

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

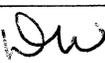
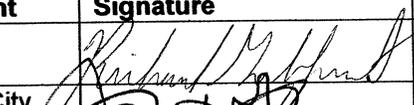
Item # 6 Ordinance/Resolution# 10-090 Council District: N/A

For Meeting of September 21, 2009

(Adoption Date)

TITLE: A RESOLUTION ACCEPTING ADDITIONAL ONE-TIME UNOBLIGATED FEDERAL HIGHWAY ADMINISTRATION (FHWA) FUNDING FOR THE LAS CRUCES METROPOLITAN PLANNING ORGANIZATION (LCMPO) AND AMENDING THE ADOPTED FY2010 CITY BUDGET FOR MPO FUND 2090 TO REFLECT THE ACTUAL BUDGET AMOUNTS FOR MPO PLANNING AND SAFE ROUTES TO SCHOOL PROGRAMS BASED ON OFFICIAL WORK AUTHORIZATIONS ISSUED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT).

PURPOSE(S) OF ACTION: To accept one-time unobligated FHWA funding for the MPO and to amend the City's FY2010 Budget for Fund 2090 to reflect the actual budget amounts for the fiscal year based on official NMDOT work authorizations regarding subject year funding.

Name of Drafter: Vincent M. Banegas 		Department: Community Development		Phone: 528-3064	
Department	Signature	Phone	Department	Signature	Phone
Community Development		528-3067	Budget		541-2284 2107
			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS: The Las Cruces Metropolitan Planning Organization (LCMPO) through the City of Las Cruces which acts as both the administrative and fiscal agent for the organization currently operates under a Memorandum of Agreement (M00532) with the New Mexico Department of Transportation (NMDOT). This Memorandum of Agreement (MOA) outlines the roles each entity is to conduct in regard to transportation planning activities/processes within the LCMPO service area and calls for among other things, a Unified Planning Work Program (UPWP) that outlines yearly planning tasks and projects to be completed by the LCMPO. These activities and projects are funded by both grant and matching funds made available by FHWA through NMDOT every year. Typically, NMDOT tries to inform of actual funding amounts made available to the respective MPO organizations in advance of budget preparation; however, often, the official amounts are not known until the City's budget process is typically well into the review and adoption stages. When this occurs, the City confirms with NMDOT whether utilization of the previous year's funding will cover anticipated fund distribution and thus, staff will rely on this amount as the projected revenue for the MPO program areas in place. When funding amounts become official and differ from said projection, a CAES can be prepared to adjust the starting budgeted amounts as the CAES attempts to do.

For the current FY09/10 budget, the prior year balance was used for the MPO Planning area. On July 8, 2009, NMDOT submitted a work authorization for unobligated funds in the amount of \$139,715 requiring a match of \$23,809 resulting in a total project amount of \$163,524. Acceptance of these funds is hereby requested in order to lessen the demand for any overmatch funding (when grant and match amounts do not cover expenditures) that may occur. Of the total \$139,715 grant amount, \$1445 is to be allocated to the MPO Traffic Count Program area which will bring the grant amount in line with anticipated expenditures and the approved starting balance. The remainder (\$124,922) of the unobligated monies will be placed in the MPO Planning Program area and increase the starting balance by \$72,153 to a total amount of \$270,727.

In terms of Safe Routes to School funding, the reason for its inclusion via this Resolution is to correct an oversight in rolling over previously approved grant monies into the FY09/10 budget. It is not intended to accept any additional monies beyond the original Council action/authorization at this time.

