City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 16-206

For Meeting of _____ (Ordinance First Reading Date)

For Meeting of May 2, 2016 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☐ LEGISLATIVE ☒ ADMINISTRATIVE

TITLE: A RESOLUTION TO ACCEPT AMENDMENT NO. 1 IN THE AMOUNT OF $4,062.00 AND AMENDMENT NO. 2 IN THE AMOUNT OF $20,445.00 TO CONTRACT #2015-16-64014 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT (NCNMEDD) NON-METRO AREA AGENCY ON AGING (NMAAA) ON BEHALF OF SENIOR PROGRAMS, TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AMENDMENTS, AND TO ADJUST THE CITY'S ADOPTED FY2016 BUDGET.

PURPOSE(S) OF ACTION:

To accept funding and adjust budget.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Amy Johnson Bassford	**Department/Section:** Finance / Grants	**Phone:** 575-541-2281
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces (City) and the NCNMEDD-NMAAA have partnered together for numerous years to provide valuable services to area seniors aged sixty and over with funding stemming from the federal Older Americans Act. Since the City's Senior Programs provided quality service and exceeded goals outlined in the agreement with NMAAA in FY2015, an additional $24,507.00 was awarded for FY2016.

This $24,507.00 in additional funding will be used to provide additional congregate meals, home delivered meals, and homemaker services to seniors. When the City receives funding for projects through a state grant program, it is necessary for City Council to accept the funds as well as the conditions that are associated with the grant funding. The City did not anticipate receiving this funding when the current fiscal year budget was adopted in May, 2015. The City Council is being requested to authorize an amendment to the budget showing receipt of these new funds for FY2016 and further designating where they are placed within the City's budget. The budget adjustment will include the additional funding in the City's adopted FY2016 budget and allow Senior Programs to utilize the funds before the NMAAA's deadline of June 30, 2016.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", NMAAA Amendment No. 1.
3. Exhibit "B", NMAAA Amendment No. 2.
4. Exhibit "C", Budget Adjustment.

SOURCE OF FUNDING:

Is this action already budgeted?			
	Yes	☐	See fund summary below
	No	☒	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☒	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?			
	Yes	☒	Funds will be deposited into this fund: 2171 in the amount of $24,507.00 for FY2016.
	No	☐	There is no new revenue generated by this action.

BUDGET NARRATIVE

Grant funds will be deposited into Fund #2171 (Older Americans Act) under project numbers 3616A, 3616B, and 3616D to be used by Senior Programs to provide client services as described in Amendment No. 1 and Amendment No. 2. Senior Programs expects to expend all funds in this fiscal year as they have done in past fiscal years.

(Continue on additional sheets as required)

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Older Americans Act Programs	21205160-Various-3616A	$19,302.00	$19,302.00*	$0.00	N/A
Older Americans Act Programs	21205160-610101-3616B	$3,930.00	$3,930.00	$0.00	N/A
Older Americans Act Programs	21205160-730110-3616D	$1,275.00	$1,275.00*	$0.00	N/A

* pending adjustment

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will accept additional funds from the NMAAAA in the amount of $24,507.00.
2. Vote "No"; and the funds will be returned to NMAAA severely impacting services to the public provided by Senior Programs and may reflect negatively on the City for future supplemental funding from NMAAA.
3. Vote to "Amend"; this will require direction from City Council to staff.
4. Vote to "Table"; this action will severely impact services to the public provided by Senior Programs as the funds need to be accepted as soon as possible to begin drawing down funds in order to meet the deadline of June 30, 2016.

REFERENCE INFORMATION:

N/A

(Continue on additional sheets as required)

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 May 2, 2016 (Adoption Date)

TITLE: A RESOLUTION TO ACCEPT AMENDMENT NO. 1 IN THE AMOUNT OF $4,062.00 AND AMENDMENT NO. 2 IN THE AMOUNT OF $20,445.00 TO CONTRACT #2015-16-64014 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT (NCNMEDD) NON-METRO AREA AGENCY ON AGING (NMAAA) ON BEHALF OF SENIOR PROGRAMS, TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AMENDMENTS, AND TO ADJUST THE CITY'S ADOPTED FY2016 BUDGET.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	Tony Bassford	X 2281	4/21/16
Department Director	[signature]	X2080	4/21/16
Other	Renee Payne-Frankel Acting for Sonya Delgado	X 4017	4/22/16
Assistant City Manager /CAO Management & Budget Manager	Daniel Weller [signature]	541-2078 541-2107	4/22/2016 4-21-16
Assistant City Manager/COO	Daniel Ortiz		4-25-16
City Attorney	[signature]	EXT 2128	26 April 2016
City Clerk	[signature]	X 2115	4-26-16

