



City of Las Cruces®

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Council Action and Executive Summary

Item # 12Ordinance/Resolution# 11-213For Meeting of _____
(Ordinance First Reading Date)For Meeting of April 18, 2011
(Adoption Date)

TITLE: A RESOLUTION AMENDING RESOLUTION 08-074 FOR ADDITIONAL LANGUAGE AUTHORIZING SIGNATORY AUTHORITY FOR THE STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT, 2007 LEGISLATIVE GRANT AGREEMENT FOR THE GRIGGS AND WALNUT WATER PLUME SUPERFUND SITE, SAP GRANT 07-3228.

PURPOSE(S) OF ACTION:

To designate appropriate signatory authority as requested by New Mexico Department of the Environment.

COUNCIL DISTRICT: District 3 and District 1		
<u>Drafter/Staff Contact:</u> Augie Henry III	<u>Department/Section:</u> Finance / GAO	<u>Phone:</u> 541-2281
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The New Mexico Department of the Environment has requested the addition of specific language designating the authorized signatories for the SAP Grant 07-3228. This resolution will designate the individuals for the specific areas requested and should provide for any future signatories as needed to successfully manage the grant.

The designated signatories are:

1. Robert Garza, City Manager, or his successor is authorized to sign the grant agreements for these projects.
2. Jorge Garcia, Utilities Director, or his successor is the Grantee Representative authorized to submit any documents pertaining to the project and act as the single point of contact.
3. Pat Degman, Interim Finance Director, or her successor is the Financial Signatory Authority authorized to sign reimbursement requests and other financial documents requiring a signature for submittal to the New Mexico Environment Department.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Resolution 08-074.

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:
	<i>Budget Adjustment Attached</i>	<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 designate the authorized signors for the management of the SAP Grant 07-3228 as requested by the New Mexico Department of the Environment.
2. Vote "No"; this will not designate authorized signors and jeopardize the management and reimbursement of funds for this grant.
3. Vote to "Amend"; this could impede the reimbursement requests submitted on behalf of the City.
4. Vote to "Table"; this could result in the mismanagement of the grant and require the City to return all previously reimbursed funding.

(Continue on additional sheets as required)

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 11-213

A RESOLUTION AMENDING RESOLUTION 08-074 FOR ADDITIONAL LANGUAGE AUTHORIZING SIGNATORY AUTHORITY FOR THE STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT, 2007 LEGISLATIVE GRANT AGREEMENT FOR THE GRIGGS AND WALNUT WATER PLUME SUPERFUND SITE, SAP GRANT 07-3228.

The City Council is informed that:

WHEREAS, the 2007 New Mexico Legislature appropriated in part \$143,900 to the City of Las Cruces for remediation of the Griggs and Walnut Water Plume Superfund Site; and

WHEREAS, the City approved Resolution 08-074 and entered into a grant agreement for the project to facilitate the receipt and expenditure of these funds; and

WHEREAS, approved Resolution 08-074 did not designate signatory authority for the grant agreement, Grantee Representative, or financial signatory.

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

(I)

THAT Robert Garza, City Manager, or his successor is authorized to sign the grant agreements for these projects.

(II)

THAT Jorge Garcia, Utilities Director, or his successor is the Grantee Representative who is authorized to submit any documents pertaining to the project and act as the single point of contact.

(III)

THAT Pat Degman, Interim Finance Director, or her successor is the Financial Signatory Authority who is authorized to sign reimbursement requests and other financial

documents requiring a signature for submittal to the New Mexico Environment Department.

(IV)

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

DONE AND APPROVED this ____ day of _____, 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by _____

Seconded by _____

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Connor: _____

Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Thomas: _____

APPROVED AS TO FORM:



City Attorney

RESOLUTION NO. 08-074

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT A STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT, 2007 LEGISLATIVE GRANT AGREEMENTS TO FUND THE EAST MESA WATER RECLAMATION FACILITY AND THE GRIGGS AND WALNUT WATER PLUME SUPERFUND SITE IN THE AMOUNT OF \$383,900, AND TO ADJUST THE CITY OF LAS CRUCES ADOPTED FY 2007/08 BUDGET.

The City Council is informed that:

WHEREAS, the 2007 New Mexico Legislature appropriated in part \$383,900 to the City of Las Cruces to fund a few City water systems improvement projects, and;

WHEREAS, the projects and their respective funding amount are as follows:

1. Project 07-3226, \$50,000 to plan, design and construct a water reclamation facility in the east mesa in Las Cruces in Doña Ana County.
2. Project 07-3228, \$143,900 for remediation of the Griggs and Walnut water plume superfund site in Las Cruces in Doña Ana County.
3. Project 07-4444, \$90,000 to plan, design and construct a water reclamation facility in east mesa in Las Cruces in Doña Ana County.
4. Project 07-4453, \$100,000 for remediation of the Griggs and Walnut water plume superfund site in Las Cruces in Doña Ana County.

WHEREAS, the New Mexico Environment Department requires that the City enter into a Grant Agreement to facilitate the receipt and expenditure of these funds, and;

WHEREAS, a budget adjustment is required in order to reflect the funds in the appropriate Fund.

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

(I)

THAT the City enter into an agreement for a 2007 Legislative Appropriation Grant with the New Mexico Environment Department to fund a few water systems improvement projects in the amount of \$383,900 as designated in Exhibit "A" attached hereto and made a part of this resolution

(II)

THAT the City of Las Cruces Fiscal Year 2007/08 budget is hereby adjusted as designated in Exhibit "B" attached hereto and made a part of this resolution.

(III)

THAT City staff and officials are authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this 4th day of September 2007.

(SEAL)

APPROVED:

W. Mattiace
Mayor

ATTEST:

Katherine M. ...
City Clerk

VOTE:

Mayor Mattiace	<u>Aye</u>
Councillor Fietze	<u>Aye</u>
Councillor Connor	<u>Aye</u>
Councillor Archuleta	<u>Aye</u>
Councillor Trowbridge	<u>Aye</u>
Councillor Jones	<u>Aye</u>
Councillor Miyagishima	<u>Aye</u>

Moved by: Connor

Seconded by: Fietze

APPROVED AS TO FORM:

[Signature]
City Attorney