

City of Las Cruces®

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Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 11-036 Council District:

For Meeting of August 16, 2010
(Adoption Date)

TITLE: A RESOLUTION ALLOWING THE LAS CRUCES FIRE DEPARTMENT, HAZMAT TEAM TO ACCEPT FUNDING FROM THE NEW MEXICO DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT, 2009-DOT-CITY OF LAS CRUCES, IN THE AMOUNT OF \$3,796.00 WITH A CASH MATCH OF \$753.80 FOR HAZMAT CHALLENGE AND TRAINING; TO RATIFY THE CITY MANAGER'S ACCEPTANCE TO MEET GRANT DEADLINE REQUIREMENTS, AND ADJUST THE FY 2010/2011 BUDGET.

PURPOSE(S) OF ACTION: The City seeks to accept the grant award from the New Mexico Department of Homeland Security & Emergency Management so the Las Cruces Fire Department (LCFD), HazMat Team can attend the HazMat Challenge and training exercise.

Drafter and Staff Contact: Auguie Henry III		Department: Finance/GAO		Phone: (575) 541-2281	
Department	Signature	Phone	Department	Signature	Phone
Las Cruces Fire Dept.		(575) 528-4067	Budget		(575) 541-2107
Grants Admin Office		(575) 541-2281	Assistant City Manager		(575) 541-2271
Legal		(575) 541-2128	City Manager		(575) 541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS: The LCFD has applied and received funding to defray travel and training expenses from the NM Department of Homeland Security & Emergency Management. These funds will be utilized to by the LCFD, HazMat Team to attend the HazMat Challenge during the Month of July, 2010.

SUPPORT INFORMATION:

1. Resolution
2. Exhibit "A" Department of Homeland Security & Emergency Management Sub-grant Agreement 2009 DOT/HMEP Grant, CFDA No. 20.703
3. Exhibit "B" Budget Adjustment

SOURCE OF FUNDING:

Is this action already budgeted?	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.	
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: <u>2301 Firefighters</u>
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

FUND SUMMARY:

Fund Name(s) Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Firefighters Fund – Revenue 23160040-551022-33008	\$3,796	0.00	\$3,796	Fulfill scope of grant activities
Firefighters Fund – Expenses 23167060-various-33008	\$3,796	0.00	\$3,796	Hazmat training costs
General Fund – match expenses 10167040-various-33008	\$ 754	0.00	\$ 754	

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will allow the City to ratify the City Manager's acceptance of the funding to meet grant deadlines, and adjust the FY 2010/2011 budget.
2. Vote "No"; this will cause the City to reimburse the funding to the NM Department of Homeland Security & Emergency Management.
3. Vote to "Amend"; this approved contract could cause a delay in the reimbursement process for travel and training already completed.
4. Vote to "Table"; is not an option in this instance. Training has been completed and funds already expended.

REFERENCE INFORMATION N/A

RESOLUTION NO. 11-036

A RESOLUTION ALLOWING THE LAS CRUCES FIRE DEPARTMENT, HAZMAT TEAM TO ACCEPT FUNDING FROM THE NEW MEXICO DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT, 2009-DOT-CITY OF LAS CRUCES, IN THE AMOUNT OF \$3,796.00 WITH A CASH MATCH OF \$753.80 FOR HAZMAT CHALLENGE AND TRAINING; TO RATIFY THE CITY MANAGER'S ACCEPTANCE TO MEET GRANT DEADLINE REQUIREMENTS, AND ADJUST THE FY 2010/2011 BUDGET.

The City Council is informed that:

WHEREAS, the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) offers funding to Fire Departments for the HazMat Challenge training; and

WHEREAS, the City Manager has provided authorization to accept this funding from NMDHSEM to meet grant deadlines; and

WHEREAS, the City will provide a cash match in the amount of \$753.80 for the grant.

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

(I)

THAT the Las Cruces Fire Department is hereby authorized to accept funding in the amount of \$3,796 from the NMDHSEM.

(II)

THAT the City Council ratifies the City Manager's signature on the funding contract.

(III)

THAT the City of Las Cruces FY 2011 budget is hereby adjusted as designated in Exhibit B and attached hereto as part of this resolution.

(IV)

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

DONE AND APPROVED this 16th day of August, 2010.