Rev. 8/2011

RESOLUTION NO. 16-206

A RESOLUTION TO ACCEPT AMENDMENT NO. 1 IN THE AMOUNT OF $4,062.00 AND AMENDMENT NO. 2 IN THE AMOUNT OF $20,445.00 TO CONTRACT #2015-16-64014 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT (NCNMEDD) NON-METRO AREA AGENCY ON AGING (NMAAA) ON BEHALF OF SENIOR PROGRAMS, TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AMENDMENTS, AND TO ADJUST THE CITY'S ADOPTED FY2016 BUDGET.

The City Council is informed that:

WHEREAS, the NCNMEDD-NMAAA is the granting agency that provides funding to the City of Las Cruces (City) for programs that support core services to qualifying senior clients; and

WHEREAS, the NMAAA recognized the City's Senior Program's ability to exceed service levels from FY2015 and has notified the City of additional funding to the FY2016 contracted levels of service for congregate meals, home delivered meals, and homecare services through two amendments to the FY2016 original contract; and

WHEREAS, the NMAAA has awarded the City a total of $24,507.00 in additional funding through the two amendments, to be used prior to June 30, 2016, in support of Senior Programs' nutrition and homecare programs for FY2016.

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

(I)

THAT the City is authorized to accept Amendment No. 1 from the NMAAA for FY2016 in the amount of $4,062.00, as shown in Exhibit "A", attached hereto and made part of this Resolution.

(II)

THAT the City is authorized to accept Amendment No. 2 from the NMAAA for FY2016 in the amount of $20,445.00, as shown in Exhibit "B", attached hereto and made

part of this Resolution.

(III)

THAT the City Manager's signature is hereby ratified on Amendment No. 1 and Amendment No. 2.

(IV)

THAT the FY2016 budget is hereby adjusted as reflected in Exhibit "C", attached hereto and made a part of this Resolution.

(V)

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)

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

Moved by _____

Seconded by _____

APPROVED AS TO FORM:

_____
City Attorney

Exhibit A

Contract No. 2015-16-64014

North Central New Mexico Economic Development District
Non-Metro Area Agency on Aging

DIRECT PURCHASE OF SERVICES
VENDOR AGREEMENT
AMENDMENT NO. 1

This Amendment is made and entered into this 28th day of March, 2016, by and between the North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging hereinafter referred to as the "Agency" and City of Las Cruces, hereinafter referred to as the "Contractor".

1. Purpose of Amendment. The purpose of the Amendment is to:

   Revise the service costs and/or units of service.

2. Changes to Contract. The following changes are amendments to the contract:

   Paragraph I.C. Services and Reimbursement Methodology is amended to read:

Service	Total Unit Cost (III,State,PI,Local)	Federal & State Negotiated Unit Costs	Units	Persons
Congregate Meals	$ 625,430	$ 2.53871	86,400	
Home Delivered Meals	$	$		
Assisted Transportation	$	$		
Transportation	$	$		
Homemaker/Housekeeping	$	$		
Respite	$	$		
Adult Day Care	$	$		
Physical Fitness/Exercise	$	$		
Grandparents Raising GC	$	$		
NFCSP – Family Caregivers				
CG - Counseling	$	$		
CG - Respite Care	$	$		
CG - Supplemental	$	$		
CG - Assistance	$	$		
CG - Information	$	$		

3. All other clauses in the original Agreement will remain unchanged and together with this Agreement constitute the entire Agreement between the Contractor and NCNMEDD, Non-Metro AAA.

4. For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves effective March 28, 2016.

City of Las Cruces
Legal Name of Vendor/Contractor

Signature

Robert Garza
Printed/Typed Name of Signatory

4-21-16
Date

NCNMEDD Non-Metro Area Agency on Aging
Name of Area Agency on Aging

Signature

Tim Armer, Executive Director
Printed/Typed Name of Signatory

3/29/16
Date

APPROVED AS TO FORM:

City Attorney

NOTIFICATION OF GRANT AWARD

REMARKS: In addition to the conditions contained in the agreement on the application form, the conditions below apply to this grant:

[X] 1. Unless revised, the amount of lines 6 and 7 (Computation of Grant) will constitute a ceiling for federal and/or state participation in the approved cost.

