

SPECIAL CITY COUNCIL MEETING AGENDA

Friday, April 17, 2020 at 9:30 AM



CITY HALL
P.O. BOX 20000
LAS CRUCES, NM 88004

700 N. Main St.
PHONE (575) 541-2067

Mayor
Ken Miyagishima

Mayor Pro-Tem
Kassandra Gandara

Councilors
Tessa Abeyta-Stuve
Gabriel Vasquez
Johana Bencomo
Gill Sorg
Yvonne Flores

**Individuals may view meetings live at
lascruces.civicweb.net**

The health, safety and well-being of our residents and businesses are a top priority for City Council and the leadership in Las Cruces. As such, and consistent with and in support of the direction from Gov. Michelle Lujan Grisham and the New Department of Health public health order the Special Council Meeting will be held via video conference. In an effort to seek public input we ask that if you have comments/concerns/questions please e-mail your Councilor as follows:

District 1 – kgandara@las-cruces.org
District 2 – tstuve@las-cruces.org
District 3 – gvasquez@las-cruces.org
District 4 – jbencomo@las-cruces.org
District 5 – gsorg@las-cruces.org
District 6 – yflores@las-cruces.org
Mayor – mayor@las-cruces.org

If you need an accommodation for a disability to enable you to fully participate in this event please contact us 72 hours before this event at [541-2115/V](tel:541-2115).

Page

1. **CONFLICT OF INTEREST INQUIRY BY MAYOR AS REQUIRED BY LCMC
SECTION 2-27 (E)(2)**

2. **RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

- 2.1. RESOLUTION NO. 20-146: A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) TO ACCEPT A BUDGET ADJUSTMENT FOR EMERGENCY ASSISTANCE FOR THE IMPACT FROM COVID-19 TO VARIOUS PROGRAMS FOR \$139,500 THROUGH AN AMENDMENT TO THE CITY'S ADOPTED FY2020 BUDGET.

[R 20-146 - Pdf](#)

2 - 10

3. **UPDATES**

- 3.1. Information Gathering and Dissemination.

4. **ADJOURNMENT**

**20-146****Type of Action:**☒ **Resolution**☐ **Ordinance**☐ **TIDD Resolution**

Council Action and Executive Summary

District: ☒ 1 ☒ 2 ☒ 3 ☒ 4 ☒ 5 ☒ 6**1st Reading:** **Adopted:** April 17, 2020**Drafter:** David Dollahon **Department:** City Manager's Office**Program:** Community and Council Support **Line of Business:** Community and Council Support

Title: **A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) TO ACCEPT A BUDGET ADJUSTMENT FOR EMERGENCY ASSISTANCE FOR THE IMPACT FROM COVID-19 TO VARIOUS PROGRAMS FOR \$139,500 THROUGH AN AMENDMENT TO THE CITY'S ADOPTED FY2020 BUDGET.**

TYPE OF ACTION: ☒ **Administrative** ☐ **Legislative** ☐ **Quasi-Judicial****PURPOSE(S) OF ACTION:**

To adjust City budget.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On April 03, 2020, the Las Cruces City Council allocated \$1,072,500, via Resolution 20-132, in emergency assistance from the Telshor Facility Fund to support activities related to COVID-19 emergency response. Further, on April 10, 2020, the Las Cruces City Council allocated an additional \$684,000, via Resolution 20-134, in emergency assistance from the same funding source for the same intended purpose.

COVID-19 continues to pose a threat to the health, safety, well-being and property of residents. Furthermore, the Council acknowledges the continued need to support the community through local non-profit organizations and other essential service providers being impacted by the COVID-19 pandemic.

