVIDUALS TO APPLY FOR THE INSTALLATION OF STREET LIGHTS ON A COUNTY
MAINTAINED ROAD

WHEREAS, the Valencia County Board of County Commissioners met in a regular meeting on Wednesday, April 5, 2017 at 3:00 PM; and,

WHEREAS, NMSA 1978, Section 4-38-13 (1953) provides that board of county commissioners shall have power at any session to make such orders concerning the property belonging to the county as they may deem expedient; and,

WHEREAS, NMSA 1978, Section 4-37-1 *et seq.* provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, Article IX, Section 14 of the NM Constitution prohibits the County from in directly or indirectly lending or pledging its credit or making any donation to or in aid of any person, association or public or private corporation, commonly known as the "Anti-Donation Clause;" and,

WHEREAS, NMSA 1978, Section 62-2-1 (1905) declares that "[a]ll roads and highways, except private roads, established in pursuance of any law of New Mexico, and roads dedicated to public use, that have not been vacated or abandoned, and such other roads as are recognized and maintained by the corporate authorities of any county in New Mexico, are hereby declared to be public highways;" and,

WHEREAS, NMSA 1978, Section 62-2-2 (1905) requires that "[a]ll public highways, except such as are owned and operated by private corporations, and highways within the corporate limits of any incorporated city or town, shall be maintained and kept in repair by the respective counties in which they are located.;" and,

NOW THEREFORE BE IT RESOLVED THAT, the following Installation of Street Light on a County Maintained Road is hereby adopted is hereby adopted.

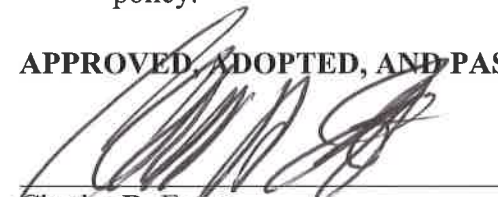
- A. Initial Request. The initial request for the installation of street lights must originate from an owner of property on the candidate street. A request in writing from the owner or his or her representative must be forwarded to the county.
- B. Preliminary Determination. A preliminary determination of eligibility based on a determination if the county road would be able to accommodate the installation of a Street Light(s).
1. If the roadway segment is determined not be eligible, the applicant(s) will be notified in writing, with the reason(s) for rejection being given.
 2. If the street is determined to be eligible for consideration, a meeting will be arranged between the applicant(s) and county staff to define the petition area and the approximate street light location range. The applicant(s) will then be instructed to submit a petition indicating that a minimum of 80% of the property owners in the petition area support the installation of street lights. Only petition forms supplied by the county or exact duplicates may be used for this purpose.
- C. Verification and Study. After verification of the petition, the county will conduct the necessary transportation engineering studies and solicit comments and recommendations from other agencies and county departments. A determination of the street's eligibility for street lights installation will then be made in a timely manner, based on the following criteria:


100 Maximum Points	Criteria
40	Proper PNM poles are in the area for a new light(s) to be installed
20	Crime (Will need department review from Sheriff's Department)-
20	Roadway is narrow, curvy, visibility issues that may cause accidents
20	Number of accidents caused due to visibility of the roadway

- D. County Commission Approval. The findings of the Department will be submitted to the Board of County Commissioners at a regular meeting for approval. The Board may:
1. deny the application;
 2. assign the application to the annual prioritization pending projects list; or
 3. require that Street Lights be immediately installed.
- E. Project Annual Prioritization. The county public works will annually prioritize pending projects on a fiscal year basis by assigning points to each project. Projects will be scheduled for detailed design and implementation based on their point scores and the capital improvements funds available for the fiscal year.


1. The street yielding the highest numerical point score will be considered to have the highest priority. The street with the earliest application date will have the highest priority among streets with the same point score.
 2. When a budgeted amount for street lights has been approved, the county will, starting at the top of the ranking list and proceeding in descending order, determine which installations will be funded from the budgeted amount. Representatives of the applicants for all approved Street Light installations will be notified of which requests have been funded for the upcoming fiscal year.
- F. Street Light Removal. The process for Street Light removal or alteration by residents is the same as the process for installation.
- G. County Action. The county reserves the right to install, remove, discontinue the use of or alter any Street Light for the health, welfare, and safety of the public.
- H. Independent Analysis. Street lights recommended as part of a system level analysis for a particular area of the county will not be subject to the provisions of this policy.


APPROVED, ADOPTED, AND PASSED on this 5th day of April, 2017.



 Charles D. Eaton
 Chairman, District IV


 Jhonathan Aragon
 Vice-Chair, District V


 Helen Y. Cole
 Commissioner, District I


 Billy Ray Martinez
 Commissioner, District II


 David A. Hyder
 Commissioner, District III

Attest:

 Peggy Carabajal, County Clerk