(SEAL)

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

APPROVED:

Mayor

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Connor: _____

Councillor Pedroza: _____

Councillor Small: _____

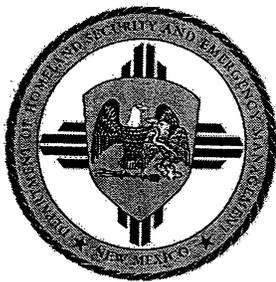
Councillor Sorg: _____

Councillor Thomas: _____

APPROVED AS TO FORM:

[Handwritten Signature]

[Handwritten Signature] City Attorney



RECEIVED
JUL 26 2010

BY: GAO

ORIGINAL

1. Sub-Grant No. 2009-DOT-City of Las Cruces	2. Recipient CITY OF LAS CRUCES	3. FEDUCIARY CITY OF LAS CRUCES	4. DFA VENDOR NUMBER
5. Recipient Address CITY OF LAS CRUCES		6. Issuing Office and Address New Mexico Department of Homeland Security & Emergency Management PO Box 27111 Santa Fe, NM 87502	
7. Effective Date of This Action July 1, 2010	8. DHSEM Grant Specialist: PAULA FLORES		Phone: 505-476-9610 Fax: 505-476-9695 Email: paula.flores1@state.nm.us
9. Method of Payment: WARRANT			
10. Grant Award and Terms and Conditions: (see attached Grant Terms and Conditions) Total Federal Awarded Amount: \$ 3,796.00 Total Jurisdiction Matching Amount: \$753.80			
Project Budget Details are funding allocations, and are not to be construed as expenditure authorizations or approvals. Grant program guidelines and Federal, State, and local contracting and procurement compliance requirements apply.			
11. Grant Requirements, Assurances and Agreements: (see attached Grant Requirements, Assurances and Agreements) The acceptance of a grant from the United States creates a legal duty on the part of the grantee to use the funds or property made available in accordance with the conditions of the grant through the State.			
12. Special Conditions: Grant funds cannot be expended until these conditions have been met. A 20% match is required.			
13. Recipient is required to sign and return the original of this document, as well as the signed and accepted grant requirements, assurances and agreements to the Issuing Address in block 6, within 30 days from the date in block 17.			
14. Signature of Jurisdiction Grant Specialist/Program Manager		Date: July 8, 2010	
		Phone: (575) 541-2281	
Printed Name: Augie Henry, III		Fax: (575) 541-2516	
15. Signature of Jurisdiction Chief Financial Officer		Date: July 8, 2010	
		Phone: (575) 541-2042	
Printed Name: Mr. Mark Sutter, CPA, PhD		Fax: (575) 531-2516	
16. Signature of Jurisdiction Signatory Official		Date: July 8, 2010	
		Phone: (575) 541-2076	
Printed Name and Title: Terrence Moore		Fax: (575) 541-2077	
17. DHSEM Signatory Official (Name and Title)		Date: 7-16-10	

Grant Terms and Conditions (continued from Section 10 of Award)

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The CITY OF LAS CRUCES has been awarded \$3,769.00, which shall be used to toward participation in the 2010 HazMat Challenge. The matching amount required for this grant is \$753.80. The performance period of this grant award is July 1, 2010 through July 31, 2010. Project conditions must be completed by this date. The CITY OF LAS CRUCES cannot sub-grant all or any part of this award to any other entity or organization. All awards require confirmation within the first reporting quarter that expenditures in the budget category toward projects will be made, or DHSEM will execute de-obligation of the funds. The funding shall be used toward: registration; per diem; hotel expenses; trailer rental; and fuel cost.

(A) **Changes to Award:** All change requests must be submitted in writing, or electronically to the DHSEM grant specialist, accompanied by a justification narrative and budget/spending plan, for review and approval. Changes must be consistent with the scope of the project and grant guidelines. Requests for changes will be considered only if the reporting requirements are current, and if terms and conditions have been met at the time the request. Changes in the programmatic activities, or purpose of the project, changes in key persons specified on the grant award, contractual services for activities central to the purposes of the award, requests for additional funding, change in project site, or release of special conditions will result in an amendment to this award.