The City Council desires to allocate an additional \$139,500 in emergency assistance from the unrestricted balance from the City's General Fund for various uses. The City staff are proposing to use General Fund monies to address the following items:

- 1) Mesilla Valley Habitat for Humanity (Habitat): \$65,000. This funding would be used for contracted services necessary for the local Habitat chapter to complete five houses currently under construction and due to COVID-19 are unable to complete said houses through their normal volunteer corp. This money will be transferred from the General Fund (Fund 1000) to the City's Affordable Housing Trust Fund (Fund 2013).
- 2) Microloan Technical Assistance: \$74,500. This funding was approved for the Economic Development Department at the meeting of Friday, April 10, 2020. Staff is proposing to use the General Fund monies for this effort, rather than the previous funding allocated from the Telshor Fund. This includes returning the originally allocated \$74,500 from the Telshor Fund back to the fund's balance.

Should the City Council desire not to use the General Fund for any or all of this budget adjustment for the purposes outlined from above, the City Council will need to amend the proposed Resolution to utilize a different funding source and provide direction to staff.

Agenda Item #2.1.

A budget adjustment would allow for funds to be available to provide funding for essential and critical services to combat the effects of COVID-19 across the Las Cruces community.

SUPPORT INFORMATION:

[ATTACHMENT A RECOMMENDED USES 4.17.20](#)

[Exhibit A Fund Summaries COVID 4.17.20](#)

PLAN(S):

Comprehensive Plan

ANNUAL BUDGET APPROVAL:

☐ Yes

☒ No

☐ N/A

BUDGET / FISCAL IMPACT:

BUDGETED AMOUNT:

\$139,500.00

AVAILABLE AMOUNT:

\$139,500.00

EXPENDITURE AMOUNT:

\$139,500.00

Additional Budgetary Information:

Funds are proposed to be taken from the General Fund (1000) and either spent from the General Fund or transferred to the Affordable Housing Trust Fund (2013) pending adoption.

Funding Source(s):

General Fund (Fund 1000) xxxxxx-721080-COVID - \$74,500;
Affordable Housing Trust Fund (Fund 2013) xxxxxx-721080-COVID - \$65,000

Overall Budget Impact:

Funds are proposed to be taken from the General Fund (1000) and either spent from the General Fund or transferred to the Affordable Housing Trust Fund (2013) pending adoption to provide funding for essential and critical services to combat the effects of COVID-19 across our Las Cruces Community. Agreements will be amended or developed and executed as necessary in accordance with established City Policy.

Does this action amend the Capital Improvement Plan (CIP)?

☐ Yes

☐ No

☒ N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Resolution and accept the budget adjustment as presented and adjust the City's FY2020 budget.
2. Vote "No"; this will not approve the Resolution, nor adjust the budget as presented.
3. Vote to "Amend"; this would modify the Resolution based on City Council's direction and then vote "Yes" on the amended Resolution.
4. Vote to "Table"; this would postpone the Resolution and City Council would need to provide direction to staff.

REFERENCE INFORMATION:

1. Resolution 20-132.
2. Resolution 20-134.

RESOLUTION 20-146

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES (CITY) TO ACCEPT A BUDGET ADJUSTMENT FOR EMERGENCY ASSISTANCE FOR THE IMPACT FROM COVID-19 TO VARIOUS PROGRAMS FOR \$139,500 THROUGH AN AMENDMENT TO THE CITY'S ADOPTED FY2020 BUDGET.

The City Council is informed that:

WHEREAS, on April 03, 2020, the Las Cruces City Council allocated \$1,072,500 in emergency assistance from the Telshor Facility Fund to support activities related to COVID-19 emergency response via Resolution 20-132; and

WHEREAS, on April 10, 2020, the Las Cruces City Council further allocated an additional \$684,000 in emergency assistance from the Telshor Facility Fund to support activities related to COVID-19 emergency response via Resolution 20-134; and

WHEREAS, COVID-19 continues to pose a threat to the health, safety, well-being and property of residents; and

WHEREAS, the City has identified a continued need to support the community through local non-profit organizations and other essential service providers being impacted by the COVID-19 pandemic; and

WHEREAS, the City Council desires to allocate funding from the General Fund; and

WHEREAS, a budget adjustment is necessary for funds to be available to provide essential and critical services to combat the effects of COVID-19 across our Las Cruces Community.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Las Cruces:

(I)

THAT the Las Cruces City Council supports essential and critical services to combat the effects of COVID-19 across our Las Cruces community.

