

City of Las Cruces®

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Council Action and Executive Summary

Item # 12

Ordinance/Resolution# 12-046

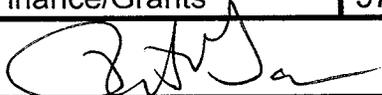
For Meeting of _____
(Ordinance First Reading Date)

For Meeting of September 6, 2011
(Adoption Date)

TITLE: A RESOLUTION OBLIGATING THE LAS CRUCES INTERNATIONAL AIRPORT TO APPLY AND ACCEPT A FEDERAL AIRPORT IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF \$5,483,879.00 WITH A LOCAL MATCH REQUIREMENT OF \$144,314.00 FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE REHABILITATION OF TAXIWAY "A" AND TO ADJUST THE FY 2012 BUDGET.

PURPOSE(S) OF ACTION:

To apply and accept grant and adjust budget.

COUNCIL DISTRICT: ALL		
<u>Drafter/Staff Contact:</u> Elizabeth Vega	<u>Department/Section:</u> Finance/Grants	<u>Phone:</u> 575-541-2717
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The existing taxiway "A" has deteriorated significantly and is experiencing areas of broken, cracked, and raveling pavement. In addition, the existing taxiway is closer to the runway centerline than is allowed under current Federal Aviation Administration (FAA) standards. This project will move the taxiway to achieve the proper distance between the runway centerline and the taxiway centerline as well as rehabilitate the pavement to provide a smoother and safer surface for taxiing aircraft.

The FAA has extended funding to the Las Cruces International Airport in the amount of \$5,483,879.00 to rehabilitate taxiway "A". There will be a \$144,314.00 City match and a \$144,312.00 state match from the New Mexico Department of Transportation (NMDOT) to round out funding for the project. The City match portion has been identified in the Facilities Improvement Fund in the FY 2012 budget.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", FAA Application.
3. Exhibit "B", Budget Adjustment.

(Continue on additional sheets as required)

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>4300 Airport Improvement Fund</u> in the amount of <u>\$ 5,483,879.00</u> for FY 2012.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Grant funds will be deposited into Fund #4300 (Airport Improvement) under project #70B12 to be used by the Las Cruces International Airport for the rehabilitation of taxiway "A". The \$144,314.00 match funds required will be taken from Fund #4001 (Facilities General Fund) which will be set aside for this specific project.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Airport Improvement Fund	43806050-854132-70B12	\$5,483,879.00	\$5,483,879.00*	\$0.00	N/A
Facilities General Fund (match)	40803020-852100-70B12	\$144,314.00	\$144,314.00	\$0.00	N/A

*pending adjustment

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will obligate the Las Cruces International Airport to apply and accept grant funds from the Federal Aviation Administration (FAA) to be used for the rehabilitation of taxiway "A". It will also adjust the FY 2012 budget.
2. Vote "No"; this will cause Las Cruces International Airport to revert funds back to the FAA.
3. Vote to "Amend"; this is not an option as the grant agreement has been written.

(Continue on additional sheets as required)

4. Vote to "Table"; this not an option, as grant funds need to be obligated quickly before reverting to the FAA.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 12-046

A RESOLUTION OBLIGATING THE LAS CRUCES INTERNATIONAL AIRPORT TO APPLY AND ACCEPT A FEDERAL AIRPORT IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF \$5,483,879.00 WITH A LOCAL MATCH REQUIREMENT OF \$144,314.00 FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE REHABILITATION OF TAXIWAY "A" AND TO ADJUST THE FY 2012 BUDGET.

The City Council is informed that:

WHEREAS, the City of Las Cruces, New Mexico, a municipal corporation, is the owner of certain real property known as the Las Cruces International Airport; and

WHEREAS, the Federal Aviation Administration (FAA) has made funds available to the Las Cruces International Airport through an Airport Improvement Program Grant in the amount of \$5,483,879.00 with a local match requirement of \$144,314.00; and

WHEREAS, the local match requirement of \$144,314.00 has been set aside for the Las Cruces International Airport in the FY 2012 budget; and

WHEREAS, the New Mexico Department of Transportation (NMDOT) has pledged a state match of \$144,312.00 bringing the total project cost to \$5,772,505.00; and

WHEREAS, the funds will be used to rehabilitate taxiway "A" to meet standards set by the FAA for centerline measurements.

