



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 16-171

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of March 21, 2016
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) ON BEHALF OF ITS BRANIGAN CULTURAL CENTER, TO ACCEPT A GRANT AWARD IN THE AMOUNT OF \$250.00 FROM THE NATIONAL ENDOWMENT FOR THE HUMANITIES/AMERICAN LIBRARY ASSOCIATION (NEH/ALA) NATIVE VOICES GRANT; TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE GRANT ACCEPTANCE FORM; AND TO ADJUST THE FY2016 BUDGET.

PURPOSE(S) OF ACTION:

To accept the grant award, ratify City Manager's signature, and adjust the City budget.

COUNCIL DISTRICT: ALL		
<u>Drafter/Staff Contact:</u> Amy Johnson Bassford	<u>Department/Section:</u> Finance/Grants	<u>Phone:</u> 575-541-2281
<u>City Manager Signature:</u>	<i>Daniel Avila</i>	

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City submitted an application and was awarded grant funding from NEH/ALA for FY2016 to host public programming related to the exhibit "Native Voices: Native People's Concepts of Health and Illness". The Branigan Cultural Center will use funding to present events for the community associated with this exhibit, which will be held during the NEH/ALA assigned exhibit period in FY2018. The City did not anticipate receiving the funds when the current fiscal year budget was adopted in May of 2015, and it is expected the funds will be received by the City during FY2016. The City Council is being requested to authorize the acceptance of the grant.

The grant funds are to assist with programming expenses. The planned event to accompany this exhibit will be a community health fair at the Branigan Cultural Center with community partners providing information on local health and wellness resources and the range of wellness practices. The Thomas Branigan Memorial Library will also present a series of book discussions on historical and contemporary cultures and medicines of Native Americans, as well as a film series.

The proposed resolution authorizes acceptance of the grant, ratification of the City Manager's signature on the letter of agreement, and amends the FY2016 budget. The grant requires no match from the City.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Letter of Agreement.
3. Exhibit "B", 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 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>2761</u> in the amount of <u>\$250.00</u> for FY 2016.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Grant funds of \$250.00 will be deposited into Fund 2761, with project number 22021 to be used by Branigan Cultural Center in support of the Native Voices exhibit and associated programming.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Other Operating Grants	27205250-722190-22021	\$250.00	\$250.00*	\$0.00	N/A

* Pending approved budget adjustment.

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will accept grant funds from NEH/ALA and adjust the FY 2016 budget.

(Continue on additional sheets as required)

2. Vote "No"; this will impact Branigan Cultural Center and keep them from having the Native Voices exhibit, and require the City to return the funds to NEH/ALA.
3. Vote to "Amend"; this will delay the process of spending the grant funds within the pre-determined grant schedule.
4. Vote to "Table"; this will impact the Branigan Cultural Center's ability to implement the Native Voices program before grant funds expire.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 16-171

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) ON BEHALF OF ITS BRANIGAN CULTURAL CENTER, TO ACCEPT A GRANT AWARD IN THE AMOUNT OF \$250.00 FROM THE NATIONAL ENDOWMENT FOR THE HUMANITIES/AMERICAN LIBRARY ASSOCIATION (NEH/ALA) NATIVE VOICES GRANT; TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE GRANT ACCEPTANCE FORM; AND TO ADJUST THE FY2016 BUDGET.

The City Council is informed that:

WHEREAS, the City submitted a grant application to National Endowment for the Humanities/American Library Association (NEH/ALA) for programming expenses related to the "Native Voices: Native People's Concepts of Health and Illness" (Native Voices) exhibit; and

WHEREAS, the City, on behalf of Branigan Cultural Center, received notice of a grant award from NEH/ALA for the amount of \$250.00, with no match requirement, to be used for programming expenses related to the exhibit; and

WHEREAS, the period of performance for the grant agreement is February 2, 2016 through June 30, 2018.

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

(I)

THAT the City hereby accepts a grant award in the amount of \$250.00, on behalf of the Branigan Cultural Center from the NEH/ALA for the Native Voices grant as stated in the Letter of Agreement, as shown in Exhibit "A" attached hereto and made part of this resolution.

(II)

THAT the City Manager's signature on the grant is hereby ratified.

(III)

THAT the City's FY2016 budget is adjusted as indicated in Exhibit "B", attached hereto and make 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)

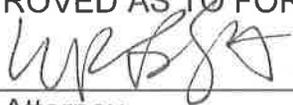
Moved by _____

Seconded by _____

VOTE:

Mayor Miyagishima:	_____
Councillor Gandara:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Eakman:	_____
Councillor Sorg:	_____
Councillor Levatino:	_____

APPROVED AS TO FORM:



City Attorney

American Library Association
Public Programs Office
50 East Huron Street
Chicago, Illinois 60611-2795
USA

TDD 312 944 7298
<http://www.ala.org/publicprograms/>

Telephone 312-280-5287
Fax 312-280-5759
E-mail soakley@ala.org

ALAAmericanLibraryAssociation

Letter of Agreement

This is an agreement between the traveling exhibition host site with the American Library Association (ALA) Public Programs Office for the exhibition *Native Voices: Native People's Concepts of Health and Illness*.