Within the current budget structure for MPO activities, there will be **NO** need to allocate additional general fund monies for match requirements inasmuch as existing match funds already budgeted are enough to cover the match demand.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
2090-20184060-30105	\$270,727	\$270,727
2090-20184070-30205	115,826	115,826
2090-20184080-30305	32,793	32,793
2090-20184270	66,281	66,281

1. Resolution
2. Exhibit "A" FY2010 Budget Adjustment
5. Attachment "A" Work Authorization of Unobligated Funds
6. Attachment "B" Work Authorization SRTS Funds
7. Attachment "C" Resolution 09-296

OPTIONS / ALTERNATIVES:

1. Vote YES and approve the Resolution accepting the unobligated MPO funds and amending the City's adopted FY 2010 Budget to reflect the actual budget amounts for the MPO Planning and Safe Routes to School grant areas.
2. Vote NO and disapprove the Resolution, thus not accepting the unobligated MPO funds and not amending the City's adopted FY 2010 Budget for the MPO Planning and Safe Routes to School grant areas. Such action would not have the City's budget correspond with NMDOT's work authorizations and thus not allow the approved budget to allocated revenues necessary to cover anticipated expenditures. Overmatch monies affecting the general fund would likely result for applicable MPO programs.

3. Modify the Resolution and vote YES to approve the modified Resolution. This action will be based on the Council's discretion.
4. Table or Postpone action on the requested Resolution. Direction would be required of the Council to staff.

RESOLUTION NO. 10-090

A RESOLUTION ACCEPTING ADDITIONAL ONE-TIME UNOBLIGATED FEDERAL HIGHWAY ADMINISTRATION (FHWA) FUNDING FOR THE LAS CRUCES METROPOLITAN PLANNING ORGANIZATION (LCMPO) AND AMENDING THE ADOPTED FY2010 CITY BUDGET FOR MPO FUND 2090 TO REFLECT THE ACTUAL BUDGET AMOUNTS FOR MPO PLANNING AND SAFE ROUTES TO SCHOOL PROGRAMS BASED ON OFFICIAL WORK AUTHORIZATIONS ISSUED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT).

The City Council is hereby informed that:

WHEREAS, the City of Las Cruces serves as the administrative and fiscal agent for the Las Cruces Metropolitan Planning Organization (LCMPO) pursuant to the approved Memorandum of Agreement (MOA) dated December 7, 2005; and

WHEREAS, the LCMPO under said MOA is required to carry out specified transportation planning activities for the LCMPO service area on behalf of the participating jurisdictions (City of Las Cruces, Dona Ana County and Town of Mesilla); and

WHEREAS, said transportation planning activities are funded yearly by the Federal Highway Administration (FHWA) through the New Mexico Department of Transportation (NMDOT) requiring a local match as part of the condition for acceptance of funds as stipulated on the applicable work authorizations; and

WHEREAS, the City's adopted FY 2009/10 Budget should reflect proper beginning balances and actual budget amounts for all the MPO related grants which sometimes requires amendment of same.

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

(I)

THAT acceptance of the unobligated funds and Safe Routes to School funding is hereby authorized and the City of Las Cruces adopted Budget for FY 2009/10 is hereby amended, as reflected in the Budget Adjustment shown in Exhibit "A" attached hereto and made part of this Resolution.

(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 _____, 2009.

(SEAL)

APPROVED:

Mayor

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Archuleta: _____
Councillor Small: _____
Councillor Jones: _____
Councillor Thomas: _____

APPROVED AS TO FORM:



City Attorney

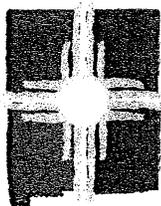
EXHIBIT "A"

CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010

FUND	DIVISION		FUND TYPE	
M.P.O. Urban Transportation Fund 2090	Comm Dev		Special Revenue	
	FY 2008/09 Projected*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
RESOURCES				
Beginning Balance	\$ 189,536	246,843		246,843
REVENUES				
552009 State Highway Dept - Traffic Count	\$ 16,096	32,794	(1)	32,793
552009 State Highway Dept	128,948	131,172	139,555	270,727
552009 State Highway Dept - Safe Routes to Schools	0	0	66,281	66,281
552007 NM Dept of Trans	35,000	115,826		115,826
570010 Interest on Investment	2,748	2,000	(2,000)	0
570010 Net Incr (Decr) Fair Value Investment	1,509	0		0
Total Revenues	\$ 184,301	281,792	203,835	485,627
Total Resources	\$ 373,837	528,635	203,835	732,470
EXPENDITURES				
MPO Planning 20184060-30105				
Personnel	\$ 169,792	173,074		173,074
Operating	27,850	25,500	72,153	97,653
Capital				
Total 20184060	\$ 197,642	198,574	72,153	270,727
MPO Multi-Modal Planning 20184070-30205				
Personnel	\$ 35,600	41,593		41,593
Operating	905	76,686	(2,453)	74,233
Total - 20184070	\$ 36,505	118,279	(2,453)	115,826
MPO Traffic Count Pgm 20184080-30305				
Personnel	\$ 10,815	22,048		22,048
Operating	7,032	9,300	1,445	10,745
Total - 20184080	\$ 17,847	31,348	1,445	32,793
MPO Safe Routes to School Program 20184270				
Personnel	\$ 0	0	56,178	56,178
Operating	0	0	10,103	10,103
Total - 20184270	\$ 0	0	66,281	66,281
Total Expenditures	\$ 251,994	348,201	137,426	485,627
OTHER FINANCING SOURCES (USES)				
Transfer from Fund 1000 - General Fund (Grant Match)	\$ 30,440	0		0
Transfer from Fund 1000 - General Fund (Over-Match)	94,560	0		0
Total Other Financing Sources (Uses)	\$ 125,000	0	0	0
ENDING BALANCE	\$ 246,843	180,434	66,409	246,843

*Projected based on 8 months actual through February 28, 2009 and 4 months projected.

ATTACHMENT 'A' 147



New Mexico DEPARTMENT OF TRANSPORTATION
MOBILITY FOR EVERYONE

Transportation Planning Division
P.O. Box 1149, South Building 1
Santa Fe, New Mexico 87504-1149

July 8, 2009

Mr. Tom Murphy, MPO Officer
Las Cruces Metropolitan Planning Organization
P.O. Box 20000
Las Cruces, NM 88004

RE: Notice Letter – Unobligated FHWA PL Funds Distribution

Dear Mr. Murphy:

The New Mexico Department of Transportation (NMDOT) has received notice from the Federal Highway Administration (FHWA) regarding its approval of: (a) a revised PL distribution formula to be implemented beginning FFY 2010; and (b) the one-time distribution of prior, unobligated PL funds. (See attachments for more information.)

Based on our correspondence with the FHWA, we would advise you to amend your current Unified Planning Work Program (UPWP) as soon as possible in order to spend the additional federal PL funds that you can expect to receive during State FY 2010 (July 1, 2009 to June 30, 2010). See TABLE 1.

TABLE 1: Unobligated Funds Distribution (Las Cruces MPO)

SOURCE	FEDERAL FISCAL YEAR	FEDERAL FUNDS	LOCAL MATCH	TOTAL
FHWA PL 112 - Planning & Admin	FY 2010	\$139,715	\$23,809	\$163,524
		85.44%	14.56%	100.00%

NMDOT will provide written authorization to request reimbursements upon receipt and approval of your amended UPWP. Please contact Ray Matthew (505-827-5506 or ray.matthew@state.nm.us) if you have any questions.

Sincerely,

Patricia Oliver-Wright,
NMDOT Planning Division Director

cc: Max E. Valerio, P.E., Deputy Secretary, Programs and Infrastructure
Lawrence Barreras, Divisions Director, Office of Programs and Infrastructure

Bill Richardson
Governor

Gary L. J. Giron
Cabinet Secretary

Commission

Johnny Cope
Chairman
District 2

John Hummer
Commissioner
District 1

Norman Assed
Commissioner
District 3

Jim Franken
Commissioner
District 4

Roman Maes III
Commissioner
District 5

Jackson Gibson,
Commissioner
District 6

148
Attachment "B"

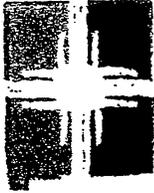
Work Authorization for MOA M00532 (Tasks 41.11, 41.13.01- 41.15)