(II)

THAT the City Council allocates \$139,500 in emergency assistance from the General Fund specific to the support of essential and critical services to combat the effects of COVID-19 across the Las Cruces community.

(III)

THAT the budget adjustments as indicated in Exhibit "A" and recommended uses as indicated in Attachment "A", attached hereto and made a part of this Resolution, are hereby approved.

(IV)

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

DONE AND APPROVED this 17 day of April 2020

APPROVED

Mayor

ATTEST:

City Clerk

Moved by: Kasandra Gandara

Seconded by: Gabe Vasquez

AYES Kasandra Gandara, Gabe Vasquez, Gill Sorg, Ken Miyagishima, Yvonne Flores, Tessa
Abeyta-Stuve, Johana Bencomo

NAYS

Council Recommended Uses for COVID-19 Emergency Assistance

Community Partners

Agency/Organization	Up to*	Proposed Use
Mesilla Valley Habitat for Humanity	\$ 65,000.00	Affordable housing construction completion

City of Las Cruces

City Department	Up to*	Proposed Use
Economic Development	\$ 74,500.00	Microloans technical support **

Total	\$ 139,500.00
-------	---------------

* Maximum amount authorized in Emergency Procurement provision of the Las Cruces Municipal Code, (LCMC), 1997, as amended.

** Adjustment to the budget from the actions of April 10, 2020, moving the funding from the Telshor Fund to the City's General Fund.

CITY OF LAS CRUCES
BUDGET ADJUSTMENT REQUEST
BUDGET FISCAL YEAR 2019-20

Exhibit "A"