(B) **Reporting Requirements:** The CITY OF LAS CRUCES shall submit timely quarterly *Narrative* and *Financial Progress Reports* to the Grant specialist at DHSEM. Instructions and blank forms are attached and are located electronically at www.nmdhsem.org, and may be reproduced. Jurisdictions must check the web site quarterly for most current forms. **Use of outdated forms will not be accepted.** Quarterly reports are due:

Number of Scheduled Reports Due	Jurisdiction Performance Period	Narrative and Financial Progress Report Due Dates
1	07/01/10 – 09/30/10	10/15/10
	Final Report	11/15/2010

Invoices with progress reports shall be submitted to DHSEM by the due date as specified in the above schedule. Should the grant period be extended for any reason, a modified report schedule will accompany the award amendment.

Narrative Progress Reports shall describe the status of the project, compare actual accomplishments to the objectives established for the reporting period in the project timeline, report reasons for deviation and justification for timeline adjustment requests, and must support the *Financial Progress Reports*. Include any significant events or activities. Progress must be reported relative to the project timeline and milestones stated in the jurisdiction's application. *Financial Progress Reports* shall describe the status of the funds, show encumbrances, and receipts of program income, cash or in-kind contributions to the project, whether or not a local match is required. The *Final Progress Report* is a summary report, evaluating project activities and measuring performance against project goals and objectives for the entire performance period, and is required *in addition* to the last quarterly report.

(C) **Reimbursements:** Submit a *Request for Reimbursement* along with the *Financial Progress Report* form. Reimbursement shall be based upon authorized and allowable expenditures consistent with project narrative and grant guidelines, and submission of timely quarterly *Narrative* and *Financial Progress Reports*. Payments may be withheld pending correction of deficiencies. Reimbursement of expenditures may be requested at any time within the performance period. Expenditures must be supported with source documentation (e.g. copies of invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, etc.).

- **Personnel Costs:** **FOR DOT GRANTS - Payroll reports signed and certified by the chief financial officer that capture the employee name, position, coded allocation to the project, amount paid, are acceptable. Staff may not self-certify their own time and wages. The CITY OF LAS CRUCES shall retain all supporting payroll records, including time and attendance records signed by the employee and supervisor and copies of warrants as per the recordkeeping requirements.**
- **Contracts:** All sole-source procurements, single vendor response to a competitive bid, and contracts over \$100,000 require DHSEM pre-approval prior to implementation. Copies of all contracts required for submission to DHSEM with the request for reimbursement.
- **Local Match:** Local matching funds must clearly support the source, the amount, and the timing of all matching contributions.
- **Equipment:** Allowable equipment categories are listed on the web-based Authorized Equipment List (AEL) on the Responder Knowledge Base (RKB) at www.rkb.mipt.org. Documentation required per instructions attached to DHSEM quarterly reports.
- **Travel:** All reimbursable travel must be pre-approved by DHSEM.
- **Training:** Requires DHSEM pre-approval prior to registering or participating in training opportunities.
- **Exercise:** Requires submission of an After-Action Report/Improvement Plan within 30 days after conduct of the exercise.
- **Food and Beverages:** Per National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:
 - (1) The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the NPD program guidelines; and
 - (2) Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - (a) The cost of the food and/or beverages provided is considered to be reasonable;
 - (b) The food and/or beverages provided are subject of a work-related event and work continues after meals are served;
 - (c) Participation by all participants is mandatory; and
 - (d) The food and/or beverages provided are not related directly to amusement and/or social event. **(Any event where alcohol is being served is considered a social event; therefore, costs associated with the event are not allowed).**

(D) Non-reimbursable Expenses:

- Transfer of funds between any programs (SHSP, LETPP, CCP, MMRS)
- Contracts, single vendor response to a competitive bid, and procurements > \$100,000 not pre-approved by DHSEM
- Sole source contracts and procurements not pre-approved by DHSEM
- Training and related travel costs not pre-approved by DHSEM
- Construction and renovation
- Indirect costs (p. 5, Financial Progress Report)
- Supplanting (using federal funds to purchase items previously budgeted for with state or local funds)
- Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
- Hiring of sworn public safety officers to fill traditional public safety duties or to supplant traditional public safety positions and responsibilities
- Weapons and ammunition
- Entertainment and sporting events
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel
- Travel insurance, visa, and passport charges
- Lodging costs in excess of Federal or State per diem, as appropriate
- Lunch when travel is wholly within a single day
- Stand-alone working meals
- Bar charges, alcoholic beverages
- Finance, late fees, or interest charges
- Lobbying, political contributions, legislative liaison activities
- Organized fund-raising, including salaries of persons while engaged in these activities
- Land acquisition
- Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.

