



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 21Ordinance/Resolution# 16-074For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)For Meeting of September 21, 2015  
(Adoption Date)

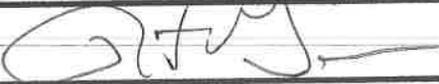
Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

**TITLE:** A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES, AS FISCAL AGENT ON BEHALF OF THE ANIMAL SERVICE CENTER OF THE MESILLA VALLEY, TO ACCEPT AMENDMENT ONE TO AMEND REVERISON DATE OF LEGISLATIVE APPROPRIATION FUNDING IN THE AMOUNT OF \$215,000.00 FROM THE STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION (DFA/LGD), FUND 892 CAPITAL APPROPRIATION TO PURCHASE AND EQUIP AN ANIMAL TRANSPORT VAN.

### PURPOSE(S) OF ACTION:

Accept amendment.

<b>COUNCIL DISTRICT:</b> ALL		
<b>Drafter/Staff Contact:</b> Michelle K. Belone	<b>Department/Section:</b> Financial Services / Grants Administration	<b>Phone:</b> 541-2716
<b>City Manager Signature:</b>		

### BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The New Mexico Legislature, through the Department of Finance and Administration, Local Government Division (DFA/LGD), have awarded the City of Las Cruces, acting as fiscal agent on behalf of the Animal Service Center of Mesilla Valley (ASCMV), \$215,000.00 to purchase and equip an animal transport van.

The amended period of performance is from February 5, 2014 through June 30, 2016 from the previous period of performance of February 5, 2014 through June 30, 2015. Any non-expended funds must be returned to DFA/LGD upon the reversion date.

### SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Funding Agreement.

(Continue on additional sheets as required)

**SOURCE OF FUNDING:**

Is this action already budgeted?  N/A		
	Yes	<input type="checkbox"/> See fund summary below
	No	<input 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 type="checkbox"/>	Proposed funding is from fund balance in the Fund.	
Does this action create any revenue?  N/A		
	Yes	<input type="checkbox"/> Funds will be deposited into this fund: in the amount of \$ for FY.
	No	<input type="checkbox"/> There is no new revenue generated by this action.

**BUDGET NARRATIVE**

Funds for this appropriation will remain the same with the reversion date amended.

**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 allow the City of Las Cruces to accept amendment to DFA/LGD funding reversion date, on behalf of the Animal Service Center of the Mesilla Valley.
2. Vote "No"; this will reject the agreement and cause funds to be returned to DFA/LGD for re-appropriation.
3. Vote to "Amend"; this is not an option as funding is specific to approved expenditures as stipulated under the agreement.
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. 16-074**

**A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES, AS FISCAL AGENT ON BEHALF OF THE ANIMAL SERVICE CENTER OF THE MESILLA VALLEY, TO ACCEPT AMENDMENT ONE TO AMEND REVERSION DATE OF LEGISLATIVE APPROPRIATION FUNDING IN THE AMOUNT OF \$215,000.00 FROM THE STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION (DFA/LGD), FUND 892 CAPITAL APPROPRIATION TO PURCHASE AND EQUIP AN ANIMAL TRANSPORT VAN.**

The City Council is informed that:

**WHEREAS**, the State of New Mexico Department of Finance and Administration, Local Government Division (DFA/LGD) has appropriated to the City of Las Cruces, as fiscal agent on behalf of the Animal Service Center of the Mesilla Valley, an amount of \$215,000.00; and

**WHEREAS**, funds will be used to purchase an animal transport van for the Animal Service Center of the Mesilla Valley; and

**WHEREAS**, the period of performance will be amended to February 5, 2014 through June 30, 2016 from February 5, 2014 through June 30, 2015 and all unexpended appropriation funding will revert back to DFA/LGD on the reversion date of June 30, 2016.

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

**(I)**

**THAT** the City of Las Cruces is authorized to accept amendment one to the appropriation from the State of New Mexico Department of Finance and Administration, Local Government Division in the amount of \$215,000.00, as indicated within Exhibit "A", attached hereto and made part of this resolution.