	1000 GENERAL FUND 2019-20			
	Original Budget	Amended Budget	Req. Adjustment	Adjusted Budget
RESOURCES				
Beginning Balance	\$ 37,632,188	37,632,188	0	37,632,188
Revenues				
Municipal Gross Receipts Tax	33,887,900	33,887,900	0	33,887,900
Public Safety Gross Receipts Tax	3,806,300	3,806,300	0	3,806,300
Hold Harmless Replacement GRT	0	0	0	0
State-Shared Gross Receipts Tax	37,290,500	37,290,500	0	37,290,500
Environmental Gross Receipts Tax	0	0	0	0
County Environmental Gross Receipts Tax	0	0	0	0
Internet Sales Gross Receipts Tax	0	896,027	0	896,027
Gasoline Tax	0	0	0	0
Cigarette Tax	0	0	0	0
Lodgers Tax	0	0	0	0
Property Taxes	11,546,490	11,546,490	0	11,546,490
Payment In Lieu of Property Tax	854,335	854,335	0	854,335
Franchise Fees	2,771,546	2,771,546	0	2,771,546
Payment In Lieu of Franchise Fees	1,200,000	1,200,000	0	1,200,000
Licenses, Fees & Permits	1,978,380	1,978,380	0	1,978,380
Convention Center Fee	0	0	0	0
Auto License - State Shared	0	0	0	0
Fines & Forfeitures	583,788	583,788	0	583,788
Charges For Services	2,368,614	2,275,189	0	2,275,189
Natural Gas Sales - Commodity	0	0	0	0
Motor Pool Maintenances Charges	0	0	0	0
Fuel Charges	0	0	0	0
Intergovernmental	3,171,228	3,171,228	0	3,171,228
Investment Income	557,703	557,703	0	557,703
Miscellaneous Revenues	65,412	65,412	0	65,412
Federal Grants	0	0	0	0
State Grants	0	0	0	0
Local Grants	15,973	15,973	0	15,973
Debt Service	0	0	0	0
Total Revenues	100,098,169	100,900,771	0	100,900,771
TOTAL RESOURCES	\$ 137,730,357	138,532,959	0	138,532,959
Expenditures				
General Government	(6,000,000)	(6,000,000)	0	(6,000,000)
Legislative	701,239	694,002	0	694,002
Municipal Court	1,659,916	1,659,916	0	1,659,916
City Manager	3,900,239	3,916,475	0	3,916,475
Legal	3,201,100	3,211,100	0	3,211,100
Las Cruces Police Department	26,944,075	26,993,075	0	26,993,075
Las Cruces Fire Department	16,821,335	16,821,335	0	16,821,335
Utilities	0	0	0	0
Economic Development	3,373,728	3,373,728	74,500	3,448,228
Internal Audit	0	0	0	0
Administrative	53,620	53,620	0	53,620
Human Resources	1,603,402	1,603,402	0	1,603,402
Financial Services	4,306,630	4,561,631	0	4,561,631
Information Technology	5,563,547	5,566,480	0	5,566,480
Fleet	0	0	0	0
Operations	126,606	126,606	0	126,606
Parks & Recreation	12,150,421	12,239,181	0	12,239,181
Community Development	4,653,334	4,659,923	0	4,659,923
Quality of Life	6,809,933	6,909,933	0	6,909,933
Public Works	9,505,779	9,675,779	0	9,675,779
Legislative Reserve	0	0	0	0
Total Expenditures	\$ 95,374,904	96,066,186	74,500	96,140,686
Other Resources				
Operating Transfers In	762,851	791,955	0	791,955
Operating Transfers Out	(12,045,155)	(12,045,155)	(65,000)	(12,110,155)
Total Other Resources	\$ (11,282,304)	(11,253,200)	(65,000)	(11,318,200)
Accrual Adjustments	0	0	0	0
ENDING BALANCE	\$ 31,073,149	31,213,573	(139,500)	31,074,073
Required Reserve:				
State Required 1/12th	7,947,909	8,005,516	6,209	8,011,725
Local CLC 1/12th	7,947,909	8,005,516	6,209	8,011,725
AVAILABLE BALANCE	\$ 15,177,331	15,202,541	(151,918)	15,050,623

Agenda Item #2.1.

CITY OF LAS CRUCES
BUDGET ADJUSTMENT REQUEST
BUDGET FISCAL YEAR 2019-20

	2013			
	AFFORDABLE HOUSING TRUST			
	2019-20			
	Original Budget	Amended Budget	Req. Adjustment	Adjusted Budget
RESOURCES				
Beginning Balance	\$ 523,349	523,349	0	523,349
Revenues				
Municipal Gross Receipts Tax	0	0	0	0
Public Safety Gross Receipts Tax	0	0	0	0
Hold Harmless Replacement GRT	0	0	0	0
State-Shared Gross Receipts Tax	0	0	0	0
Environmental Gross Receipts Tax	0	0	0	0
County Environmental Gross Receipts Tax	0	0	0	0
Internet Sales Gross Receipts Tax	0	0	0	0
Gasoline Tax	0	0	0	0
Cigarette Tax	0	0	0	0
Lodgers Tax	0	0	0	0
Property Taxes	0	0	0	0
Payment In Lieu of Property Tax	0	0	0	0
Franchise Fees	0	0	0	0
Payment In Lieu of Franchise Fees	0	0	0	0
Licenses, Fees & Permits	0	0	0	0
Convention Center Fee	0	0	0	0
Auto License - State Shared	0	0	0	0
Fines & Forfeitures	0	0	0	0
Charges For Services	0	0	0	0
Natural Gas Sales - Commodity	0	0	0	0
Motor Pool Maintenances Charges	0	0	0	0
Fuel Charges	0	0	0	0
Intergovernmental	0	0	0	0
Investment Income	0	0	0	0
Miscellaneous Revenues	20,354	20,354	0	20,354
Federal Grants	0	0	0	0
State Grants	0	0	0	0
Local Grants	0	0	0	0
Debt Service	0	0	0	0
Total Revenues	20,354	20,354	0	20,354
TOTAL RESOURCES	\$ 543,703	543,703	0	543,703
Expenditures				
General Government	0	0	0	0
Legislative	0	0	0	0
Municipal Court	0	0	0	0
City Manager	0	0	0	0
Legal	0	0	0	0
Las Cruces Police Department	0	0	0	0
Las Cruces Fire Department	0	0	0	0
Utilities	0	0	0	0
Economic Development	0	0	0	0
Internal Audit	0	0	0	0
Administrative	0	0	0	0
Human Resources	0	0	0	0
Financial Services	0	0	0	0
Information Technology	0	0	0	0
Fleet	0	0	0	0
Operations	0	0	0	0
Parks & Recreation	0	0	0	0
Community Development	742,407	742,407	65,000	807,407
Quality of Life	0	0	0	0
Public Works	0	0	0	0
Legislative Reserve	0	0	0	0
Total Expenditures	\$ 742,407	742,407	65,000	807,407
Other Resources				
Operating Transfers In	200,000	200,000	65,000	265,000
Operating Transfers Out	0	0	0	0
Total Other Resources	\$ 200,000	200,000	65,000	265,000
Accrual Adjustments	0	0	0	0
ENDING BALANCE	\$ 1,296	1,296	0	1,296