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

(I)

THAT the Las Cruces International Airport is obligated to apply and accept an airport improvement grant in the amount of \$5,483,879.00 with a local match requirement of \$144,314.00 from the Federal Aviation Administration (FAA).

(II)

THAT the FY 2012 Adopted Budget is hereby adjusted as reflected in Exhibit "B" attached hereto and made a part of this resolution.

(III)

THAT City staff is hereby authorized to do all deeds as 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

Application for Federal Assistance SF-424	
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision *Other (Specify) _____
*3. Date Received:	4. Applicant Identifier: LRU
5a. Federal Entity Identifier: 3-35-0024	*5b. Federal Award Identifier:
State Use Only:	
6. Date Received by State:	7. State Application Identifier:
8. APPLICANT INFORMATION:	
*a. Legal Name: City of Las Cruces	
*b. Employer/Taxpayer Identification Number (EIN/TIN): 85-06000147	*c. Organizational DUNS: 077 609 279
d. Address:	
*Street 1:	<u>P.O. Box 20000</u>
Street 2:	_____
*City:	<u>Las Cruces</u>
County:	<u>Dona Ana</u>
*State:	<u>New Mexico</u>
Province:	_____
*Country:	<u>USA</u>
*Zip / Postal Code	<u>88004</u>
e. Organizational Unit:	
Department Name: Facilities	Division Name: Airport
f. Name and contact information of person to be contacted on matters involving this application:	
Prefix: <u>Ms.</u>	*First Name: <u>Lisa</u>
Middle Name: <u>L.</u>	
*Last Name: <u>Murphy</u>	
Suffix: _____	
Title:	<u>Airport Manager</u>
Organizational Affiliation:	
*Telephone Number: (575) 541-2471	Fax Number: (575) 527-6470
*Email: <u>lmurphy@las-cruces.org</u>	

Application for Federal Assistance SF-424
*9. Type of Applicant 1: Select Applicant Type: C Type of Applicant 2: Select Applicant Type: Type of Applicant 3: Select Applicant Type: *Other (Specify)
*10. Name of Federal Agency: Federal Aviation Administration
11. Catalog of Federal Domestic Assistance Number: <u>20.106</u> CFDA Title: <u>Airport Improvement Program</u>
12. Funding Opportunity Number: Title:
13. Competition Identification Number: Title:
14. Areas Affected by Project (Cities, Counties, States, etc.): Las Cruces, Dona Ana County, New Mexico
*15. Descriptive Title of Applicant's Project: Rehabilitate Taxiway "A" - Phase 2
Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
*a. Applicant: Second	*b. Program/Project: Second
Attach an additional list of Program/Project Congressional Districts if needed.	
17. Proposed Project:	
*a. Start Date: Grant	*b. End Date: December 31, 2012
18. Estimated Funding (\$):	
*a. Federal	<u>5,483,879</u>
*b. Applicant	<u>144,314</u>
*c. State	<u>144,312</u>
*d. Local	_____
*e. Other	_____
*f. Program Income	_____
*g. TOTAL	<u>5,772,505</u>
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <u>See Block 21 date</u> .	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E. O. 12372	
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <u>Ms.</u>	*First Name: <u>Lisa</u>
Middle Name: <u>L.</u>	
*Last Name: <u>Murphy</u>	
Suffix: _____	
*Title: <u>Airport Manager</u>	
*Telephone Number: (575) 541-2471	Fax Number: (575) 527-6470
* Email: <u>lmurphy@las-cruces.org</u>	
*Signature of Authorized Representative: <u>Lisa L Murphy</u>	*Date Signed: <u>8-24-11</u>

