



City of Las Cruces

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5

Ordinance/Resolution# 15-159

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of March 16, 2015
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL

LEGISLATIVE

ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING USE OF FUND BALANCE FROM THE PUBLIC SAFETY IMPACT FEE FUND FOR THE PURPOSE OF PROCURING PROFESSIONAL SERVICES FOR THE PUBLIC SAFETY DEVELOPMENT IMPACT FEE STUDY UPDATE IN THE AMOUNT OF \$75,000.00 AND TO ADJUST THE FY2015 BUDGET.

PURPOSE(S) OF ACTION:

Procure services to complete a public safety development impact fee study.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Travis A. Brown	Department/Section: Fire/Administration	Phone: 528-3473
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

In order to meet the demands of continued growth, the City of Las Cruces (City) recognizes the importance of conducting a fee study to support the reasonable assessment of development impact fees to finance additional capital facilities. For the City to amend current development impact fees, the City is required to update both the Land Use Assumptions and Impact Fee Capital Improvements Plan at least every five years in accordance with New Mexico state statutes and the Las Cruces Municipal Code, Chapter 33.

The City Council approved Resolution No. 11-136 on January 3, 2011 to adopt the *2010-2020 Impact Fee Land Use Assumptions for Major Roads, Drainage and Public Safety*. Thereafter, the City Council approved Resolution No. 12-024 on August 1, 2011 to adopt the *Impact Fee Capital Improvements Plan for Major Roads, Drainage and Public Safety* followed by the approval of Resolution No. 12-027 to adopt and impose the public safety impact fees. For the City to remain compliant, a determination to amend the current assessment of public safety impact fees must be completed and approved by City Council prior to August 1, 2016.

The City Purchasing Section solicited proposals from qualified firms to provide development impact fee updates of the Land Use Assumptions and the Impact Fee Capital Improvements

(Continue on additional sheets as required)

Plan for public safety. TischlerBise, Inc. of Bethesda, MD was the only respondent to submit a proposal which was evaluated by the Selection Advisory Committee (SAC) on January 27, 2015. The SAC determined TischlerBise, Inc. to be a qualified respondent to provide professional services for development impact fee updates. Impact fees will be used to pay the selected firm in accordance with Chapter 33 Sec. 33-4(a)(3) of the Las Cruces Municipal Code.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", 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 type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input checked="" type="checkbox"/>	Proposed funding is from fund balance in 2450 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

Proposed funding will be taken from fund balance.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Public Safety Impact Fee	24147500-722190	\$50,250.00	\$0	\$0	None
Public Safety Impact Fee	24167010-722190	\$24,750.00	\$0	\$0	None

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the use of Public Safety Impact Fee fund balance to be paid to the firm selected to provide services for the public safety development impact fee study update.
2. Vote "No"; this will reject the request to use fund balance and will require staff to seek alternate sources to fund the required services.
3. Vote to "Amend"; this could delay procurement of professional services while the resolution is modified to reflect the recommendation of the City Council and hinder the City's ability to comply with the deadline set forth in Chapter 33 of the Las Cruces Municipal Code.
4. Vote to "Table"; this could delay the procurement of professional services required by the City to review the current assessment of impact fees and hinder the City's ability to comply with the deadline set forth in Chapter 33 of the Las Cruces Municipal Code.

REFERENCE INFORMATION:

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

1. Resolution No. 11-136.
2. Resolution No. 12-024.

(Continue on additional sheets as required)

RESOLUTION NO. 15-159

A RESOLUTION APPROVING USE OF FUND BALANCE FROM THE PUBLIC SAFETY IMPACT FEE FUND FOR THE PURPOSE OF PROCURING PROFESSIONAL SERVICES FOR THE PUBLIC SAFETY DEVELOPMENT IMPACT FEE STUDY UPDATE IN THE AMOUNT OF \$75,000.00 AND TO ADJUST THE FY2015 BUDGET.

The City Council of the City of Las Cruces is informed that:

WHEREAS, the City recognizes the importance of conducting a fee study to support the reasonable assessment of development impact fees to finance additional capital facilities; and

WHEREAS, Chapter 33 of the Las Cruces Municipal Code and state statutes require the City to remain compliant with the requirement to periodically update the Land Use Assumptions, Impact Fee Capital Improvements Plan and development impact fees; and

WHEREAS, Chapter 33 Sec. 33-4(a)(3) of the Las Cruces Municipal Code allows impact fees to be paid to independent qualified professionals for the preparation and updating of a capital improvements plan.

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

(I)

THAT City Council approves the use of the fund balance to procure professional services for the public safety development impact fee study update in the amount of \$75,000.00 and to adjust the FY2015 budget.

(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 _____, 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: _____

CITY OF LAS CRUCES
2014-15 Fiscal Year Budget

FUND	DIVISION		FUND TYPE	
Public Safety Impact Fees Fund 2450	Fire/Police		Special Revenue Funds	
	2013-14 Un-Audited	2014-15 Adopted	2014-15 Adjustment	2014-15 Adjusted
RESOURCES				
Beginning Balance	\$ 628,976	1,046,435		1,046,435
Revenues				
Charges For Services	368,511	315,000	0	315,000
Miscellaneous Revenues	15,373	0	0	0
Operating Transfers In	0	0	0	0
Total Revenues	<u>383,884</u>	<u>315,000</u>	<u>0</u>	<u>315,000</u>
TOTAL RESOURCES	<u>\$ 1,012,860</u>	<u>1,361,435</u>	<u>0</u>	<u>1,361,435</u>
Expenditures				
Las Cruces Police Department	0	0	50,250	50,250
Las Cruces Fire Department	0	430,000	24,750	454,750
Operating Transfers Out	0	0	0	0
Total Expenditures	<u>\$ 0</u>	<u>430,000</u>	<u>75,000</u>	<u>505,000</u>
Accrual Adjustments	<u>33,575</u>	<u>0</u>	<u>0</u>	<u>0</u>
ENDING BALANCE	<u>\$ 1,046,435</u>	<u>931,435</u>	<u>(75,000)</u>	<u>856,435</u>