Please return a signed Letter of Agreement to ALA by January 8, 2016; agreement may be e-mailed to soakley@ala.org or faxed to 312-280-5759. We must have a copy of this agreement on file in order for your site to participate in the project and to receive the \$250 programming stipend.

The Branigan Cultural Center agrees to serve as a host for the national tour of the traveling exhibition *Native Voices*. The National Library of Medicine (NLM) developed and produced *Native Voices: Native Peoples' Concepts of Health and Illness*. The American Library Association (ALA) Public Programs Office, in partnership with NLM, is touring the exhibition to selected sites.

Failure to comply with the conditions described below may result in the site being removed from the tour, and will affect the host's opportunities to take part in other exhibition tours and programs offered through the ALA Public Programs Office.

Display dates

- The host agrees to display the exhibition during the dates stated in the itinerary prepared by ALA.

Programming requirements

- The host agrees to present a minimum of 2 public programs during the exhibition display period, in collaboration with community organizations or educators. Collaboration with Native organizations and individuals with expertise in Native healing ways is important to the success of this project. The programs should be for different age groups, including one opening event. Any one of these programs may be combined with the opening event.
- The host agrees to provide the ALA Public Programs Office with titles, presenters, and times of all exhibition public programs at least one month before the exhibition opens at the site.

Local project administration

- The host agrees to appoint one staff member as the project director (local coordinator) of the project. Project directors are required to attend the exhibition orientation webinar on January 7th or 14th, 2016. The project director must oversee public program development and publicity, coordinate the planning of local programs and must be present to supervise the setting-up and taking down of the exhibition.

- The host agrees to find one or more local partner organizations that can help market the exhibition and reach target audiences.
- The host agrees to use the \$250 cash grant to support *Native Voices* programming-related expenses.
- The host agrees to charge no fees for viewing the exhibition or attending related programs. Fundraising programs are allowed, as long as the two required programs are free and open to the public.

Security and Handling

- The host agrees that the project director will supervise the unpacking and setting-up, and the taking down and repacking of the exhibit, following the instructions given to the host site by the NLM and ALA. The host site will display the exhibit according to the guidelines provided by the NLM and ALA.
- The host will carefully follow all instructions provided by the NLM and ALA for setting up, operating and taking down and packing all exhibition components.
- The host agrees to display the exhibition in an appropriate and safe environment. An appropriate environment means that the exhibition is not displayed outdoors, in a tent area, or in a temporary building, but in an open area or gallery inside a permanent building. The exhibit should be monitored by staff every 30 minutes during peak periods of use, and every hour during off-peak times. The host should examine the exhibit at the end of each day to determine that all components are in working order and undamaged. Host will report any damage or other important information about the exhibition to ALA as soon as possible after it is observed.

Intellectual property rights

- The host recognizes that portions of the exhibit and accompanying marketing materials and publicity images may use trademarks, logos, artwork, photographs, renderings, props and other property (together, the "Intellectual Property") belonging to or licensed to the NLM and ALA and other institutions or individuals who contributed to the exhibition. All rights in and to the Intellectual Property are hereby expressly reserved to the NLM. The host site shall not modify, delete, obliterate or otherwise alter the use or appearance of any such item. In the event of the violation of Intellectual Property Rights, the American Library Association reserves the right to terminate the host site's use of the exhibition.

Advertising and publicity

- The host agrees to promote exhibition-related programs to the widest possible public audience.
- The host agrees to follow the guidelines provided in the exhibition press kit for use of the NLM and ALA names and logos, and to use the official exhibition credit language in all publicity to ensure that all parties are properly credited in all publicity and communications relating to the exhibit.
- The host agrees to the following provisions regarding photography or filming of the exhibition: 1) Photography of the exhibition by the host and the public is permitted; 2) Filming of the exhibition may be done by the press and the host for publicity purposes, but any other filming must be approved in advance in writing by the American Library Association.

Damages and insurance

- To the extent permitted by law, the host agrees to indemnify and to hold harmless the NLM and ALA Public Programs Office against all damages, claims, suits or other legal proceedings arising from or

attributed to negligent or improper operation or display of the exhibit by the host site, or violation of third party rights resulting from any unauthorized creation, use, display, or modification of the exhibit or advertising or publicity materials relating to the exhibit.