Application for Federal Assistance SF-424

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A

**PART II
PROJECT APPROVAL INFORMATION
SECTION A**

Item 1. Does this assistance request require State, local, regional, or other priority rating?	Name of Governing Body Priority
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 2. Does this assistance request require State, local advisory, educational or health clearances?	Name of Agency or Board (Attach Documentation)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 3. Does this assistance request require clearinghouse review in accordance with OMB Circular A-95?	(Attach Comments)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 4. Does this assistance request require State, local, regional, or other planning approval?	Name of Approving Agency NMDOT Aviation Division Date / /
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Item 5. Is the proposed project covered by an approved comprehensive plan?	Check One: State <input type="checkbox"/> Local <input checked="" type="checkbox"/> Regional <input type="checkbox"/> Location of plan Airport Office
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Item 6. Will the assistance requested serve a Federal installation?	Name of Federal Installation Federal Population benefiting from Project
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 7. Will the assistance requested be on Federal land or installation?	Name of Federal Installation Location of Federal Land Percent of Project
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 8. Will the assistance requested have an impact or effect on the environment?	See instructions for additional information to be provided.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 9. Will the assistance requested cause the displacement of individuals, families, businesses, or farms?	Number of: Individuals Families Businesses Farms
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Item 10. Is there other related Federal assistance on this project previous, pending, or anticipated?	See instructions for additional information to be provided.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

PART II - SECTION C

The Sponsor hereby represents and certifies as follows:

1. **Compatible Land Use.** - The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

Zoning regulations.

2. **Defaults.** - The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None.

3. **Possible Disabilities.** - There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of Part V of this Application, either by limiting its legal or financial ability or otherwise, except as follows:

None.

4. **Consistency with Local Plans.** - The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport. Yes.

5. **Consideration of Local Interest.** - It has given fair consideration to the interest of communities in or near where the project may be located. Yes.

6. **Consultation with Users.** In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed. Yes.

7. **Public Hearings.** - In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project. N/A

8. **Air and Water Quality Standards.** - In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary. N/A

PART II - SECTION C (CONTINUED)

9. Exclusive Rights. - There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None.

10. Land. - (a) The sponsor holds the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

None.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land* on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

None.

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

None.

**State character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.*

PART III - BUDGET INFORMATION - CONSTRUCTION**SECTION A - GENERAL**

1. Federal Domestic Assistance Catalog No. 20.106
2. Functional or Other Breakout

SECTION B - CALCULATION OF FEDERAL GRANT

COST CLASSIFICATION	Use only for revisions		Total Amount Required
	Latest Approved amount	Adjustment + or (-)	
1. Administration expense	\$	\$	\$ 15,000.00
2. Preliminary expense			
3. Land, structures, right-of-way			
4. Architectural engineering basic fees			
5. Other architectural engineering fees			
6. Project inspection fees			950,409.00
7. Land development			
8. Relocation expenses			
9. Relocation payments to individuals and businesses			
10. Demolition and removal			
11. Construction and project improvement			4,807,096.00
12. Equipment			
13. Miscellaneous			
14. Total (Lines 1 through 13)			5,772,505.00
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			5,772,505.00
17. Less: Ineligible Exclusions			
18. Add: Contingencies			
19. Total Project Amt. (Excluding Rehabilitation Grants)			5,772,505.00
20. Federal Share requested of Line 19			5,483,879.00
21. Add Rehabilitation Grants Requested (100 percent)			
22. Total Federal grant requested (Lines 20 & 21)			5,483,879.00
23. Grantee share			144,314.00
24. Other shares			144,312.00
25. Total project (Lines 22, 23, & 24)	\$	\$	\$5,772,505.00

