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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 12-1Q5

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of January 3, 2012
 (Adoption Date)

TITLE: A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT A CONTRACT AMENDMENT FOR FISCAL YEAR 2011-2012 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING, INCREASING THE TOTAL CONTRACT AMOUNT BY \$5,200, AND TO ADJUST THE CITY'S FISCAL YEAR 2011-2012 BUDGET.

PURPOSE(S) OF ACTION:

To accept a contract amendment.

COUNCIL DISTRICT: All		
<u>Drafter/Staff Contact:</u> Shelley Modell <i>Shelley Modell</i>	<u>Department/Section:</u> Community and Cultural Services/ Senior Programs	<u>Phone:</u> 528-3001
<u>City Manager Signature:</u>	<i>[Signature]</i>	

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On November 3, 2011, the Senior Programs Section was notified the North Central New Mexico Economic Development District Non-Metro Area Agency on Aging (NCNMAAA) had additional funds available to provide respite care services for the period ending June 30, 2012.

The Senior Programs Section expressed an interest in the additional funds and submitted a request for funding as directed. Only programs that are on target with performance levels and/or have waiting lists for service were considered for the additional funding.

On November 10, 2011, the Senior Programs Section received notification a one-time allocation in the amount of \$5,200 for Fiscal Year 2011-2012 was awarded to the City of Las Cruces. This one-time allocation, which increases the total contract amount from \$544,857 to \$550,057, will be used to provide an additional 300 hours of respite care services. Currently, the In-Home Services Program has a waiting list for respite care services.

A budget adjustment to the City's Fiscal Year 2011-2012 budget is needed to reflect the contract amendment.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", North Central New Mexico Economic Development District Non-Metro Area Agency on Aging Vendor Agreement Contract Amendment No. 2011-12 64014.
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: 2171-552017 in the amount of \$5,200.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

The one-time grant award in the amount of \$5,200 increases the total contract amount from \$544,857 to \$550,057. This one-time allocation, which requires no City match, will be used for the delivery of additional respite services for persons qualifying under the Federal Older Americans Act.

A budget adjustment to the City's Fiscal Year 2011-2012 budget is needed to reflect the contract amendment.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
2171 - Older American's Act Programs	Various accounts-30600	\$550,057	\$550,057 (Pending Budget Adjustment)	\$0	To provide additional in-home respite care services.

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this action will approve the additional funding to provide respite services to individuals qualifying under the Federal Older Americans Act.
2. Vote "No"; this action will not approve the funding and the Senior Programs Section will not be able to provide additional respite services.
3. Vote to "Amend"; this action could result in operating at a reduced level of service.
4. Vote to "Table"; this action will postpone respite services.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 12-105

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT A CONTRACT AMENDMENT FOR FISCAL YEAR 2011-2012 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT NON-METRO AREA AGENCY ON AGING, INCREASING THE TOTAL CONTRACT AMOUNT BY \$5,200, AND TO ADJUST THE CITY'S FISCAL YEAR 2011-2012 BUDGET.

The City Council is informed that:

WHEREAS, on November 3, 2011, the Senior Programs Section was notified the North Central New Mexico Economic Development District Non-Metro Area Agency on Aging (NCNMAAA) had additional funds available to provide respite services for the period ending June 30, 2012; and

WHEREAS, the Senior Programs Section expressed an interest in the additional funds and submitted their request for funding as directed; and

WHEREAS, on November 10, 2011, Senior Programs Section was notified of the one-time allocation in the amount of \$5,200 for Fiscal Year 2011-2012, and

WHEREAS, this one-time allocation, which increases the total contract amount from \$544,857 to \$550,057, will be used to provide an additional 300 hours of respite care services; and

WHEREAS, a budget adjustment to the Fiscal Year 2011-2012 City budget is needed to reflect the contract amendment.

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

(I)

THAT the Mayor is authorized to accept and sign the contract amendment from

the North Central New Mexico Economic Development District Non-Metro Area Agency on Aging for Fiscal Year 2011-2012 designated as Exhibit "A" attached hereto and made a part of this Resolution.

(II)

THAT the City of Las Cruces Fiscal Year 2011-2012 City budget is hereby adjusted as designated in Exhibit "B" attached hereto and made a part thereof.