**(II)**

**THAT** any funds unexpended by June 30, 2016 will revert back to DFA/LGD.

(III)

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)

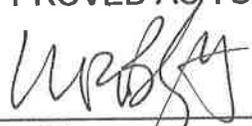
Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

VOTE:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

RECEIVED  
DFA-LOCAL GOVT. DIV.

2015 AUG 20 AM 10:39

BATAAN BLDG. RM 202  
SANTA FE, NM 87501

STATE OF NEW MEXICO  
DEPARTMENT OF FINANCE & ADMINISTRATION  
LOCAL GOVERNMENT DIVISION

Severance Tax Bond Projects

GRANT AGREEMENT AMENDMENT NO. 1

Article I Revision   
Article IV Revision

Name of Grantee: City of Las Cruces  
Grant No. 13-L-1694

THE SUBJECT GRANT AGREEMENT IS AMENDED AS FOLLOWS:

**Article I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE**

Article I. is hereby amended as follows.

A. The project that is the subject of this Agreement is described as follows:

13-L-1694

\$215,000.00 APPROPRIATION REVERSION DATE: June 30, 2016

Laws of 2013, Chapter 226, Section 31, Para. 95, Two Hundred Fifteen Thousand Dollars and No Cents (\$215,000.00), to purchase and equip an animal transport van for the Mesilla Valley animal service center in Las Cruces in County of Dona Ana.

**All other information in Article I. remains the same.**

**Article IV. REVERSION DATE, TERM, EARLY TERMINATION**

Subsection A. is hereby amended as follows.

A. As referenced in Article I(A), the applicable law establishes a date by which Project funds must be expended by Grantee, which is referred to throughout the remainder of this Agreement as the "Reversion Date." Upon being duly executed by both parties, this Agreement shall be effective as of the date of execution by the Department. It shall terminate on June 30, 2016 the Reversion Date unless Terminated Before Reversion Date ("Early Termination") pursuant to Article V herein.

**All other information in Article IV. remains the same.**

**All other Articles of the original Grant Agreement remain the same.**

IN WITNESS WHEREOF, the parties have herein below set their hand.

THIS AGREEMENT has been approved by:

**GRANTEE**

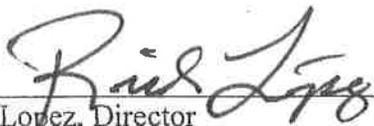
By:   
(Signature) Chief Elected Official

Ken Miyagishima  
(Type or Print Name)

Mayor  
(Title)

August 11, 2015  
(Date)

**DEPARTMENT OF FINANCE AND ADMINISTRATION  
LOCAL GOVERNMENT DIVISION**

By:   
Rick Lopez, Director  
Local Government Division

August 24, 2015  
Date



# City of Las Cruces®

PEOPLE HELPING PEOPLE

## COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of September 21, 2015  
(Adoption Date)

**TITLE:**

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES, AS FISCAL AGENT ON BEHALF OF THE ANIMAL SERVICE CENTER OF THE MESILLA VALLEY, TO ACCEPT AMENDMENT ONE TO AMEND REVERISON DATE OF LEGISLATIVE APPROPRIATION FUNDING IN THE AMOUNT OF \$215,000.00 FROM THE STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION (DFA/LGD), FUND 892 CAPITAL APPROPRIATION TO PURCHASE AND EQUIP AN ANIMAL TRANSPORT VAN.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes  No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact Michelle K. Belone		541-2716	9-1-15
Finance Department Victoria Fredrick		541-2080	9/3/15
Management & Budget Manager Robert Lundien		541-2106	9/3/15
Assistant City Manager /CAO Mark Winson		541-2100	9-3-15
Assistant City Manager/COO Daniel Avila		541-2100	9-8-15
City Attorney Wm. "Rusty" Babington		541-2128	11 Sept 2015
Interim City Clerk Linda Lewis		541-2115	9/14/15