Contract No. M00532.T41.11,41.13.01- 41.15 \09\WA

Vendor No.0000054342

Control No. W100030

Project No. SRSI-7700(150)



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

Government to Government Unit

P.O. Box 1149, South Building I
Santa Fe, New Mexico 87504-1149

January 30, 2009

Tom Murphy, MPO Officer
Las Cruces Metropolitan Planning Organization (MPO)
P.O Box 20000
Las Cruces, NM 88004

Dear Mr. Murphy:

This Work Authorization authorizes the Las Cruces MPO to seek reimbursement from the New Mexico Department of Transportation (NMDOT) for completion of tasks as specified in the amended Las Cruces 2007-2008 Unified Planning Work Program (UPWP) pertaining to the Las Cruces MPO Safe Routes to School Coordinator position. The funds will be used in this current fiscal year and into the next fiscal year beginning February 1, 2009 and terminating January 31, 2010. This funding will also be included in those UPWPs covering that time frame as well. As first order of business, the Las Cruces MPO will submit an outline of tasks to be completed in Year 1. The total project amount is \$130,562; the Year 1 funding amount is outlined below.

UPWP FUNDS

Source	NM Fiscal Year	Project Total Year 1	Federal Amount	Las Cruces MPO Match	Federal Authorized Amount
Safe Routes to School Funds	FY2008-2009	\$66,281	\$66,281	\$0	\$66,281

This Work Authorization shall terminate on December 31, 2009. This Work Authorization shall not be amended except by an instrument in writing.

If you have any questions, please contact Jessica Frost at 505-476-2155.

Sincerely,

Lawrence F. Barreras
Transportation Oriented
Property Asset Management Divisions
NMDOT

Date 1-30-09

Bill Richardson
Governor

Gary L. J. Giron
Cabinet Secretary
Designate

Commission

Johnny Cope
Chairman
District 2

Jim Franken
Vice Chairman
District 4

Norman Assed
Secretary
District 3

Roman Maes III
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

John Hummer
Commissioner
District 1

cc: Ray Matthew, Government to Government Unit
Michael Urioste, Accounting

ATTACHMENT "C"

RESOLUTION NO. 09-296**A RESOLUTION AMENDING THE ADOPTED FY 2009 CITY BUDGET FOR MPO FUND 2090 ESTABLISHING A YEAR 1 BUDGET FOR THE TWO YEAR GRANT FUNDED SAFE ROUTES TO SCHOOL PROGRAM.**

The City Council is informed that:

WHEREAS, the City of Las Cruces serves as the administrative and fiscal agent for the Las Cruces Metropolitan Planning Organization (LCMPO) pursuant to the approved Memorandum of Agreement (MOA) dated December 7, 2005; and

WHEREAS, the LCMPO under said MOA is required to carry out specified transportation planning activities for the LCMPO service area on behalf of the participating jurisdictions (City of Las Cruces, Dona Ana County and Town of Mesilla); and

WHEREAS, as part of said specified activities, the LCMPO prepared and received approval from the Metropolitan Planning Organization Policy Committee for a Safe Routes to School program whose initial programmatic endeavors received substantial support and recognition; and

WHEREAS, the New Mexico Department of Transportation (NMDOT), recognizing said accomplishments has secured and will make available \$130,562 in grant funding (reimbursement basis) through two separate work authorizations with year 1 authorization (issued) and year 2 authorization (pending) in the amounts of \$66,281 and \$64, 281 respectively all necessary to cover program operations; and

WHEREAS, the Metropolitan Planning Organization Policy Committee has approved acceptance of the grant by the MPO staff and; therefore, supports amendment of the respective FY 2009 budget to establish programmatic funding for year 1 operations as appropriate; and

WHEREAS, in order to use the first year's funding of the two year grant that has no local match requirement it shall be necessary to amend the City's FY 2009 budget as identified.