Agenda Item #2.1.

CITY OF LAS CRUCES
BUDGET ADJUSTMENT REQUEST
BUDGET FISCAL YEAR 2019-20

	2700 HEALTH CARE SERVICES MMC LEASE			
	2019-20			
	Original Budget	Amended Budget	Req. Adjustment	Adjusted Budget
RESOURCES				
Beginning Balance	\$ 202,912	202,912	0	202,912
Revenues				
Municipal Gross Receipts Tax	0	0	0	0
Public Safety Gross Receipts Tax	0	0	0	0
Hold Harmless Replacement GRT	0	0	0	0
State-Shared Gross Receipts Tax	0	0	0	0
Environmental Gross Receipts Tax	0	0	0	0
County Environmental Gross Receipts Tax	0	0	0	0
Internet Sales Gross Receipts Tax	0	0	0	0
Gasoline Tax	0	0	0	0
Cigarette Tax	0	0	0	0
Lodgers Tax	0	0	0	0
Property Taxes	0	0	0	0
Payment In Lieu of Property Tax	0	0	0	0
Franchise Fees	0	0	0	0
Payment In Lieu of Franchise Fees	0	0	0	0
Licenses, Fees & Permits	0	0	0	0
Convention Center Fee	0	0	0	0
Auto License - State Shared	0	0	0	0
Fines & Forfeitures	0	0	0	0
Charges For Services	0	0	0	0
Natural Gas Sales - Commodity	0	0	0	0
Motor Pool Maintenances Charges	0	0	0	0
Fuel Charges	0	0	0	0
Intergovernmental	0	0	0	0
Investment Income	0	0	0	0
Miscellaneous Revenues	0	0	0	0
Federal Grants	0	0	0	0
State Grants	0	0	0	0
Local Grants	0	0	0	0
Debt Service	0	0	0	0
Total Revenues	0	0	0	0
TOTAL RESOURCES	\$ 202,912	202,912	0	202,912
Expenditures				
General Government	0	0	0	0
Legislative	0	0	0	0
Municipal Court	0	0	0	0
City Manager	0	0	0	0
Legal	0	0	0	0
Las Cruces Police Department	0	0	0	0
Las Cruces Fire Department	0	500,000	0	500,000
Utilities	0	0	0	0
Economic Development	0	0	0	0
Internal Audit	0	0	0	0
Administrative	0	0	0	0
Human Resources	0	0	0	0
Financial Services	0	0	0	0
Information Technology	0	0	0	0
Fleet	0	0	0	0
Operations	0	0	0	0
Parks & Recreation	0	0	0	0
Community Development	1,050,000	4,006,500	(74,500)	3,932,000
Quality of Life	1,200,000	0	0	0
Public Works	0	0	0	0
Legislative Reserve	0	0	0	0
Total Expenditures	\$ 2,250,000	4,506,500	(74,500)	4,432,000
Other Resources				
Operating Transfers In	2,185,757	4,442,257	(74,500)	4,367,757
Operating Transfers Out	0	0	0	0
Total Other Resources	\$ 2,185,757	4,442,257	(74,500)	4,367,757
Accrual Adjustments	0	0	0	0
ENDING BALANCE	\$ 138,669	138,669	0	138,669