(III)

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

DONE AND APPROVED this _____ day of _____, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

APPROVED AS TO FORM:



City Attorney

Contract No. 2011-12 64014

**NORTH CENTRAL NEW MEXICO
ECONOMIC DEVELOPMENT DISTRICT
NON-METRO AREA AGENCY ON AGING**

**VENDOR AGREEMENT
AMENDMENT NO. 2**

This Amendment is made and entered into this 10th day of November, 2011 by and between the North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging hereinafter referred to as the "Agency" and the City of Las Cruces, hereinafter referred to as the "Contractor".

1. Purpose of Amendment. The purpose of the Amendment is to:
 - A. Revise the contract amount from (\$544,857) to (\$550,057) thereby *increasing* the total dollar amount by (\$5,200).
2. Changes to Contract. The following changes are amendments to the contract:

A. Paragraph I.B. Payment for Services is amended to read: For the services by the Agency to be satisfactorily provided by Vendor hereunder, the Agency shall pay the vendor during the Term an aggregate amount, not to exceed **(\$550,057)** said aggregate amount to be derived from the following sources, when units are met.

1. (\$21,752) from Title III-B of the OAA;
2. (\$95,765) from Title III-C1 of the OAA;
3. (\$19,316) from Title III-C2 of the OAA;
4. (\$15,943) from Title III-D of the OAA;
5. (\$40,703) from Title III-E of the OAA; and
6. (\$356,578) from the NMGAA-State/HB-2.

B. Paragraph I.C. Services and Reimbursement Methodology is amended to read:

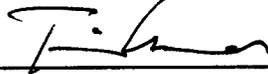
Service	Total Unit Cost	Federal & State Negotiated Unit Costs	Units	Persons
Congregate Meals	\$ 5.38863	\$ 2.16144	86,000	2,000
Home Delivered Meals	\$ 5.17543	\$ 1.44541	134,000	500
Homemaker/Housekeeping	\$ 47.76825	\$ 23.07550	4,000	80
Health Promotion IIID	\$ 3.25609	\$ 2.16866	9,196	300
Grandparents Raising GC	\$ 138.75000	\$ 88.75000	40	40
CG – Respite Care	\$ 19.82442	\$12.71930	4,300	45
	\$	\$		
	\$	\$		

3. All other clauses in the original Agreement will remain unchanged and together with this Agreement constitute the entire Agreement between the Contractor and NCNMEDD, Non-Metro AAA.
4. For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves effective July 1, 2010.

City of Las Cruces
Legal Name of Vendor/Contractor

NCNMEDD Non-Metro Area Agency on Aging
Name of Area Agency on Aging

Signature



Signature

Printed/Typed Name of Signatory

Tim Armer, Executive Director
Printed/Typed Name of Signatory

Date

6/14/11

Date

NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT
NON-METRO AREA AGENCY ON AGING
NOTIFICATION OF GRANT AWARD (NGA)

