

**Council Action and Executive Summary**Item # 3Ordinance/Resolution# 15-030For Meeting of _____
(Ordinance First Reading Date)For Meeting of September 2, 2014
(Adoption Date)

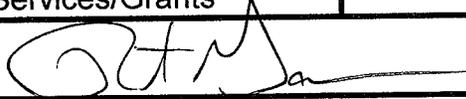
Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION TO ACCEPT A COMPETITIVE GRANT AWARD, ON BEHALF OF THE LAS CRUCES FIRE DEPARTMENT, IN THE AMOUNT OF \$615,393.00 WITH A MATCH REQUIREMENT OF \$68,377.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FY 2013 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, AND TO ADJUST THE FY 2015 BUDGET.

PURPOSE(S) OF ACTION:

Accept grant funds and adjust the FY 2015 budget.

COUNCIL DISTRICT: N/A		
<u>Drafter/Staff Contact:</u> S. Nicole Williams	<u>Department/Section:</u> Financial Services/Grants	<u>Phone:</u> 541-2716
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On August 1, 2014, the City received a notice of grant award, on behalf of its Fire Department, from the Federal Emergency Management Agency for the amount of \$615,393.00. Grant funding will be used to purchase firefighter safety equipment (self-contained breathing apparatuses) and to provide assistance with advanced emergency medical training costs for selected firefighters. The total project cost for the purchase of the equipment and the training is estimated to be \$683,770.00. There is a cash match requirement of 10% of the total project cost, \$68,377.00, for the award. The required match funds will be drawn from available budgeted funds for the Fire Department under the Fire Fund and the General Fund as outlined in the following Funds Expenditure Summary.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Grant Award Package.
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>2301</u> in the amount of <u>\$615,393.00</u> for <u>FY15</u> .
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Grant funding will be accounted for in Fund 2301: Firefighters Fund: Federal Emergency Management Agency under project code 33021. Grant funds will be expensed from Fund 2301: Federal Emergency Management Agency under project code 33021 for firefighter overtime, capital asset equipment and supplies. Match requirement funds will be expensed from Fund 1000: General Fund for non-capital expenses and Fund 2301: Fire Fund for capital expenses.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Fire Fund Firefighter Overtime	23167060-610210-33021	\$213,600.00	\$213,600.00*	\$0	None
Fire Fund Equipment (capital)	23167060-851200-33021	\$389,664.00	\$389,664.00*	\$0	None
Fire Fund Supplies	23167020-730110-33021	\$12,129.00	\$12,129.00*	\$0	None
General Fund Tuition Reimbursement	10167020-724300-33021	\$23,450.00	\$23,450.00*	\$0	None
Fire Fund Major Equipment	23807010-851200-33021	\$44,927.00	\$44,927.00*	\$0	None

*Upon approved budget adjustment.

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the acceptance of grant funding and adjust the FY 2015 budget.
2. Vote "No"; this will reject the grant funding for the Las Cruces Fire Department and may delay the purchase of necessary firefighter equipment and emergency medical training.
3. Vote to "Amend"; this is not an option as grant funding is specific to the approved grant proposal.
4. Vote to "Table"; this is not an option as grant funding is constrained by a specific period of performance schedule.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 15-030

A RESOLUTION TO ACCEPT A COMPETITIVE GRANT AWARD, ON BEHALF OF THE LAS CRUCES FIRE DEPARTMENT, IN THE AMOUNT OF \$615,393.00 WITH A MATCH REQUIREMENT OF \$68,377.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FY 2013 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, AND TO ADJUST THE FY 2015 BUDGET.