(E) Property and Equipment Management: The sub-recipient shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A *Property Inventory Report* is available at www.nmdhsem.org and shall be submitted to DHSEM annually each **January 15** with the *Financial Progress Report* during the performance period, and continued submission is required annually until final disposition of the equipment. The sub-recipient shall, when practical, prominently display the following on any equipment purchased with award funds: **Purchased with funds provided by the U.S. Department of Homeland Security.** No equipment purchased with these grant funds may be assigned to other entities or organizations without the expressed approval in writing from DHSEM, prior to the jurisdiction's encumbrance or expenditure for that equipment.

(F) Procurement: Procurement shall comply with local procurement policies and procedures, and conform to applicable State and Federal law and the standards identified in the Procurement Standards Sections of *28 CFR Parts 66 and 70, and OMB Circular A-102 "Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments."* Contractors that develop or draft specifications, requirements, Statements of Work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement transactions shall be conducted to provide maximum open and free competition. **Each sole-source procurement, single vendor response to a competitive bid, and all purchases require prior approval of DHSEM.** DHSEM has provided a summary of documentation required for levels of procurement and attached it to the instructions on the quarterly *Financial Progress Reports*.

(G) Contracts: Any contract entered into during this grant period shall comply with local, State and Federal government contracting regulations. Contracts for professional and consultant services must include local, State and Federal government required contract language, a project budget, and require pre-approval by DHSEM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the market place. Detailed invoices, and time and effort reports are required for consultants. A summary of documentation required for levels of contracting is attached to the instructions on the quarterly *Financial Progress Reports*.

(H) Publications: Publications created with funding under this grant shall prominently contain the following statement: ***This Document was prepared under a sub-grant from the U.S. Department of Homeland Security, and the New Mexico Department of Homeland Security and Emergency Management. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security or the State of New Mexico.***

(I) Audit Requirements: As the Federal grant recipient, the State of New Mexico requires a sub-recipient **expending** \$500,000 or more in Federal funds in the organization's fiscal year to conduct an organization-wide audit in accordance with *OMB Circular A-133*. The **CITY OF LAS CRUCES** will permit the State of New Mexico Grant and Program officials and auditors to have access to the sub-recipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with *OMB Circular A-133*. Copies of audit findings must be submitted to DHSEM within 30 days after the **CITY OF LAS CRUCES** receives its audit report, or within a 9-month period of the grant closeout date, whichever is earlier, in accordance with *2 AAC 45.010*. Include the Federal agency name, program, grant number, and year; the CFDA title and number; and the name of the pass-through agency.

(J) Recordkeeping Requirements: Grant financial and administrative records shall be maintained for a period of three (3) years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Property and equipment records shall be maintained for a period of three (3) years following the final disposition, replacement or transfer of the property and equipment.

(K) Performance Measures: Quarterly *Progress Reports* shall demonstrate performance and progress relative to:

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1. Acceptable performance on applicable critical tasks in Exercises using approved scenarios
2. Progress in achieving project timelines and milestones
3. Percent measurable progress toward completion of project
4. How funds have been expended during reporting period, and explains expenditures related to the project

(L) Sub-recipient Monitoring Policy: Periodic monitoring is required to ensure that program goals, objectives, timelines, budgets and other related program criteria are being met. DHSEM reserves the right to periodically monitor, review and conduct analysis of the financial, programmatic and administrative policies and procedures such as, accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting and procurement policies and records, payroll records and means of allocating staff costs, property/equipment management system(s), progress of project activities, etc. This may include desk and field audits. Technical assistance is available from DHSEM staff.

(M) Penalty for Non-Compliance: For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. DHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. DHSEM shall notify the sub-recipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The sub-recipient must respond within 5 days of receipt of notification.