GRANTEE: City of Las Cruces ADDRESS: PHONE:		APPROVED BUDGET PERIOD FROM: 7/1/2011 TO: 6/30/2012				Grant/Action New/Cont: <input type="checkbox"/> Revision: <input checked="" type="checkbox"/> BAR: <input type="checkbox"/> Other: <input type="checkbox"/>		NGA DATE 11.10.11
DESCRIPTION	FEDERAL	STATE	LOCAL		PROJ. INC.	TOTAL		
Title IIIB Access	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
In-Home	\$ 21,752	\$ 70,550	\$ 96,771	\$ -	\$ 2,000	\$ 191,073		
Community All Other	\$ -		\$ -	\$ -	\$ -	\$ -		
Subtotal	\$ 21,752	\$ 70,550	\$ 96,771	\$ -	\$ 2,000	\$ 191,073		
Title IIIC1 Meal Costs	\$ 95,765	\$ 90,119	\$ 165,675	\$ -	\$ 111,863	\$ 463,422		
Subtotal	\$ 95,765	\$ 90,119	\$ 165,675	\$ -	\$ 111,863	\$ 463,422		
Title IIIC2 Meal Costs	\$ 19,316	\$ 174,369	\$ 421,451	\$ -	\$ 78,372	\$ 693,508		
SubTotal	\$ 19,316	\$ 174,369	\$ 421,451	\$ -	\$ 78,372	\$ 693,508		
Title IIID Health Promotion	\$ 15,943	\$ 4,000	\$ 3,000	\$ -	\$ 7,000	\$ 29,943		
Sub Total	\$ 15,943	\$ 4,000	\$ 3,000	\$ -	\$ 7,000	\$ 29,943		
Title IIIE Care Giver Support	\$ 40,703	\$ 17,540	\$ 32,552	\$ -	\$ -	\$ 90,795		
Sub Total	\$ 40,703	\$ 17,540	\$ 32,552	\$ -	\$ -	\$ 90,795		
DEMONSTRATON GRANT ALZHEIMER Respite Care	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
ALL STATE OTHER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Sub Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
SUB TOTALS								
Title IIIB	\$ 21,752	\$ 70,550	\$ 96,771	\$ -	\$ 2,000	\$ 191,073		
Title IIIC1	\$ 95,765	\$ 90,119	\$ 165,675	\$ -	\$ 111,863	\$ 463,422		
Title IIIC2	\$ 19,316	\$ 174,369	\$ 421,451	\$ -	\$ 78,372	\$ 693,508		
Title IIID	\$ 15,943	\$ 4,000	\$ 3,000	\$ -	\$ 7,000	\$ 29,943		
Title IIIE	\$ 40,703	\$ 17,540	\$ 32,552	\$ -	\$ -	\$ 90,795		
Alzheimer Respite Care	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
All State Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
GRAND TOTAL	\$ 193,479	\$ 356,578	\$ 719,449	\$ -	\$ 199,235	\$ 1,468,741		
COMPUTATION OF GRANT		8. Federal/State Shares will be comprised of:						
1. Estimated Total Cost.....	\$ 1,468,741	a. Federal/State		FY 20 __	Federal			
2. LESS Anticipated Proj. Inc.	\$ 199,235	grant unearned			State			
3. Estimated Net Cost.....	\$ 1,269,506	in previous project year(s)						
4. Non-federal and Non-state Share of Net Cost.....		b. Carry Over		FY 20 __	Federal			
5. Proj. Inc. (Used as Match).....	\$ 199,235				State			
6. Federal Share of Net Cost.....	\$ 193,479	c. New Obligational		FY-	Federal	\$ 5,200		
7. State Share of Net Cost....	\$ 356,578	Authority Herein Awarded			State	\$ -		

REMARKS: In addition to the conditions contained in the agreement on the application form, the conditions below apply to this grant.

- X 1. Unless revised, the amount of lines 6 and 7 (Computation of Grant) will constitute a ceiling for federal and/or state participation in the approved cost.
- X 2. The federal and/or state share of the project cost is earned only when the cost is accrued and the non-federal and/or non-state share of the cost has been contributed. Receipt of federal and/or state funds (either through advance or reimbursement) does not constitute earning of these funds.
- X 3. If the actual net cost is less than the amount on line 3 (Computation of Grant) the non-federal and/or non-state share, the federal share, and the state share will meet the percentages indicated on Page 1 of the NGA.
- X 4. As shown in the Computation of Grant (assuming satisfactory progress, adequate justification and the availability of funds), the federal and state shares shall meet the amounts shown on lines 6 and 7 of the estimated net project cost shown on line 3.
- X 5. Funds herein awarded will remain available during the length of the project period, however, state and/or federal funds are dependent upon availability.
- X 6. Percentages indicated on this Notification of Grant Award are adjustable at year end based on the amount of program income earned and expended. All program income must be expended within the program period indicated on page 1.
- X 7. Programs must meet the units of services projected in order to be reimbursed or submit a recalculation of service costs request detailing reasons approved units are not being met. Amendments must be approved by the Area Agency on Aging.

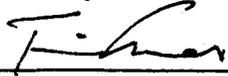
The Grantee organization is responsible for retaining records of all federal and/or state accounts as follows:

All accounting records are to be kept in accordance with federal and state policy and readily available for examination by Area Agency on Aging personnel or other federal and/or state officials authorized to examine any or all financial and programmatic records. Such records shall be retained in accordance with the following:

