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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 2 Ordinance/Resolution# 15-153

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of March 2, 2015
 (Adoption Date)

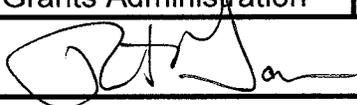
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION TO ACCEPT THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, FOR A GRANT AWARD INCREASE IN THE AMOUNT OF \$186,481.00, TO PURCHASE REPLACEMENT TRANSIT VEHICLES, TO OBLIGATE AN INCREASE IN LOCAL MATCH AMOUNT OF \$46,620.25, AND TO ADJUST THE FY 2015 BUDGET.

PURPOSE(S) OF ACTION:

Accept funding.

COUNCIL DISTRICT: All		
<u>Drafter/Staff Contact:</u> Robin L. Rice	<u>Department/Section:</u> Financial Services / Grants Administration	<u>Phone:</u> 541-2281
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces on behalf of the Transit Section received an executed First Amendment to the Memorandum of Agreement through the New Mexico Department of Transportation (NMDOT), Section 5339 Bus and Bus Facilities Program, for additional grant funding in the amount of \$186,481.00 bringing the total grant award to \$379,153.00 which will be used for vehicle replacement for RoadRUNNER Transit.

There is an additional \$46,620.25 local match requirement, these funds will be transferred through a budget adjustment request from Capital Improvement Reserve to the Bus Transit fund, bringing the total local match to \$94,788.25. Total project cost \$473,941.25

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", First Amendment to the Memorandum of Agreement.
3. Exhibit "B", Budget Adjustment Request.

(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 checked="" type="checkbox"/>	Expense reallocated from: 5920 5920914001
		<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?	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: ___ in the amount of ___ for FY__.
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Grant revenue funds will be established in Fund 5920: Transit Grants are increased in the amount of \$186,481.00 for a total of \$379,153.00, under project code 24216. Grant funded expenses will be recorded in Fund 5921: Transit Grants under project code 24216 in the total amount of \$379,153.00. Match funds will be transferred from Capital Improvement Reserve in the amount of \$46,620.25 to Bus Transit Fund 5920. Match funded expenses will be recorded in Fund 5920: Transit Operations under project code 24216 in the increased amount of \$46,620.25, for a total of \$94,788.25. Total project costs are \$473,941.25.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Transit Grant Expenditures	59323150-85110-24216	\$186,481.00*	\$186,481.00*	\$0	None
Transit Operations Match	59323010-851100-24216	\$46,620.25*	\$46,620.25*	\$0	None

*Upon approved budget adjustment.

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the First Amendment to the Memorandum of Agreement between the City and NMDOT, accept grant funding, and will adjust the FY 2015 budget.
2. Vote "No"; this is not an option as the federal grant funding is awarded to cover the replacement of transit vehicles for RoadRUNNER Transit.
3. Vote to "Amend"; this is not an option as funding is specific to approved expenditures as stipulated under the NMDOT Section 5339 Bus and Bus Facilities Program.

(Continue on additional sheets as required)

4. Vote to "Table"; this is not an option as funding is constrained by a specific period of performance.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 15-153

A RESOLUTION TO ACCEPT THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, FOR A GRANT AWARD INCREASE IN THE AMOUNT OF \$186,481.00, TO PURCHASE REPLACEMENT TRANSIT VEHICLES, TO OBLIGATE AN INCREASE IN LOCAL MATCH AMOUNT OF \$46,620.25, AND TO ADJUST THE FY 2015 BUDGET.

The City Council is informed that:

WHEREAS, the New Mexico Department of Transportation, under the Section 5339 Bus and Bus Facilities Program, requests the City of Las Cruces, on behalf of the Transit Section, to accept the First Amendment to the Memorandum of Agreement which increases federal grant funding in the amount of \$186,481.00 for the purchase of replacement transit vehicles for RoadRUNNER Transit, as indicated within Exhibit "A", attached hereto and made part of this resolution; and

WHEREAS, the grant increase brings the total grant award to \$379,153.00; and

WHEREAS, there is an additional local match of \$46,620.25 required to accept the funding; and

WHEREAS, the \$46,620.25 in matching funds will be transferred from the Capital Improvement Reserve to the Bus Transit Fund bringing the total local match to \$94,788.25, as indicated within Exhibit "B", attached hereto and made part of this resolution.

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 First Amendment to the Memorandum of Agreement with the New Mexico Department of Transportation for an

additional federal grant award in the amount of \$186,481.00, bringing the total amount of grant funds awarded to \$379,153.00.

(II)

THAT the required match of \$46,620.25 is hereby obligated as per grant requirements.

(III)

THAT grant funding will be used for the purchase of replacement vehicles for RoadRUNNER Transit.