- a. Unwillingness or inability to attain project goals
- b. Unwillingness or inability to adhere to Special Conditions listed in Block 12
- c. Failure or inability to adhere to grant guidelines and federal compliance requirements
- d. Improper procedures regarding contracts and procurements
- e. Inability to submit reliable and/or timely reports
- f. Management systems which do not meet federal required management standards

(N) Termination for Cause: If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. DHSEM will provide 5 days notice to the sub-recipient stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. DHSEM will reimburse the sub-recipient only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final payment may be withheld at the discretion of DHSEM until completion of a final DHSEM review. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

(O) Termination for Convenience: Any project may be terminated upon convenience, in whole or in part, for the convenience of the Government. The U.S. Department of Homeland Security (USDHS) and the DHSEM, by written notice, may terminate this grant, in whole or in part, when it is in the Government's interest. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Any equipment purchased under a terminated grant may revert to DHSEM at the option of DHSEM.

(P) Project Implementation: Due to the competitiveness of the Homeland Security grant program, approved projects shall be ready-to-go. Project implementation shall begin within the first reporting quarter.

- a. If a project cannot be operational within the first reporting quarter of the approved award date, the sub-grantee must submit a written statement signed by the signatory officials to DHSEM, justifying the implementation delay, expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the discretion of DHSEM, the grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects.

Grant Requirements, Assurances and Agreements (continued from Section 11 of the Award)

(A) The performance period for this grant award is July 1, 2010 through July 31, 2010. Monies may not be obligated outside of this time period. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. All obligated and encumbered funds must be liquidated within 45 days of the end of the performance period when the *Final Progress Reports* are due.

(B) The sub-recipient shall comply with the requirements and restrictions of the FY2008 EMPG Program Guidance, State Guidelines, and the State Homeland Security Strategy. By signing this obligating award document, the sub-recipient certifies it has read, understood and accepted these documents as binding.

(C) The signature of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The sub-recipient shall follow the financial management requirements imposed on them by DHSEM, which includes the requirements of U.S. Department of Homeland Security.

(D) The signature of the signatory officials on this award attests to THE CITY OF LAS CRUCES understanding, acceptance, and compliance with Lobbying; Debarment, Suspension and other responsibility matters; Drug-free Workplace; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant State or local funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those funds which have been appropriated in the budget for the same purpose.

Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.

(E) The CITY OF LAS CRUCES shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other federal, state or local agencies, and each award is accounted for separately.

(F) The **CITY OF LAS CRUCES** shall comply with Federal Civil Rights Laws and Regulations: *Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, Americans with Disabilities Act of 1991.* The **CITY OF LAS CRUCES** will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. *Executive Order 13347 Individuals with Disabilities in Emergency Preparedness* requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.

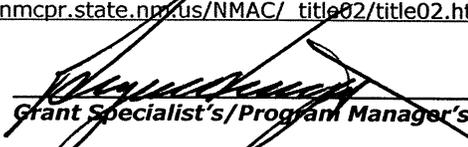
(G) The **CITY OF LAS CRUCES** certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (for USDHS/DOJ grants). An EEOP is not required for recipients of less than \$25,000.00 or fewer than 50 employees.

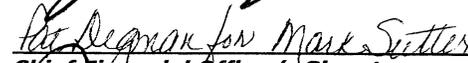
(H) The **CITY OF LAS CRUCES** certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.

(I) It is the responsibility of the **CITY OF LAS CRUCES** as the recipient of these federal funds to fully understand and comply with the requirements of:

- a. OMB Circular A-102, *Grants and Cooperative Agreements with State and Local Governments* at www.whitehouse.gov/omb/circulars/a102/a102.html.
- b. OMB Circular A-87 *Cost Principles for State, Local and Indian Tribal Governments* at www.whitehouse.gov/omb/circulars/index.html.
- c. OMB Circular A-110 *Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations* at www.whitehouse.gov/omb/circulars/index.html
- d. OMB Circular A-21 *Cost Principles for Educational Institutions* at www.whitehouse.gov/omb/circulars/index.html
- e. OMB Circular A-122 *Cost Principles for Non-Profit Organizations* at www.whitehouse.gov/omb/circulars/index.html
- f. OMB Circular A-133 *Audits of States, Local Governments and Non-Profit Organizations* at www.whitehouse.gov/omb/circulars/index.html
- g. CFR Title 48 Federal Acquisition Regulations Systems Chapter 1 Part 31 *Contract Cost Principles and Procedures*
- h. OMB Common Rule: *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*. Incorporated into individual Federal agency's *Code of Federal Regulations*.
- i. OGO *Financial Guide* www.dhs.gov/dhspublic/interweb/assetlibrary/Grants_FinancialManagementGuide.pdf
- j. New Mexico State Procurement Code <http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>
- k. New Mexico Administrative Code Title 2 - Public Finance <http://www.nmcpr.state.nm.us/NMAC/title02/title02.htm>

