City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 14-038

For Meeting of _____ (Ordinance First Reading Date)

For Meeting of September 3, 2013 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☐ LEGISLATIVE ☒ ADMINISTRATIVE

TITLE: A RESOLUTION RE-APPOINTING MEMBERS TO THE NEW MEXICO MUNICIPAL ENERGY ACQUISITION AUTHORITY BOARD OF DIRECTORS.

PURPOSE(S) OF ACTION:

To re-appoint members.

COUNCIL DISTRICT: N/A		
Drafter/Staff Contact: Marcia B. Driggers	**Department/Section:** Legal/City Attorney	**Phone:** 541-2128
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces and the City of Gallup entered into a Joint Powers Agreement (JPA) establishing the New Mexico Municipal Energy Acquisition Authority (NMMEAA) for cooperative acquisition of long-term energy supplies by and among the City of Las Cruces, New Mexico and the City of Gallup, New Mexico.

Section 3 of amendment number one to the JPA provides for a seven (7) member board of directors. Two (2) board members are to be appointed by Las Cruces; two (2) board members are to be appointed by Gallup; two (2) board members are to be nominated by Farmington; and the seventh member is to be nominated by Los Alamos. The JPA requires that all board members have current experience in the operation of municipal utilities, the acquisition of energy supplies, and/or municipal finance in general.

To comply with the JPA experience requirements, the City appointed the Utilities Director or his designee: the City Gas Business Analyst, and the Finance Director or his designee: the City Comptroller to the board in Resolution No. 08-293. Section 3 of the original JPA, as well as amendment number one to the JPA, established four (4) year terms for the board members who may be re-appointed or re-nominated for additional terms. The City desires to re-appoint the Utilities Director and the Financial Services Director or their designee: the City Gas Analyst for a four (4) year term effective June 2, 2012.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.

SOURCE OF FUNDING:

Is this action already budgeted?			
N/A	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the _____Fund.
Does this action create any revenue?			
N/A	Yes	☐	Funds will be deposited into this fund: _____in the amount of $_____for FY__.
	No	☐	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 re-appoint the two (2) City members to the NMMEAA Board of Directors.
2. Vote "No"; this will not re-appoint the two (2) City members to the NMMEAA Board of Directors.
3. Vote to "Amend"; this could allow the Council to appoint other individuals who meet the experience requirements required by the JPA.
4. Vote to "Table"; this could negatively impact board actions.

(Continue on additional sheets as required)

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachment(s) or exhibit(s).

1. Resolution No. 08-293.

(Continue on additional sheets as required)

RESOLUTION NO. 14-038

A RESOLUTION RE-APPOINTING MEMBERS TO THE NEW MEXICO MUNICIPAL ENERGY ACQUISITION AUTHORITY BOARD OF DIRECTORS.

The City Council is informed that:

WHEREAS, The City of Las Cruces and the City of Gallup entered into a Joint Powers Agreement (JPA) establishing the New Mexico Municipal Energy Acquisition Authority (NMMEAA) for cooperative acquisition of long-term energy supplies by and among the City of Las Cruces, New Mexico and the City of Gallup, New Mexico; and

WHEREAS, Section 3 of amendment number one to the JPA provides for a seven (7) member board of directors. Two (2) board members are to be appointed by Las Cruces. The JPA requires that all board members have current experience in the operation of municipal utilities, the acquisition of energy supplies, and/or municipal finance in general; and

WHEREAS, to comply with the JPA experience requirements, the City appointed the Utilities Director or his designee: the City Gas Business Analyst, and the Finance Director or his designee: the City Comptroller to the board in Resolution No. 08-293. Section 3 of the original JPA, as well as amendment number one to the JPA, established four (4) year terms for the board members who may be re-appointed or re-nominated for additional terms. The City desires to re-appoint the Utilities Director and the Financial Services Director or their designee: the City Gas Analyst for a four (4) year term effective June 2, 2012.

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

(I)

THAT the City Utilities Director and the City Financial Services Director or their designee: the City Gas Analyst are re-appointed for a four (4) year term to the NMMEAA Board of Directors effective June 2, 2012.

(II)

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

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

ATTEST:

_____
Mayor

_____
City Clerk

(SEAL)

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

Asst City Attorney