(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: _____

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

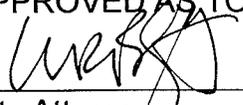
Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Levatino: _____

APPROVED AS TO FORM:



City Attorney

CONTRACT NO: M01284/1
VENDOR NO: 54342

FISCAL YEAR 2014 (FY 14)
FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT
BETWEEN
THE NEW MEXICO DEPARTMENT OF TRANSPORTATION
AND
CITY OF LAS CRUCES

This First Amendment is to the Memorandum of Agreement, between the **STATE OF NEW MEXICO**, acting through its **DEPARTMENT OF TRANSPORTATION**, (“Department”) and the **CITY OF LAS CRUCES** (“Subgrantee”). This first amendment is effective as of the date of the last party to sign it on the signature page below.

Recitals

Whereas, the Department and the Subgrantee entered into a Memorandum of Agreement designated as Contract No. M01284, on October 28, 2013; and

Whereas, Section 45 allows the parties to alter the Agreement by written consent of both parties hereto; and

Whereas, additional 49 USC Section 5339 funds are available to assist the Subgrantee in the replacement, rehabilitation and purchase of buses and transit-related equipment and to construct bus-related facilities; and,

Whereas, the Department and Subgrantee agree to increase the amount of federal funding by \$186,481.00

Now, Therefore, the parties agree as follows:

1. Replace original Section 2. Cost of Program with the following:

2. Cost of Program.

The Department shall provide partial funding to the Subgrantee to cover capital expenses of the Program in the amount not to exceed \$379,153.00 as described below.

Category/Match Ratio FY 14

	TOTAL	FEDERAL	LOCAL
TOTAL CAPITAL (80/20)	\$473,941.25	\$379,153.00	\$94,788.25

This program is funded with grants provided by the FTA, Catalog of Federal Domestic Assistance number 20.526. The Department's share of Program expenses shall be obtained from the federal government. State funds will not be earmarked or disbursed to fund the Program. The Department shall not be responsible for any other costs incurred by the Subgrantee. The Subgrantee shall take all actions necessary to fund its share of the Program..

All other obligations set forth in the Original Agreement shall remain in full force and effect unless expressly amended or modified by this First Amendment.

In witness whereof, each party is signing this Agreement on the date stated below that party's signature.

**New Mexico Department of
Transportation**

CITY OF LAS CRUCES

A de

[Handwritten Signature]

Tom Church, Cabinet Secretary

Signature

ROBERT L. GARZA, P.E. CITY MANAGER

Name/Title (please print)

8/11/14

7-31-14

Date

Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
[Handwritten Signature]
 City Attorney

Approved as to Form and Legal Sufficiency by the Department's Office of General Counsel.

Cynthia A. Christ

5-14-14

Cynthia Christ, Assistant General Counsel

Date

BUDGET ADJUSTMENT REQUEST

Department and Section Transportation / Transit	29 Permanent or Temporary	Council/Board Action Required? (Yes or No)	Yes
	Permanent	Council/Board Resolution No.	

Reason for Request

RESOLUTION TO APPROVE THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, TO ACCEPT A GRANT AWARD INCREASE IN THE AMOUNT OF \$186,481.00, TO PURCHASE REPLACEMENT TRANSIT VEHICLES, TO OBLIGATE AN INCREASE IN LOCAL MATCH AMOUNT OF \$46,620.25, AND TO ADJUST THE FY 2015 BUDGET.

MUNIS Comment: Increase to Grant #5339

Gabriel Sapien Prepared by	541-2198 Phone No.	2014-15 FY to be Adjusted	03/02/15 Date
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Fund	Org	Object	Project	Object Name	Increase \$	Decrease \$
4001	4001	965920		TRNFR TO BUS TRANSIT FUND	46,621	
5920	5920	914001		TRANSFER FROM CAPITAL IMP RES	46,621	
5921	59320050	552007	24216	NM DEPT OF TRANSPORTATION	186,481	
5920	59323010	851100	24216	ROLLING EQUIP INCL TRAILERS	46,621	
5921	59323150	851100	24216	ROLLING EQUIP INCL TRAILERS	186,481	
Totals					\$512,825	\$0

<i>By signing, I verify balances and accounts are available in MUNIS.</i>			<i>For use by Administration and Office of Mgmt & Budget</i>		
Administrator/Manager:	<i>Michael Bartholomew</i>	<i>2/11/15</i>	ACM / CAO	_____	_____
Printed Name:	Michael Bartholomew	Date		Mark A. Winson	Date
Director:	<i>David Maestas</i>	<i>2-11-15</i>	ACM / COO	_____	_____
Printed Name:	David Maestas	Date		Brian S. Denmark	Date
For use by Office of Mgmt & Budget			City Manager:	_____	_____
				Robert L. Garza	Date
Budget Adjustment Number	Posted By	Date	Budget & Research Administrator	_____	_____
JV#					Date