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City of Las Cruces[®]
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Council Action and Executive Summary

Item # 10 Ordinance/Resolution# 10-162 Council District: All City

For Meeting of December 21, 2009
 (Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT CONTRACT AMENDMENT NO. 1 FROM THE STATE OF NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT FOR FISCAL YEAR 2009-2010 IN THE AMOUNT OF \$15,469, REDUCING THE RIO GRANDE VALLEY RETIRED AND SENIOR VOLUNTEER PROGRAM'S STATE FUNDS BY \$316 AND TO ADJUST THE FISCAL YEAR 2009-2010 CITY BUDGET.

PURPOSE(S) OF ACTION: A resolution accepting a contract amendment in the amount of \$15,469 from the State of New Mexico Aging and Long-Term Services Department for Fiscal Year 2009-2010 for the Rio Grande Valley Retired and Senior Volunteer Program (RSVP).

Name of Drafter: Shelley Modell <i>Shelley Modell</i>		Department: Public Services/Senior Programs		Phone: 528-3000	
Department	Signature	Phone	Department	Signature	Phone
Originating Department	<i>[Signature]</i>	528-3477	Budget	<i>[Signature]</i>	2300
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>[Signature]</i>	2128	City Manager	<i>[Signature]</i>	2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On July 6, 2009, City Council approved Resolution 10-016 accepting a grant award for RSVP in the amount of \$15,785 from the State of New Mexico Aging and Long-Term Services Department and \$61,131 from the Corporation for National and Community Service.

In November 2009 Governor Richardson signed executive order 2009-044, requiring all State agencies to reduce their Fiscal Year 2010 operating expenditures. As a result of this executive order, on November 20, 2009, the City of Las Cruces RSVP was notified its State budget was being reduced by two percent.

The attached contract amendment reduces the Fiscal Year 2009-2010 RSVP State appropriation by \$316, thereby decreasing the total contract amount from \$15,785 to \$15,469 for the remainder of the contract period July 1, 2009, through June 30, 2010. All

(Continue on additional sheets as required)

other clauses in the original contract remain unchanged. In order not to negatively impact service delivery, staff is recommending that the RSVP state travel line item be reduced by this amount.

A budget adjustment to the Fiscal Year 2009-2010 City budget is needed to reflect the contract amendment.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
RSVP/NM Aging & Long Term Services Department-Revenue 21200040-552012-14000	(\$316)	(\$316)
RSVP/Travel General 21205110-724190-14000	(\$316)	(\$316)

1. Resolution.
2. Exhibit "A"-- State of New Mexico Aging and Long-Term Services Department Professional Services Contract Amendment No. 01 10-624-4000-0058-01.
3. Exhibit "B"--Budget Adjustment

OPTIONS / ALTERNATIVES:

1. If approved, the Rio Grande Valley Retired and Senior Volunteer Program State funds will be reduced by two percent as a result of executive order 2009-044 signed by Governor Richardson, requiring all State agencies to reduce their Fiscal Year 2010 operating expenditures.
2. If not approved, the Retired Senior Volunteer Program will operate with the current level of funding from other sources.
3. Council may direct modification of the contracts and/or provide staff with alternate direction for senior volunteer services.

RESOLUTION NO. 10-162

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT CONTRACT AMENDMENT NO. 1 FROM THE STATE OF NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT FOR FISCAL YEAR 2009-2010 IN THE AMOUNT OF \$15,469, REDUCING THE RIO GRANDE VALLEY RETIRED AND SENIOR VOLUNTEER PROGRAM'S STATE FUNDS BY \$316 AND TO ADJUST THE FISCAL YEAR 2009-2010 CITY BUDGET.

The City Council is informed that:

WHEREAS, on July 6, 2009, City Council approved Resolution 10-016 accepting a grant award for RSVP in the amount of \$15,785 from the State of New Mexico Aging and Long-Term Services Department and \$61,131 from the Corporation for National and Community Service; and

WHEREAS, on November 20, 2009, the City of Las Cruces RSVP was notified their State budget was being reduced by two percent; and

WHEREAS, this contract amendment reduces the Fiscal Year 2009-2010 RSVP state appropriation by \$316, thereby decreasing the total contract amount from \$15,785 to \$15,469 for the remainder of the contract period July 1, 2009, through June 30, 2010; and

WHEREAS, a budget adjustment to the Fiscal Year 2009-2010 City budget is needed to reflect the contract amendment.