[X] 2. The federal and/or state share of the project cost is earned only when the cost is accrued and the non-federal and/or non- state share of the cost has been contributed. Receipt of federal and/or state funds (either through advance or reimbursement) does not constitute earning of these funds.

[X] 3. If the actual net cost is less than the amount on line 3 (Computation of Grant) the non-federal and/or non-state share, the federal share and the state share will meet the percentages indicated on Page 1 of the NGA.

[X] 4. As shown in the Computation of Grant (assuming satisfactory progress, adequate justification and the availability of funds), the federal and state shares shall meet the amounts shown on lines 6 and 7 of the estimated net project cost shown on line 3.

[X] 5. Funds herein awarded will remain available during the length of the project period; however, state and/or federal funds are dependent upon availability.

[X] 6. Programs must meet the units of services projected to be reimbursed or submit an amended plan detailing reasons why approved units are not being met which must be approved by the NCNMEDD Area Agency on Aging.

THE GRANTEE ORGANIZATION IS RESPONSIBLE FOR RETAINING RECORDS OF ALL FEDERAL AND/OR STATE ACCOUNTS AS FOLLOWS:

All accounting records are to be kept in accordance with federal and state policy and readily available for examination by Area Agency personnel or other federal and/or state officials authorized to examine any or all financial and programmatic records. Such records shall be retained in accordance with the following:

1. Keep adequate and complete financial records, and to report promptly and fully to the Area Agency.
2. If a federal and/or state audit has not been made within three (3) years after project termination, project records may then be destroyed, on approval of the Agency.
3. In all cases, an over-riding requirement exists to retain records until resolution of any audit questions relating to individual grants.
4. Non-federal resources must be contributed equally to the percentage of the non-federal share of actual net costs for a project year. If a Grantee reports federal and/or state cash received but unearned on the final project report for a project year, the Grantee then owes the Area Agency this amount. This amount may constitute a cash advance on any funds awarded to the Grantee by the Area Agency for the following project year.
5. The disposition of unearned portions of federal and/or state funds at the end of the project year shall be made in accordance with current state policies.
6. Unearned federal and/or state cash at the time the project is terminated shall be returned in full to the Area Agency.
7. All obligations will be liquidated within 30 days after the end of the project year and before final program and financial reports are submitted.
8. Inventory of project equipment will be maintained and submitted as requested.
9. Project records will preserved and kept available to federal and state auditors at the primary offices of the Grantee.

Signature of NCNMEDD Non-Metro Area Agency on Aging Authorizing Official:	We, the undersigned officers of the Grantee organization, certify that we are in agreement with the terms and conditions of this award.
	Date:
3/29/16	Date: 4/20/16 [redacted]
Tim Armer Executive Director — Date	

APPROVED AS TO FORM:

City Attorney

Exhibit B

Contract No. 2015-16-64014

North Central New Mexico Economic Development District
Non-Metro Area Agency on Aging

DIRECT PURCHASE OF SERVICES
VENDOR AGREEMENT
AMENDMENT NO. 2

This Amendment is made and entered into this 8th day of April, 2016, by and between the North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging hereinafter referred to as the "Agency" and City of Las Cruces, hereinafter referred to as the "Contractor".

1. Purpose of Amendment. The purpose of the Amendment is to:

   Revise the service costs and/or units of service.

2. Changes to Contract. The following changes are amendments to the contract:

   Paragraph I.C. Services and Reimbursement Methodology is amended to read:

Service	Total Unit Cost (III,State,PI,Local)	Federal & State Negotiated Unit Costs	Units	Persons
Congregate Meals	$6.93366	$2.53880	92,400	
Home Delivered Meals	$3.90066	$1.30737	188,100	
Case Management	$	$		
Transportation	$	$		
Homemaker/Housekeeping	$36.68884	$10.75628	4,300	
Chore	$	$		
Adult Day Care	$	$		
Physical Fitness/Exercise	$	$		
Grandparents Raising GC	$	$		
NFCSP – Family Caregivers	$	$		
CG - Counseling	$	$		
CG - Respite Care	$16.39407	$15.40123	4,050	
CG - Supplemental	$	$		
CG - Assistance	$	$		
CG - Information	$	$		

3. All other clauses in the original Agreement will remain unchanged and together with this Agreement constitute the entire Agreement between the Contractor and NCNMEDD, Non-Metro AAA.