SECTION C - EXCLUSIONS		
	Ineligible for Participation (1)	Excluded from Contingency Provision (2)
26. Classification		
a.	\$	\$
b.		
c.		
d.		
e.		
f.		
g. Totals	\$	\$
SECTION D - PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE		
27. Grantee Share		\$
a. Securities		
b. Mortgages		
c. Appropriations (By Applicant)		144,314.00
d. Bonds		
e. Tax Levies		
f. Non Cash		
g. Other (Explain)		
h. Total - Grantee Share		144,314.00
28. Other Shares		
a. State		144,312.00
b. Other		
c. Total Other Shares		144,312.00
29. TOTAL		\$ 288,626.00
SECTION E - REMARKS		
PART IV - PROGRAM NARRATIVE (ATTACH - SEE INSTRUCTIONS)		

PART IV
PROGRAM NARRATIVE

(Suggested Format)

DEPARTMENT OF TRANSPORTATION - FEDERAL AVIATION ADMINISTRATION

OMB NO. 2120-0569

PROJECT: Rehabilitate Taxiway "A" - Phase 2
AIRPORT: Las Cruces International Airport
<p>1. Objective: Rehabilitate the existing taxiway "A" and relocate portions of the taxiway to achieve runway/taxiway separation distances in accordance with FAA Advisory Circular guidelines.</p>
<p>2. Benefits Anticipated: The existing taxiway has deteriorated significantly and is experiencing areas of broken, cracked and raveling pavement. In addition, the existing taxiway is closer to the runway centerline than is allowed under current FAA standards. This project will move the taxiway to achieve the proper distance between the runway centerline and the taxiway centerline and rehabilitate the pavement to provide a smoother and safer surface for taxiing aircraft.</p>
<p>3. Approach: <i>(See approved Scope of Work in final Application)</i> Rehabilitate and move the taxiway in accordance with the applicable FAA Advisory Circulars.</p>
<p>4. Geographic Location: Las Cruces International Airport, Las Cruces, New Mexico.</p>
<p>5. If Applicable, Provide Additional Information:</p>
<p>6: Sponsor's Representative: <i>(incl. address & tel. no.)</i> Ms. Lisa L. Murphy Airport Manager Las Cruces International Airport P.O. Box 20000 Las Cruces, NM 88004 (575) 541-2471</p>

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2011/2012**

FUND	DIVISION		FUND TYPE	
Airport Improvement Fund 4300	Facilities		Capital Project	
	FY 2010/11 Projected*	FY 2011/12 Adopted	FY 2011/12 Adjustment	FY 2011/12 Adjusted
RESOURCES				
Beginning Balance	\$ 737,962	730,939		730,939
REVENUES				
570010 Interest Income	\$ 14,130	20,000		20,000
570015 Net Incr (Decr) Fair Value Investment	(21,153)	0		0
70C00 FAA Grant - Air Traffic Control Tower Phase I	512,312	457,870		457,870
70B08 Rehab Runway 12-30	0	9,844		9,844
70B09 Rehab Runway 12-30	277,947	929,647		929,647
70B09 Rehab Runway 12-30	0	0		0
70B10 Automated Weather Observation System FAA	56,839	155,853		155,853
70B10 Automated Weather Observation System State	1,758	4,820		4,820
70XXX Rehab Taxiway "A"	0	0	5,483,879	5,483,879
Total Revenues	\$ 841,833	1,578,034	5,483,879	7,061,913
Total Resources	\$ 1,579,795	2,308,973	5,483,879	7,792,852
EXPENDITURES				
70C00 - Air Traffic Control Tower	512,312	457,870		457,870
70B08 - Rehab Runway 12-30	0	9,844		9,844
70B09 - Rehab Runway 12-30	277,947	929,647		929,647
70B10 - Automated Weather Observation System	58,597	160,673		160,673
70XXX Rehab Taxiway "A"	0	0	5,483,879	5,483,879
Total Expenditures	\$ 848,856	1,558,034	5,483,879	7,041,913
ENDING BALANCE	\$ 730,939	750,939	0	750,939

*Projected based on 8 months actual through February 28, 2011 and 4 months projected.