The City Council is informed that:

WHEREAS, on December 6, 2013, the City of Las Cruces, on behalf of its Fire Department, applied for a competitive grant opportunity offered by the Federal Emergency Management Agency (FEMA) under the FY 2013 Assistance to Firefighters Grant (AFG) Program; and

WHEREAS, the grant proposal requested federal funds to purchase self-contained breathing apparatuses and funding to assist with advanced emergency medical training; an overall total project cost of \$683,770.00; and

WHEREAS, as per the FEMA FY13 AFG Program, a cash match of ten-percent (10 %) of the overall total project cost is required; and

WHEREAS, on August 1, 2014; the City of Las Cruces, on behalf of its Fire Department, received a notice of grant award from FEMA for the amount of \$615,393.00, with a required local cash match of \$68,377.00.

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

(I)

THAT the City of Las Cruces is approved to accept the competitive grant award in the amount of \$615,393.00, on behalf of the Las Cruces Fire Department, from the Federal Emergency Management Agency's FY 2013 Assistance to Firefighters Grant

Program as stated in the Grant Award Package; Exhibit "A", attached hereto and made part of this resolution.

(II)

THAT there is a ten-percent (10%) cash match requirement of \$63,877.00 that will be met by encumbering funds accounted for in the Las Cruces Fire Department Fire Fund and the General Fund.

(III)

THAT the City's FY 2015 budget is adjusted as prescribed in Exhibit "B", attached hereto and made 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 _____ day of _____, 20_____.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

VOTE:

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

Award Package

35

U.S. Department of Homeland Security
Washington, D.C. 20472



FEMA

Ms. S. Nicole Williams
Las Cruces Fire Department
PO Box 20000
Las Cruces, New Mexico 88004-9002

Re: Grant No.EMW-2013-FO-06439

Dear Ms. Williams:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2013 Assistance to Firefighters Grant has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$683,770.00. The Federal share is 90 percent or \$615,393.00 of the approved amount and your share of the costs is 10 percent or \$68,377.00.

Before you request and receive any of the Federal Grant funds awarded to you, you must establish acceptance of the Grant and Grant Agreement Articles through the Assistance to Firefighters Grant Programs' (AFG) e-grant system. Please make sure you read and understand the articles as they outline the terms and conditions of your grant award. By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval, via amendment request, from FEMA. Maintain a copy of these documents for your official file.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the process to request your grant funds, please call 1-866-274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Kamoie".

Brian E. Kamoie
Assistant Administrator
Grant Programs Directorate

Summary Award Memo

**SUMMARY OF ASSISTANCE ACTION
ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM
Application**

INSTRUMENT: GRANT
AGREEMENT NUMBER: EMW-2013-FO-06439
GRANTEE: Las Cruces Fire Department
AMOUNT: \$683,770.00, Operations and Safety

Project Description

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant program's purpose and worthy of award. The recipient shall perform the work described in the approved grant application as itemized in the request details section of the application and further described in the grant application narrative. These sections of the application are made a part of these grant agreement articles by reference. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

Grantee Concurrence

By providing the Primary Contact's electronic signature and indicating acceptance of the award, the recipient accepts and agrees to abide by the terms and conditions of the grant as set forth in this document. Recipients agree that they will use the funds provided through the Fiscal Year 2013 Assistance to Firefighters grant in accordance with these Articles of Agreement and the program guidelines provided in the Fiscal Year 2013 Assistance to Firefighters program guidance. All documents submitted as part of the original grant application are made a part of this agreement by reference.

Period of Performance

25-JUL-14 to 24-JUL-15

Amount Awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$213,600.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$447,420.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$22,750.00
Indirect Charges	\$0.00
Total	\$683,770.00

NEGOTIATION COMMENTS IF APPLICABLE (max 4000 characters)

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Francisco Bernal at Francisco.Bernal@dhs.gov.

System for Award Management (SAM)

Prior to requesting federal funds, all recipients are required to register their entity information in the System for Award Management (SAM.gov). As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information at least annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

FEMA Officials

Program Officer: The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

Grants Assistance Officer: The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

Grants Operations POC: The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 4000 characters)

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Francisco Bernal at Francisco.Bernal@dhs.gov.