4. For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves effective April 8, 2016.

City of Las Cruces
Robert Garza
Legal Name of Vendor/Contractor

Signature

Robert Garza
Printed/Typed Name of Signatory

4-20-16
Date

NCNMEDD Non-Metro Area Agency on Aging
Name of Area Agency on Aging

Signature

Tim Armer, Executive Director
Printed/Typed Name of Signatory

April 5, 2016
Date

APPROVED AS TO FORM:

City Attorney

TITLE III

NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT
NON-METRO AREA AGENCY ON AGING
NOTIFICATION OF GRANT AWARD (NGA)

GRANTEE: City of Las Cruces
ADDRESS:
PHONE:

APPROVED BUDGET PERIOD
FROM: 7/1/2015
TO: 6/30/2016

Grant/Action
New/Cont:
Revision: X
BAR:
Other:

NGA
DATE: 4/8/2016
Contract Amendment # 2

DESCRIPTION		FEDERAL	STATE	LOCAL	Fundraising-Foundations	PROJ. INC.	TOTAL
Title IIIB 93.044	Access	$ -	$ -	$ -	$ -	$ -	$ -
	In-Home	$ 34,283	$ 11,969	$ 118,610	$ -	$ 1,500	$ 166,362
	Community All Other	$ -	$ -	$ -	$ -	$ -	$ -
	Sub Total	$ 34,283	$ 11,969	$ 118,610	$ -	$ 1,500	$ 166,362
Title IIIC1 93.045	Meal Costs	$ 117,780	$ 116,805	$ 305,085	$ -	$ 101,000	$ 640,670
	Sub Total	$ 117,780	$ 116,805	$ 305,085	$ -	$ 101,000	$ 640,670
Title IIIC2 93.045	Meal Costs	$ 25,227	$ 220,689	$ 409,798	$ -	$ 78,000	$ 733,714
	SubTotal	$ 25,227	$ 220,689	$ 409,798	$ -	$ 78,000	$ 733,714
Title IIID 93.043	Evidence Based	$ -	$ -	$ -	$ -	$ -	$ -
	Sub Total	$ -	$ -	$ -	$ -	$ -	$ -
Title IIIE 93.052	Care Giver Support	$ 35,503	$ 28,872	$ 6,021	$ -	$ -	$ 70,396
	Sub Total	$ 35,503	$ 28,872	$ 6,021	$ -	$ -	$ 70,396
DEMONSTRATION GRANT ALZHEIMER	Respite Care	$ -	$ -	$ -	$ -	$ -	$ -
	Sub Total	$ -	$ -	$ -	$ -	$ -	$ -
ALL STATE OTHER		$ -	$ -	$ -	$ -	$ -	$ -
	Sub Total	$ -	$ -	$ -	$ -	$ -	$ -
SUB TOTALS	Title IIIB 93.044	$ 34,283	$ 11,969	$ 118,610	$ -	$ 1,500	$ 166,362
	Title IIIC1 93.045	$ 117,780	$ 116,805	$ 305,085	$ -	$ 101,000	$ 640,670
	Title IIIC2 93.045	$ 25,227	$ 220,689	$ 409,798	$ -	$ 78,000	$ 733,714
	Title IIID 93.043	$ -	$ -	$ -	$ -	$ -	$ -
	Title IIIE 93.052	$ 35,503	$ 28,872	$ 6,021	$ -	$ -	$ 70,396
	Alzheimer Respite Care	$ -	$ -	$ -	$ -	$ -	$ -
	All State Other	$ -	$ -	$ -	$ -	$ -	$ -
	GRAND TOTAL	$ 212,793	$ 378,335	$ 839,514	$ -	$ 180,500	$ 1,611,142

COMPUTATION OF GRANT

1.EstimatedTotal Cost.....	$	1,611,142
2.LESS Anticipated Proj. Inc.	$	180,500
3.Estimated Net Cost.....	$	1,430,642
4.Non-federal and Non-state Share of Net Cost.....		
5.Proj. Inc. (Used as Match).....	$	180,500
6.Federal Share of Net Cost.....	$	212,793
7.State Share of Net Cost....	$	378,335

