

**CITY OF ESPANOLA RESOLUTION 2016-04
A RESOLUTION AFFIRMING BUDGET ADJUSTMENT REQUEST**

WHEREAS, pursuant to Sections 9-6-5 and 9-6-5.1 NMSA 1978, the Secretary of the Department of Finance and Administration has the power and the authority to (i) maintain long-range estimates and plans for capital projects and develop standards for measuring the need for, and utility of, proposed projects; (ii) contract for, receive and utilize any grants or other financial assistance made available by the United States government or by any other source, public or private; (iii) provide planning and funding assistance to units of local government, council of government organizations, Indian tribal governments situated within New Mexico, and to nonprofit entities having for their purpose local, regional or community betterment; (iv) incident to any such programs, may enter into contracts and agreements with such units of local government, council of government organizations, Indian tribal governments, nonprofit entities and the federal government; and (v) delegate such authority to the Local Government Division as being necessary and appropriate to such delegation; and

WHEREAS, Appropriation Revision Date: June 30, 2016 Laws of 2012, Chapter 64, Section 16/91, Three Hundred Thousand Dollars and No Cents (\$300,000.00) to plan, design and construct a library and digital media center in Espanola in Rio Arriba county; and

WHEREAS, The Grantee's total reimbursements shall not exceed the appropriation amount Three Hundred Thousand Dollars and No Cents (\$300,000.00) (the "Appropriation Amount") minus the allocation for Art in Public Places ("AIPP amount") 1, if applicable, Three Thousand Dollars and No Cents (\$3000.00), which equals (\$297,000.00) (the "Adjusted Appropriation Amount"); and

WHEREAS, RACSTOP has found it necessary to retain the services of Contractor and Contractor has agreed to provide the agreed upon services, and the parties together have mutually negotiated the terms of this Contract in consideration of the foregoing and of the mutual promises hereafter expressed; and

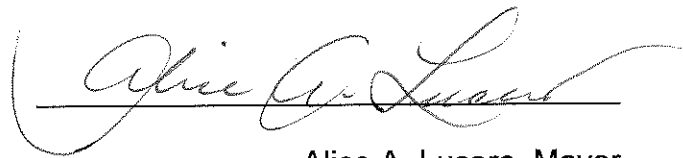
WHEREAS, The total amount payable to the Contractor under this Contract, including all applicable gross receipts taxes and expenses, shall not exceed \$2,008.00. This amount is a maximum and not a guarantee that the work assigned to Contractor under this Contract shall equal the amount stated herein. RACSTOP shall have no responsibility to pay any sums due beyond the compensation set forth above. This amount may be amended by mutual written agreement between the parties; and

WHEREAS, The Contractor will provide an alternative court where teens are judged and sentenced by a teen jury within the Espanola Municipal Court, provide voluntary services for teens (ages 12-17) charged with traffic violations,

shoplifting less than \$250 value, possession of marijuana or alcohol, disorderly conduct and other misdemeanors, provide services for misdemeanor offenses which are referred by Municipal Court, Juvenile Probation and Parole, Juvenile Community Corrections, Magistrate Court, Children's Court and all public schools within Rio Arriba County; agree to provide all pertinent data required to track teen defendant progress as well as to agree to follow all Community DWI Department of Traffic Safety Bureau Guidelines; prepare and submit quarterly summary reports to RACSTOP, due October 15th, January 15th, April 15th and July 15th, containing supporting documentation and an explanation or description of the methodology employed to arrive at the reported numbers submitted for quarterly reimbursement; utilize additional sentencing options such as substance abuse awareness and shoplifting intervention classes, graffiti clean-up project, monitored community service and any other appropriate sentencing options and interactions that are available to participating teen offenders; assist RACSTOP in the planning and implementation of teen specific sentencing options, interventions, treatment planning, continuity of care, aftercare planning and outreach efforts as needed.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Española has reviewed the above request and approves all Budget Adjustment Requests set forth.

PASSED, ADOPTED AND APPROVED by the Governing Body of the City of Española this 9th day of February 2016.



Alice A. Lucero, Mayor

ATTEST:



Anna Squires, City Clerk