Agreement Articles



FEMA

U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES

ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - Operations and Safety

GRANTEE: Las Cruces Fire Department

PROGRAM: Operations and Safety

AGREEMENT NUMBER: EMW-2013-FO-06439

AMENDMENT NUMBER:

TABLE OF CONTENTS

Article I	Administrative Requirements
Article II	Lobbying Prohibitions
Article III	Financial Reporting
Article IV	GPD - Trafficking Victims Protection Act of 2000
Article V	GPD - Drug-Free Workplace Regulations
Article VI	Fly America Act of 1974
Article VII	Activities Conducted Abroad
Article VIII	Acknowledgement of Federal Funding from DHS
Article IX	Copyright
Article X	Use of DHS Seal, Logo and Flags
Article XI	DHS Specific Acknowledgements and Assurances
Article XII	Civil Rights Act of 1964
Article XIII	Civil Right Act of 1968
Article XIV	Americans with Disabilities Act of 1990
Article XV	Age Discrimination Act of 1975
Article XVI	Title IX of the Education Amendments of 1972
Article XVII	Rehabilitation Act of 1973
Article XVIII	Limited English Proficiency
Article XIX	Animal Welfare Act of 1966
Article XX	Clean Air Act of 1970 and Clean Water Act of 1977
Article XXI	Protection of Human Subjects
Article XXII	National Environmental Policy Act (NEPA) of 1969
Article XXIII	National Flood Insurance Act of 1968
Article XXIV	Flood Disaster Protection Act of 1973

Article XXV	Coastal Wetlands Planning, Protection, and Restoration Act of 1990
Article XXVI	USA Patriot Act of 2001
Article XXVII	Environmental Planning and Historic Preservation Screening
Article XXVIII	Vehicle Awards

Article I - Administrative Requirements

The administrative requirements that apply to most DHS award recipients through a grant or cooperative agreement arise from two sources: - Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"), found under FEMA regulations at Title 44, Code of Federal Regulations (CFR) Part 13, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." - OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215. The requirements for allowable costs/cost principles are contained in the A-102 Common Rule, OMB Circular A-110 (2 CFR § 215.27), DHS program legislation, Federal awarding agency regulations, and the terms and conditions of the award. The four costs principles circulars are as follows: - OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220. - OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225. - OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230. - OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article II - Lobbying Prohibitions

None of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal of any Federal contract, grant, loan, cooperative agreement. These lobbying prohibitions can be found at 31 U.S.C. § 1352.

Article III - Financial Reporting

Recipients will be required to submit a semi-annual Federal Financial Report (FFR), Standard Form (SF-425) through the AFG online e-grant system. The FFR is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government. The FFR is due semi-annually based on the calendar year beginning with the period after the award is made. Recipients are required to submit an FFR throughout the entire period of performance of the grant. The reporting periods for the FFR are January 1 through June 30 (report due by July 31), and July 1 through December 31 (report due by January 31). At the end of the grant's period of performance, all recipients are required to produce a final report on how the grant funding was used and the benefits realized from the award. Recipients must submit a final financial report and a final performance report within 90 days after the end of the period of performance.

Article IV - GPD - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a sub-recipient - (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect; (b) Procures a commercial sex act during the period of time that the award is in effect; or (c) Uses forced labor in the performance of the award or subawards under the award. Full text of the award term is provided at 2 CFR § 175.15.

Article V - GPD - Drug-Free Workplace Regulations

All recipients of financial assistance will comply with the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. §701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. These regulations are codified at 2 CFR3001.

Article VI - Fly America Act of 1974

All recipients of financial assistance will comply with the requirements of the Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C.- 4 -§ 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article VII - Activities Conducted Abroad

All recipients of financial assistance will comply with the requirements that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article VIII - Acknowledgement of Federal Funding from DHS

All recipients of financial assistance will comply with requirements to acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article IX - Copyright

All recipients of financial assistance will comply with requirements that publications or other exercise of copyright for any work first produced under Federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under an award.