- 1. Keep adequate and complete financial records, and to report promptly and fully to the Area Agency on Aging on a monthly basis.
- 2. If a federal and/or state audit has not been made within three (3) years after project termination, project records may then be destroyed, on approval of the Area Agency on Aging.
- 3. In all cases, an over-riding requirement exists to retain records until resolution of any audit questions relating to individual grants.
- 4. Non-federal resources must be contributed equally to the percentage of the non-federal share of actual net costs for a project year. If a Grantee reports federal and/or state cash received but unearned on the final project report for a project year, the Grantee then owes the Area Agency on Aging this amount. This amount may constitute a cash advance on any funds awarded to the Grantee by the Area Agency on Aging for the following project year.
- 5. The disposition of unearned portions of federal and/or state funds at the end of the project year shall be made in accordance with current state policies.
- 6. Unearned federal and/or state cash at the time the project is terminated shall be returned in full to the Area Agency on Aging.
- 7. All obligations will be liquidated within 30 days after the end of the project year and before final program and financial reports are submitted.
- 8. Inventory of project equipment will be maintained and submitted as requested.

Project records will be preserved and kept available to federal and state auditors at the following address:

NCNMEDD Non-Metro Area Agency on Aging
Authorizing Official

 11/14/11
Signature: Date:

Tim Armer, Executive Director

We, the undersigned officers of the Grantee organization, certify that we are in agreement with the terms and conditions of this award.

Signature: Date:

Signature: Date:

CITY OF LAS CRUCES
ADOPTED BUDGET FY 2011/2012

FUND	DIVISION		FUND TYPE	
Older Americans Act Fund 2171	Public Services		Special Revenue	
	FY 2010/11 Preliminary*	FY 2011/12 Adopted	Adjustment	FY 2011/12 Adjusted
RESOURCES				
Beginning Balance	\$ 0	0		0
REVENUES				
551027 Older Americans Act Fed Grant	\$ 188,279	188,279	5,200	193,479
552017 NCCNMEDD Area Agency on Aging	360,180	356,578		356,578
543510 Congregate Meals IIIC1 Contributions	122,197	111,863		111,863
543511 Delivered Meals IIIC2 Contributions	73,919	78,372		78,372
543512 Transportation Contributions	4,184	0		0
543514 Home Care Contributions	1,790	2,000		2,000
543520 Senior Health Contributions	6,854	7,000		7,000
Other Revenues	80			
Total Revenues	\$ 757,483	744,092	5,200	749,292
Total Resources	\$ 757,483	744,092	5,200	749,292
EXPENDITURES				
21205030 - Congregate Meals IIIC1				
Personnel	\$ 238,902	207,361		207,361
Operating	86,624	90,386		90,386
Total Org 21205030	325,526	297,747	0	297,747
21205040 - Delivered Meals IIIC2				
Personnel	\$ 132,259	119,422		119,422
Operating	99,664	152,635		152,635
Total Org 21205040	231,923	272,057	0	272,057
21205050 - Health Promotion IIID				
Personnel	\$ 0			0
Operating	14,112	26,943		26,943
Total Org 21205050	14,112	26,943	0	26,943
21205000 - Grandparent Respite				
Operating	\$ 2,188	3,550		3,550
Total Org 21205000	2,188	3,550	0	3,550
21205060 - Care Giver Support IIIE				
Personnel	\$ 0	0		0
Operating	46,313	49,493	5,200	54,693
Total Org 21205060	\$ 46,313	49,493	5,200	54,693
Subtotal - Grandparent and Care Giver Support	48,501	53,043		58,243

*Preliminary actual as of November 10, 2011

EXHIBIT "B" CONTINUED

CITY OF LAS CRUCES
ADOPTED BUDGET FY 2011/2012

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FUND	DIVISION		FUND TYPE	
	Public Services		Special Revenue	
Older Americans Act Fund 2171	FY 2010/11 Preliminary*	FY 2011/12 Adopted	Adjustment	FY 2011/12 Adjusted
21205070 - Senior Home Care				
Personnel	\$ 59,234	94,302		94,302
Operating	4,302			0
Total Org 21205070	\$ 63,536	94,302	0	94,302
Total Expenditures	\$ 683,598	744,092	5,200	749,292
OTHER FINANCING SOURCES (USES)				
Transfer from (to) Fund 1000 - General Fund	\$ 0	0		0
Transfer to Fund 5920 - Transit Fund	(73,885)	0		0
Total Other Financing Sources (Uses)	\$ (73,885)	0	0	0
ENDING BALANCE	\$ 0	0	0	0

*Preliminary actual as of November 10, 2011