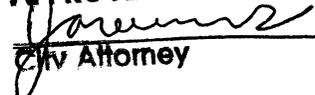
We certify we have read, understood, and accept the Grant Terms and Conditions, the Grant Requirements, and Assurances and Agreements, in accordance with this Award.


Grant Specialist's/Program Manager's Signature


Chief Financial Officer's Signature


Signatory Official's Signature

APPROVED AS TO FORM:


City Attorney

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011**

FUND				
General Fund 1000				
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
BEGINNING BALANCE	\$ 16,662,967	12,947,440		12,947,440
REVENUES				
512011 to 015 & 911500 Gross Receipts Taxes	\$ 54,879,000	56,049,000		56,049,000
511010 Property Taxes	8,569,756	8,877,080		8,877,080
514010 to 50 Franchise Fees	2,842,370	2,915,738		2,915,738
546301 to 560 Administrative Transfers	2,020,234	3,351,888		3,351,888
533001 Police Fines	1,071,311	1,096,724		1,096,724
521002 Subdivision Fees	140,725	145,650		145,650
All Other Revenues	6,002,451	7,602,986		7,602,986
TOTAL REVENUES	\$ 75,525,847	80,039,066	0	80,039,066
TOTAL RESOURCES	\$ 92,188,814	92,986,506	0	92,986,506
EXPENDITURES				
Administration	\$ 1,953,171	2,047,233		2,047,233
Community Development	1,760,676	1,893,439		1,893,439
Facilities	11,899,670	13,162,835		13,162,835
Financial Services	3,419,995	3,184,058		3,184,058
Fire	8,691,161	8,801,781	754	8,802,535
Human Resources	961,195	918,216		918,216
Information Technology	0	3,707,397		3,707,397
Judicial	1,293,271	1,553,066		1,553,066
Legal	1,670,491	1,674,131		1,674,131
Legislative	906,507	722,295		722,295
Police	19,997,641	18,445,316		18,445,316
Public Services	5,765,018	5,921,342		5,921,342
Public Works	5,600,821	5,424,882		5,424,882
Reserves	1,847,566	1,834,437		1,834,437
Transfers	13,474,191	9,718,105		9,718,105
Total General Fund Expenditures	\$ 79,241,374	79,008,533	754	79,009,287
Adjustment due to change in accruals.	0	0	0	0
ENDING BALANCE	\$ 12,947,440	13,977,973	(754)	13,977,219
Required 1/12th Reserve	6,603,448	6,584,044	63	6,584,107
UN-RESERVED ENDING BALANCE	\$ 6,343,992	7,393,929	(817)	7,393,112

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.

EXHIBIT "B" CONTINUED

CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011

FUND	DIVISION		FUND TYPE	
Firefighters Grant Fund Fund 2301	Fire		Special Revenue	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
RESOURCES				
Beginning Balance	\$ 0	0		0
REVENUES				
551022 U S Dept of Homeland Security	\$ 0	0	3,796	3,796
570010 Interest on Investment	0	0		0
590051 Net Incr (Decr) Fair Value Investment	0	0		0
Total Revenues	<u>\$ 0</u>	<u>0</u>	<u>3,796</u>	<u>3,796</u>
Total Resources	<u>\$ 0</u>	<u>0</u>	<u>3,796</u>	<u>3,796</u>
EXPENDITURES				
Operating Expenses	\$ 0	0	3,796	3,796
Total Expenditures	<u>\$ 0</u>	<u>0</u>	<u>3,796</u>	<u>3,796</u>
ENDING BALANCE	<u>\$ 0</u>	<u>0</u>	<u>0</u>	<u>0</u>

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.