Article X - Use of DHS Seal, Logo and Flags

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XI - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree-and require any subrecipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS. 2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. If, during the past three years, the recipient has been accused of discrimination on the

grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties. 6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office. The United States has the right to seek judicial enforcement of these obligations.

Article XII - Civil Rights Act of 1964

Recipients of financial assistance will comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article XIII - Civil Right Act of 1968

All recipients of financial assistance will comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article XIV - Americans with Disabilities Act of 1990

All recipients of financial assistance will comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

Article XV - Age Discrimination Act of 1975

All recipients of financial assistance will comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article XVI - Title IX of the Education Amendments of 1972

All recipients of financial assistance will comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 44 CFR Part 19.

Article XVII - Rehabilitation Act of 1973

All recipients of financial assistance will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

Article XVIII - Limited English Proficiency

All recipients of financial assistance will comply with the requirements of Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin and resulting agency guidance, national origin discrimination includes discrimination on the basis of

limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding LEP obligations, go to <http://www.lep.gov>.

Article XIX - Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

Article XX - Clean Air Act of 1970 and Clean Water Act of 1977

All recipients of financial assistance will comply with the requirements of 42 U.S.C. § 7401 et seq. and Executive Order 11738, which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters is considered research for other purposes.

Article XXI - Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

Article XXII - National Environmental Policy Act (NEPA) of 1969

All recipients of financial assistance will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. § 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application.

Article XXIII - National Flood Insurance Act of 1968

All recipients of financial assistance will comply with the requirements of Section 1306(c) of the National Flood Insurance Act, as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at 44CFR Part 63.

Article XXIV - Flood Disaster Protection Act of 1973

All recipients of financial assistance will comply with the requirements of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. § 4001 et seq.), which provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased

within one year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DHS support. Lists of flood prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

Article XXV - Coastal Wetlands Planning, Protection, and Restoration Act of 1990

All recipients of financial assistance will comply with the requirements of Executive Order 11990, which provides that federally funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The Executive Order provides that, in furtherance of Section 101(b)(3) of NEPA (42 U.S.C. § 4331(b)(3)), Federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at 44 CFR Part 9.

Article XXVI - USA Patriot Act of 2001

All recipients of financial assistance will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. "Restricted persons," as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.

Article XXVII - Environmental Planning and Historic Preservation Screening

AFG funded activities (Modification to Facility or Equipment) that may require an EHP review, involving the installation or requiring renovations to facilities, including but not limited to air compressor/fill station/cascade system (Fixed) for filling SCBA, air improvement systems, alarm systems, antennas, gear dryer, generators (fixed), permanently mounted signs, renovations to facilities, sprinklers, vehicle exhaust systems (fixed) or washer/extractors are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process.

FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders.

To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to our Department of Homeland Security/Federal Emergency Management Agency- website at:
<https://www.fema.gov/library/viewRecord.do?id=6906>

In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

Article XXVIII - Vehicle Awards

If awarded any AFG vehicle grant, you must obtain a vehicle purchase contract from the vendor or manufacturer and send it by e-mail to your AFG Regional Representative. A list of the AFG Regional Representatives and their contact information can be found on the AFG website at <http://www.fema.gov/fire-grant-contact-information>.

The grantee must include in their vehicle purchase contract specific performance requirements and penalties (penalty clause) for noncompliance with the requirements. The clause should specify a delivery date for the vehicle under contract and include a provision for a penalty for non-delivery on the specified date. Non-delivery by the contract's guaranteed date should require a penalty for non-performance of at least \$100 per day until the date that the vehicle is delivered.

46

It is recommended that any department/organization that will advance their own local funds to their vendor prior to receipt of the vehicle obtain a performance bond. The bond may be obtained through the vendor or a local bank.

It is required that any department/organization that will advance of Federal funds to their vendor prior to receipt of the vehicle obtain a prepayment bond. A prepayment bond may be obtained through your bank or the vendor. The cost for the bond may be included in the grant.