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

(I)

THAT the Mayor is authorized to sign the Professional Services Contract Amendment No. 01 10-624-4000-0058-01 from the State of New Mexico Aging and

Long-Term Services Department for Fiscal Year 2009-2010 designated as Exhibit "A," attached hereto and made a part of this Resolution.

(II)

THAT the City of Las Cruces Fiscal Year 2009-2010 City budget is hereby adjusted as designated in Exhibit "B," attached hereto and made a part thereof.

(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 _____, 2009.

APPROVED:

(SEAL)

Mayor

ATTEST:

VOTE:

City Clerk

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

Contract No. 10-624-4000-0058-01

STATE OF NEW MEXICO
AGING & LONG-TERM SERVICES DEPARTMENT
PROFESSIONAL SERVICES CONTRACT AMENDMENT No. 01

THIS AGREEMENT is made and entered into by and between the State of New Mexico, Aging and Long-Term Services Department, hereinafter referred to as the "Agency," and City of Las Cruces, hereinafter referred to as the "Contractor."

IT IS MUTUALLY AGREED BETWEEN THE PARTIES THAT THE FOLLOWING PROVISIONS OF THE ABOVE-REFERENCED CONTRACT ARE AMENDED AS FOLLOWS PER EXECUTIVE ORDER 2009-044 (REQUIRING STATE AGENCIES TO REDUCE FISCAL YEAR 2010 OPERATING EXPENDITURES):

2. **Compensation.**

- A. Under this Agreement, the Agency shall pay to the Contractor in full payment for services rendered based upon deliverables as outlined in the scope of work and performance measures. The total amount of the monies payable to the Contractor under this Agreement, including gross receipts tax, shall be **decreased by \$316.00.**

Under Contract #10 624 4000 0058 and all Amendments to said Contract, the total amount of the monies payable to the Contractor, including gross receipts tax and expenses, shall not exceed **\$15,469.00.**

All other articles of this contract remain the same.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date of signature below, or a specified date, whichever is later.

By: _____ Date: _____
Agency-ALTSD

By: _____ Date: _____
Agency's-ALTSD Legal Counsel – Certifying legal sufficiency

By: _____ Date: _____
Contractor

The records of the Taxation and Revenue Department reflect that the Contractor is registered with the Taxation and Revenue Department of the State of New Mexico to pay gross receipts and compensating taxes.

ID Number: **01-406383-002**

By: _____ Date: _____
Taxation and Revenue Department

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010**

FUND	DIVISION		FUND TYPE	
Retired Senior Volunteer Program (RSVP) Fund 2173	Public Services		Special Revenue	
	FY 2008/09 Prelim Actual*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
RESOURCES				
Beginning Balance	\$ 19,502	20,107	(20,107)	0
REVENUES				
551027 RSVP Federal	\$ 61,128	61,131		61,131
552012 RSVP State	15,785	15,785	(316)	15,469
553002 Dona Ana County	10,000	14,250		14,250
592001 Other Revenue	1,000	0		0
Total Revenues	\$ 87,913	91,166	(316)	90,850
Total Resources	\$ 107,415	111,273	(20,423)	90,850
EXPENDITURES				
RSVP - 21205110				
Personnel	\$ 125,520	76,114	(13,754)	62,360
Operating	51,567	35,159	(6,669)	28,490
Total Org 21205110	\$ 177,087	111,273	(20,423)	90,850
Total Expenditures	\$ 177,087	111,273	(20,423)	90,850
OTHER FINANCING SOURCES (USES)				
Transfer from Fund 1000 - General Fund (Match)	\$ 69,672	0		0
Total Other Financing Sources (Uses)	\$ 69,672	0	0	0
ENDING BALANCE	\$ 0	0	0	0

*Preliminary actual as of 11/10/09