- The host agrees to maintain responsibility for the condition of the exhibition. Sites will be held responsible for damage to or loss of the exhibition when it is under their control. ALA is not responsible for personal injury or property damage arising from the installation, use, or defective nature of the traveling display.
- The host agrees to add an insurance rider in the value of \$35,000 on their insurance policy for the time the exhibit is at the host site or arrange to have the exhibition insured under the host site's comprehensive insurance for \$35,000, and to provide a certificate of insurance or letter from an authorized insurance agent to the ALA Public Programs Office no later than 45 days prior to the exhibit opening day at the host site. Sites should insure the exhibition for 10 days prior to and 10 days following the exhibition display dates.

Reporting forms

- The host agrees to provide all reports to ALA by the deadlines requested, including a programming form with details of all programs, an exhibition condition report, and a final project report (forms will be provided by ALA).

Shipping

- ALA will make reasonable efforts to assure prompt delivery of the exhibit. However, ALA cannot be responsible for damages, financial or otherwise, incurred by the host site as a result of delay in delivery or failure to deliver the exhibit due to circumstances beyond its control.
- The NLM and ALA reserve the right to cancel the exhibition tour at any time.

Payment of \$250 programming stipend

- Please tell us to whom the stipend check should be made payable:

City of Las Cruces

Please complete and sign this Letter of Agreement and return to ALA by January 8, 2016.



Signature of Host Institution Director

Robert Garza, City Manager

Name and Title (please print or type)

1-22-16

Date

APPROVED AS TO FORM:

WBS
City Attorney



Deb Robertson, Director, Public Programs
For the ALA Public Programs Office

2/5/16

Date

Please scan (preferred) and return a signed copy of this document (keep a copy for your records) to:
soakley@ala.org

You may also fax to: 312-280-5759 or

Mail to:

Native Voices Agreement
American Library Association
Public Programs Office
50 E. Huron St.
Chicago, IL 60611

CITY OF LAS CRUCES

Fund Summary

EXHIBIT "B"

Fund: 2761
DFA: 218

Fund Name: OTHER OPERATING GRANTS
DFA Name: Intergovernmental Grants

	2015-16 Budget			%
	Adopted	Adjustment	Amended	Inc. / Dec.
<i>Beginning Balance</i>	\$ 21,848	(21,848)	0	-100.00%
Resources				
Revenue	\$ 5,803	250	6,053	4.31%
Proceeds	0	0	0	0.00%
Transfers In	0	0	0	0.00%
Total Resources	\$ 5,803	250	6,053	4.31%
Expenditures				
Salaries & Benefits	\$ 0	0	0	0.00%
Operating Costs	0	0	0	0.00%
Capital Outlay	0	0	0	0.00%
Debt Service	0	0	0	0.00%
Grant / Projects	5,803	250	6,053	4.31%
Transfers Out	0	0	0	0.00%
Total Expenditures	\$ 5,803	250	6,053	4.31%
<i>Ending Balance</i>	\$ 21,848	(21,848)	0	-100.00%

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BUDGET ADJUSTMENT REQUEST (BAR)

<u>Department and Section</u> Community & Cultural Services/Museums		<u>Permanent or Temporary</u> Temporary			<u>Council/Board Resolution No.</u>	
<u>Justification for Request</u>						
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MUNIS Comment: ACCEPT NEH/ALA GRANT AWARD						
Veronica MacGregor		541-2022		FY 2016	2/18/2016	
<u>Prepared by</u>		<u>Phone No.</u>		<u>FY to be Adjusted</u>	<u>Date</u>	
Fund	Org	Object	Project	Object Name	Increase \$	Decrease \$
2761	27200100	554002	22021	SPECIAL PROJECT/GRANTS	250	
2761	27205250	722190	22021	PURCHASED SERVICES GENERAL	250	
Totals					\$500	\$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			Date	Mark A. Winson, ACM / CAO		Date
Director			Date	Daniel Avila, ACM / COO		Date
For use by Office of Mgmt & Budget <i>Revised 5/05/2015</i>				Robert L. Garza, City Manager		Date
<u>Budget Adjustment Number</u>		<u>Posted By</u>		<u>Date</u>		
Period: JE#				Budget and Grant Manager		Date



City of Las Cruces[®]

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COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of March 21, 2016
(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) ON BEHALF OF ITS BRANIGAN CULTURAL CENTER, TO ACCEPT A GRANT AWARD IN THE AMOUNT OF \$250.00 FROM THE NATIONAL ENDOWMENT FOR THE HUMANITIES/AMERICAN LIBRARY ASSOCIATION (NEH/ALA) NATIVE VOICES GRANT; TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE GRANT ACCEPTANCE FORM; AND TO ADJUST THE FY2016 BUDGET.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Thomas Bassford</i>	X 2281	2/18/16
Department Director	<i>Victoria Fredrick</i>	X 2080	2/18/16
Other	<i>David Waller</i>	X-2078	2/18/2016
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	207	2/18/16
Assistant City Manager/COO	<i>Daniel Allen</i>		2/19/16
City Attorney	<i>[Signature]</i>	Ext 2128	22 Feb 2016
City Clerk	<i>[Signature]</i>	X2115	3-10-16