8.Federal/State Shares will be comprised of:

a.Federal/State grant unearned In previous project year(s)	FY 20 __	Federal State	
b. Carry Over	FY 20 ___	Federal State	
c. New Obligational Authority Herein Awarded	FY-	Federal State	$ 212,793 $ 378,335

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6. Unearned federal and/or state cash at the time the project is terminated shall be returned in full to the Area Agency.
7. All obligations will be liquidated within 30 days after the end of the project year and before final program and financial reports are submitted.
8. Inventory of project equipment will be maintained and submitted as requested.
9. Project records will preserved and kept available to federal and state auditors at the primary offices of the Grantee.

Signature of NCNMEDD Non-Metro Area Agency on Aging Authorizing Official:	We, the undersigned officers of the Grantee organization, certify that we are in agreement with the terms and conditions of this award.
	Date:
April 5, 2016 Date	4/20/16 Date:
Tim Armer Executive Director	

APPROVED AS TO FORM:

City Attorney

CITY OF LAS CRUCES

Fund Summary

EXHIBIT "C"

Fund: 2171 **Fund Name:** OLDER AMERICANS ACT PROGRAMS
DFA: 219 **DFA Name:** Senior Citizen

		2015-16 Budget			%
		Adopted	Adjustment	Amended	Inc. / Dec.
Beginning Balance	***$***	***0***	***0***	***0***	***0.00%***
Resources					
Revenue	$	762,811	24,507	787,318	3.21%
Proceeds		0	0	0	0.00%
Transfers In		0	0	0	0.00%
Total Resources	**$**	**762,811**	**24,507**	**787,318**	**3.21%**
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		762,311	24,507	786,818	3.21%
Transfers Out		0	0	0	0.00%
Total Expenditures	**$**	**762,311**	**24,507**	**786,818**	**3.21%**
Ending Balance	***$***	***500***	***0***	***500***	***0.00%***

BUDGET ADJUSTMENT REQUEST (BAR)

387

Department and Section	Permanent or Temporary	Council/Board Resolution No.
Community & Cultural Services/Senior Programs	Temporary	

Justification for Request

A RESOLUTION TO ACCEPT AMENDMENT NO. 1 IN THE AMOUNT OF $4,062 AND AMENDMENT NO. 2 IN THE AMOUNT OF $20,445 TO CONTRACT #2015-16-64014 FROM THE NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT (NCNMEDD) NON-METRO AREA AGENCY ON AGING (NMAAA) ON BEHALF OF SENIOR PROGRAMS, TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AMENDMENTS, AND TO ADJUST THE CITY'S ADOPTED FISCAL YEAR 2016 BUDGET

MUNIS Comment:

Prepared by	Phone No.	FY to be Adjusted	Date
Veronica MacGregor	541-2022	FY 2016	4/21/2016

Fund	Org	Object	Project	Object Name	Increase $	Decrease $
2171	21200010	543510	3616A	CONGREGATE MEALS IIIC1 CONTRIB	19,302	
2171	21205160	722190	3616A	PURCHASED SERVICES GENERAL	4,500	
2171	21205160	730110	3616A	SUPPLIES GENERAL	5,000	
2171	21205160	730610	3616A	PROGRAM FOOD PURCHASES	9,802	
2171	21200010	543511	3616B	DELIVERED MEALS IIIC2 CONTRIB	3,930	
2171	21205160	610101	3616B	ADMINISTRATION	3,930	
2171	21200010	543514	3616D	HOMEMAKER CONTRIBUTIONS	1,275	
2171	21205160	730110	3616D	SUPPLIES GENERAL	1,275	
				Totals	$49,014	$0

By signing, I verify balances and accounts are available in MUNIS.

Administrator / Manager — Date

Director — Date

For use by Administration and Office of Mgmt & Budget

David Dollahon, ACM / CAO — Date

Daniel Avila, ACM / COO — Date

Robert L. Garza, City Manager — Date

For use by Office of Mgmt & Budget

Revised 5/05/2015

Budget Adjustment Number	Posted By	Date
Period: JE#		

Budget and Grant Manager — Date