Agenda Item #2.1.

CITY OF LAS CRUCES
BUDGET ADJUSTMENT REQUEST
BUDGET FISCAL YEAR 2019-20

	2705 TELISHOR FACILITY			
	2019-20			
	Original Budget	Amended Budget	Req. Adjustment	Adjusted Budget
RESOURCES				
Beginning Balance	\$ 47,065,797	47,065,797	0	47,065,797
Revenues				
Municipal Gross Receipts Tax	0	0	0	0
Public Safety Gross Receipts Tax	0	0	0	0
Hold Harmless Replacement GRT	0	0	0	0
State-Shared Gross Receipts Tax	0	0	0	0
Environmental Gross Receipts Tax	0	0	0	0
County Environmental Gross Receipts Tax	0	0	0	0
Internet Sales Gross Receipts Tax	0	0	0	0
Gasoline Tax	0	0	0	0
Cigarette Tax	0	0	0	0
Lodgers Tax	0	0	0	0
Property Taxes	0	0	0	0
Payment In Lieu of Property Tax	0	0	0	0
Franchise Fees	0	0	0	0
Payment In Lieu of Franchise Fees	0	0	0	0
Licenses, Fees & Permits	0	0	0	0
Convention Center Fee	0	0	0	0
Auto License - State Shared	0	0	0	0
Fines & Forfeitures	0	0	0	0
Charges For Services	0	0	0	0
Natural Gas Sales - Commodity	0	0	0	0
Motor Pool Maintenances Charges	0	0	0	0
Fuel Charges	0	0	0	0
Intergovernmental	0	0	0	0
Investment Income	400,000	400,000	0	400,000
Miscellaneous Revenues	0	0	0	0
Federal Grants	0	0	0	0
State Grants	0	0	0	0
Local Grants	0	0	0	0
Debt Service	0	0	0	0
Total Revenues	400,000	400,000	0	400,000
TOTAL RESOURCES	\$ 47,465,797	47,465,797	0	47,465,797
Expenditures				
General Government	0	0	0	0
Legislative	0	0	0	0
Municipal Court	0	0	0	0
City Manager	0	0	0	0
Legal	0	0	0	0
Las Cruces Police Department	0	0	0	0
Las Cruces Fire Department	0	0	0	0
Utilities	0	0	0	0
Economic Development	0	0	0	0
Internal Audit	0	0	0	0
Administrative	0	0	0	0
Human Resources	0	0	0	0
Financial Services	0	0	0	0
Information Technology	0	0	0	0
Fleet	0	0	0	0
Operations	0	0	0	0
Parks & Recreation	0	0	0	0
Community Development	0	0	0	0
Quality of Life	0	0	0	0
Public Works	0	0	0	0
Legislative Reserve	0	0	0	0
Total Expenditures	\$ 0	0	0	0
Other Resources				
Operating Transfers In	0	0	0	0
Operating Transfers Out	(2,785,757)	(5,042,257)	74,500	(4,967,757)
Total Other Resources	\$ (2,785,757)	(5,042,257)	74,500	(4,967,757)
Accrual Adjustments	0	0	0	0
ENDING BALANCE	\$ 44,680,040	42,423,540	74,500	42,498,040