Grantees that fail to comply with these requirements--fail to provide the AFG with a copy of the vehicle purchase contract, or fail to obtain the necessary prepayment bond - will not be eligible for an extension of the grant's period of performance.

If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to firegrants@dhs.gov.

**FEDERAL EMERGENCY MANAGEMENT AGENCY
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1a. AGREEMENT NO. EMW-2013-FO-06439	2. AMENDMENT NO. 0	3. RECIPIENT NO. 85-6000147	4. TYPE OF ACTION AWARD	5. CONTROL NO. W518706N
6. RECIPIENT NAME AND ADDRESS Las Cruces Fire Department 201 E. Picacho Ave. Las Cruces New Mexico, 88001-3456	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 POC: Andrea Day	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER S. Nicole Williams	PHONE NO. 5755282716	10. NAME OF PROJECT COORDINATOR Catherine Patterson	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 25-JUL-14	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:25-JUL-14 To:24-JUL-15 Budget Period From:05-MAR-14 To:30-SEP-14	

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX- XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMMULATIVE NON-FEDERAL COMMITMENT
AFG	97.044	2014-M3-C111-P4310000-4101-D	\$0.00	\$615,393.00	\$615,393.00	\$68,377.00
TOTALS			\$0.00	\$615,393.00	\$615,393.00	\$68,377.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)
N/A

DATE
N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)
Andrea Day

DATE
25-JUL-14

[Go Back](#)

CITY OF LAS CRUCES
2014-15 Fiscal Year Budget

FUND	DIVISION		FUND TYPE	
General Fund Fund 1000	Government		General Funds	
	2013-14 Un-Audited	2014-15		2014-15
		Budget	Adjustment	Adjusted
RESOURCES				
Beginning Balance	\$ 18,112,065	22,493,489	(197,935)	22,295,554
Revenues				
Gross Receipts Tax	62,208,860	62,777,000	0	62,777,000
Hold Harmless Replacement Gross Receipts Tax	0	7,402,280	0	7,402,280
Public Safety Gross Receipts Tax	0	3,339,000	0	3,339,000
Property Taxes	10,233,949	10,150,630	0	10,150,630
Payment In Lieu of Property Tax	787,140	808,771	0	808,771
Franchise Fees	2,705,955	2,892,619	0	2,892,619
Payment In Lieu of Franchise Fees	1,181,920	1,253,304	0	1,253,304
Licenses, Fees & Permits	1,566,537	1,614,107	0	1,614,107
Fines & Forfeitures	608,025	778,083	0	778,083
Charges For Services	1,958,868	2,673,978	0	2,673,978
Administrative Transfers	3,004,484	3,237,545	0	3,237,545
All Other Revenues	923,006	816,114	0	816,114
Debt Service	1,600,000	0	0	0
Operating Transfers In	2,746,821	73,519	0	73,519
Total Revenues	89,525,565	97,816,950	0	97,816,950
TOTAL RESOURCES	\$ 107,637,630	120,310,439	(197,935)	120,112,504
Expenditures				
Legislative	725,237	800,480	0	800,480
Judicial	1,156,625	1,152,106	0	1,152,106
Administration	2,595,822	3,169,882	0	3,169,882
Legal	1,338,935	1,354,485	0	1,354,485
Human Resources	1,037,819	995,501	0	995,501
Financial Services	2,703,441	2,992,135	0	2,992,135
Information Technology	3,409,760	4,199,574	0	4,199,574
Transportation	4,897,914	5,088,702	0	5,088,702
Parks & Recreation	8,657,661	9,801,504	0	9,801,504
Community Development	3,139,277	3,294,135	0	3,294,135
Community & Cultural Services	5,248,460	5,524,301	0	5,524,301
Public Works	5,240,404	5,614,109	0	5,614,109
Las Cruces Police Department	21,049,465	24,470,359	0	24,470,359
Las Cruces Fire Department	9,888,066	11,852,522	23,450	11,875,972
Legislative Reserve	1,513,638	4,835,555	0	4,835,555
Operating Transfers Out	13,685,496	19,062,171	0	19,062,171
Total Expenditures	\$ 86,288,020	104,207,521	23,450	104,230,971
Accrual Adjustments	1,143,879	0	0	0
ENDING BALANCE	\$ 22,493,489	16,102,918	(221,385)	15,881,533
Required Reserve:				
State Required 1/12th	7,190,668	8,097,794	(424,509)	7,673,286
Local CLC 1/12th	7,190,668	8,097,794	(424,509)	7,673,286
UN-RESERVED BALANCE	\$ 8,112,153	(92,670)	627,632	534,962