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

(I)

THAT the City of Las Cruces authorizes amendment of the FY 2009 budget, as shown in Exhibit "A," attached hereto and made part of this Resolution, and that said amendment is hereby approved and adopted.

(II)

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

DONE and APPROVED this 15th day of June, 2009.

(SEAL)

APPROVED:

R Archuleta
Mayor Pro Tem

ATTEST:

Esther Martinez
City Clerk

VOTE:

Mayor Miyagishima:	<u>Absent</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Archuleta:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Jones:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

Moved by: Connor

Seconded by: Jones

APPROVED AS TO FORM:

Justin A...
City Attorney

EXHIBIT "A"

BUDGET ADJUSTMENT REQUEST

Division/Department MPO PL/Community Development		<i>This field for use by OMB only</i> Budget Adjustment Number		Council/Board Action Required? N	Council/Board Resolution No.
Reason for Request					
To accept unobligated MPO PL grant funds placing said monies into the purchased services line item for distribution at a later date. Increase of funds taken from unobligated monies received pursuant to CAES. Starting balance for MPO PL program upon allocation of these funds shall be \$270,727.					
Vincent M. Banegas		3064		08/12/09	
Prepared by		Phone No.		Date	
MUNIS Org	Object	Project	MUNIS Object/Project Name	Increase	Decrease
20184060	722190	30105	Purchased Services	72,153	
Totals				72,153	0
<i>Dept/Div Signatures-By signing, you verify balances are available in MUNIS.</i>				<i>For use by Office of Mgmt & Budget</i>	
	Dept Mgr/Administrator	Division Director		Budget Manager	City Manager
Signature:					
Date:					
Printed Name:				Richard Gebhart	Terrence R. Moore
Phone #:				541-2300	541-2076
Additional Information:				Posted By	Date

EXHIBIT "B"

BUDGET ADJUSTMENT REQUEST

Division/Department		<i>This field for use by OMB only</i> Budget Adjustment Number		Council/Board Action Required?	N
MPO TC/Community Development				Council/Board Resolution No.	
Reason for Request					
To accept unobligated MPO grant funds placing said monies into the purchased services line item. Increase of funds taken from unobligated monies received pursuant to CAES. Starting balance for TC program upon allocation of these funds shall be \$32,793.					
Vincent M. Banegas		3064		08/12/09	
Prepared by		Phone No.		Date	
MUNIS Org	Object	Project	MUNIS Object/Project Name	Increase	Decrease
20184080	722190	30305	Purchased Services	1,445	
Totals				1,445	0
<i>Dept/Div Signatures-By signing, you verify balances are available in MUNIS.</i>				<i>For use by Office of Mgmt & Budget</i>	
	Dept Mgr/Administrator	Division Director		Budget Manager	City Manager
Signature:					
Date:					
Printed Name:				Richard Gebhart	Terrence R. Moore
Phone #:				541-2300	541-2076
Additional Information:				Posted By	Date

Exhibit "C"

Work Authorization (Year 1 funding)
\$66,281

FUND	ORG	OBJECT CODE	OBJECT DESCRIPTION	PROJECT CODE	AMOUNT
2090	20184270	610101	Administration	30100	35256
		620100	PERA		5465
		620210	FICA Social Security		2186
		620220	FICA Medical		512
		620230	Workers Compensation		1337
		620405	Insurance Administration		10
		620406	Retiree Health		459
		620410	Health Insurance		10160
		620420	Life and Disability Insurance		104
		620440	Dental Insurance		689
		722103	Postage and Freight		500
		722104	Advertising		1000
		722108	Printing		553
		722190	Purchased Services		1550
		724190	Travel		3000
		724440	Dues		300
		730200	Minor Equipment		500
		730410	Software		500
		730610	Program Food		500
		851400	Major Computer		1700
TOTAL					66281

*Note: Use same Fund, Org and Project Code for each Object Code