CITY OF LAS CRUCES
2014-15 Fiscal Year Budget

FUND	DIVISION		FUND TYPE	
Fire Fund 2300	Fire		Special Revenue Funds	
	2013-14 Un-Audited	2014-15 Adopted	2014-15 Adjustment	2014-15 Adjusted
RESOURCES				
Beginning Balance	\$ 167,155	182,929	39,276	222,205
Revenues				
Miscellaneous Revenues	14,977	14,000	0	14,000
State Grants	693,916	594,226	0	594,226
Operating Transfers In	0	0	0	0
Total Revenues	<u>708,893</u>	<u>608,226</u>	<u>0</u>	<u>608,226</u>
TOTAL RESOURCES	<u>\$ 876,048</u>	<u>791,155</u>	<u>39,276</u>	<u>830,431</u>
Expenditures				
Las Cruces Fire Department	660,629	594,226	0	594,226
33010 - 2011 FIRE APPARATUS NMFA LOAN	0	0	0	0
33012 - 2012 FEMA DHS EQUIPMENT GRANT	18,559	0	0	0
33017 - NM FIRE SCBA EQUIPMENT FY13	3,166	0	0	0
33018 - FEMA/DHS Fire Prevention & Safety	7,563	0	0	0
33021 - FEMA AFG FY14-15	0	0	44,927	44,927
Operating Transfers Out	0	0	0	0
Total Expenditures	<u>\$ 689,917</u>	<u>594,226</u>	<u>44,927</u>	<u>639,153</u>
Accrual Adjustments	(3,202)	0	0	0
ENDING BALANCE	<u>\$ 182,929</u>	<u>196,929</u>	<u>(5,652)</u>	<u>191,278</u>

CITY OF LAS CRUCES
2014-15 Fiscal Year Budget

FUND	DIVISION		FUND TYPE	
Firefighters Grant Fund Fund 2301	Fire		Special Revenue Funds	
	2013-14 Un-Audited	2014-15 Adopted	2014-15 Adjustment	2014-15 Adjusted
RESOURCES				
Beginning Balance	\$ (0)	0	0	0
Revenues				
Federal Grants	452,190	0	615,393	615,393
Operating Transfers In	0	0	0	0
Total Revenues	<u>452,190</u>	<u>0</u>	<u>615,393</u>	<u>615,393</u>
TOTAL RESOURCES	<u>\$ 452,190</u>	<u>0</u>	<u>615,393</u>	<u>615,393</u>
Expenditures				
Las Cruces Fire Department				
33011 - FEMA - SAFER FY12	422,287	0	0	0
33015 - DHS&EM HAZMAT CHALLENGE REIMBURSEME	0	0	0	0
33018 - FEMA/DHS Fire Prevention & Safety	29,902	0	0	0
33021 - FEMA AFG FY14-15	0	0	615,393	615,393
Operating Transfers Out	0	0	0	0
Total Expenditures	<u>\$ 452,189</u>	<u>0</u>	<u>615,393</u>	<u>615,393</u>
Accrual Adjustments	(1)	0	0	0
ENDING BALANCE	<u>\$ 0</u>	<u>0</u>	<u>0</u>	<u>0</u>