

# **CITY of ALBUQUERQUE**

## **TWENTY FIFTH COUNCIL**

## ENACTMENT NO.

**SPONSORED BY: Pat Davis by request**

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1       **SECTION 2. That upon approval, funds in the amount of \$26,900 are hereby**  
2       **appropriated to the Parks & Recreation Department for the People's Garden**  
3       **Initiative Program Grant in the Operating Grants Fund 265 for Fiscal Year 2023.**

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**City of Albuquerque**  
**Albuquerque, New Mexico**  
**Office of the Mayor**

Timothy M. Keller

**Interoffice Memorandum**

**July 28, 2022**

**To:** Isaac Benton, President, City Council

**From:** Tim Keller, Mayor *TK*

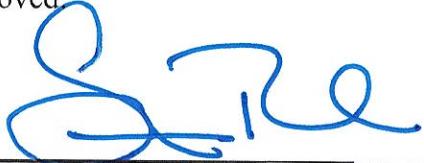
**Subject:** Approving and Authorizing the Acceptance of grant funds from U.S. Department of Agriculture /Natural Resources Conservation Service

The attached Resolution is hereby submitted by the Parks and Recreation Department to accept grant funds for the “New Mexico People’s Garden” from U.S. Department of Agriculture/ Natural Resources Conservation Service (NRCS). The funds awarded to the City of Albuquerque total \$26,900 for fiscal year 2023 to install a new water meter, improve soil health, and increase storage.

This is an NRCS nationwide program that makes grants to improve community gardens. PRD has identified the Rey & Ilsa Garduno Agroecology Center as our top choice for the People’s Garden grant. The garden is located on City-owned land (Aviation Department) at the corner of Wellesley Ave, SE and Ross Ave SE. PRD and Aviation are partnering to improve this garden and this grant is a nice opportunity to invest in the site. This grant is not subject to the Indirect Overhead (IDOH) of 6.2%.

This resolution is forwarded to the City Council for consideration and action.

Approved:

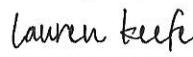


Chief Administrative Officer

Date

Approved as to Legal Form:

DocuSigned by:



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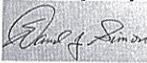
8/12/2022 | 11:21 AM MDT

City Attorney

Date

DS  
LB

Recommended:

DocuSigned by:  
  
3A1B8403E7FE4D0...

8/10/2022 | 7:39 AM PDT

Director

Date

## **Cover Analysis**

### **1. What is it?**

A Resolution is hereby submitted by the Parks and Recreation Department to accept grant funds for the “New Mexico People’s Garden” from U.S. Department of Agriculture/Natural Resources Conservation Service (NRCS). The funds awarded to the City of Albuquerque total \$26,900 for fiscal year 2023 to install a new water meter, improve soil health, and increase storage.

### **2. What will this piece of legislation do?**

This is an NRCS nationwide program that makes grants to improve community gardens. PRD has identified the Rey & Ilsa Garduno Agroecology Center as our top choice for the People’s Garden grant. The garden is located on City-owned land (Aviation Department) at the corner of Wellesley Ave, SE and Ross Ave SE. PRD and Aviation are partnering to improve this garden and this grant is a nice opportunity to invest in the site.

### **3. Why is this project needed?**

The production of vegetables and fruit is important to small and large communities and urban neighborhoods lacking access to locally grown produce. Additionally, the development of greenspaces in urban areas beautifies communities and provides opportunities for community gathering. This agreement and partnership support USDA's interest in urban agriculture and the People’s Garden Initiative.

### **4. How much will it cost and what is the funding source?**

The attached resolution from the Parks and Recreation Department authorizes a grant under U.S. Department of Agriculture/ Natural Resources Conservation Service (NRCS) funds. The funds awarded to the City of Albuquerque total \$26,900. Indirect Overhead (IDOH) of 6.2% is not applied.

### **5. Is there a revenue source associated with this contract? If so, what level of income is projected?**

Approved expenses are to be reimbursed by U.S. Department of Agriculture/ Natural Resources Conservation Service (NRCS) funds.

### **6. What will happen if the project is not approved?**

If this NM People’s Garden grant application is not approved, the major components of this agreement will not be achieved: 1) benefit the community, 2) be collaborative, 3) educate the community, and 4) incorporate sustainable practices.

### **7. Is this service already provided by another entity? No**

## FISCAL IMPACT ANALYSIS

TITLE: Agreement with the U.S. Department of Agriculture /Natural Resources  
 Conservation Service to support USDA's interest in urban agriculture and  
 the People's Garden Initiative. R: O:  
 Project: FUND: 265  
 DEPT: Parks & Rec.

No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.  
 (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	Fiscal Year 2023	TOTAL
Base Salary/Wages	-	-
Fringe Benefits at	-	-
Subtotal Personnel	-	-
Equipment	15,200	15,200
Supplies	11,700	11,700
Indirect Costs	6.20%	-
Total Expenses	<u>26,900</u>	<u>26,900</u>
[ ] Estimated revenues not affected		
[x ] Estimated revenue impact		
Amount of Grant	26,900	26,900
City Cash Match	-	-
City In-kind Match	-	-
City IDOH	-	-
Total Revenue	<u>26,900</u>	<u>26,900</u>

These estimates do not include any adjustment for inflation.

\* Range if not easily quantifiable.

Number of Positions created \_\_\_\_\_

**COMMENTS:** Grant funds for the "New Mexico People's Garden" from U.S. Department of Agriculture/ Natural Resources Conservation Service (NRCS). The funds awarded to the City of Albuquerque total \$26,900 for fiscal year 2023 that will install a new water meter, improve soil health, and increase storage. PRD has elected to waive IDOH because the small amount of this grant. Award Number NR228C30XXXXC007. Agreement period 7/22/2022 to 5/31/2023

### COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

APPROVED:

FISCAL ANALYST \_\_\_\_\_ Date \_\_\_\_\_

DIRECTOR \_\_\_\_\_ Date \_\_\_\_\_

REVIEWED BY:

EXECUTIVE BUDGET ANALYST \_\_\_\_\_ BUDGET OFFICER \_\_\_\_\_ CITY ECONOMIST \_\_\_\_\_



U.S. Department of Agriculture  
Natural Resources Conservation Service

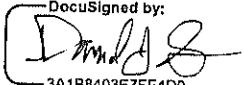
NRCS-ADS-093

## NOTICE OF GRANT AND AGREEMENT AWARD

1. Award Identifying Number  NR228C30XXXXC007	2. Amendment Number	3. Award /Project Period  Date of Final Signature - 05/31/2023	4. Type of award instrument:  Cooperative Agreement
5. Agency (Name and Address)  Natural Resources Conservation Service 100 Sun Avenue N.E., Suite 602 Albuquerque, NM 87109		6. Recipient Organization (Name and Address)  Albuquerque, City of Dept of Family & Community Services 400 Marquette NE, Suite 504 Albuquerque, NM. 87102-1293  UEI Number: FXHXYLX5LWD8	
7. NRCS Program Contact  Name: Alicia Rodriguez Phone: (505) 761-4421 Email: alicia.rodriguez@nm.usda.gov	8. NRCS Administrative Contact  Name: Brett McMillan Phone: (202) 720-5356 Email: brett.mcmillan@usda.gov	9. Recipient Program Contact  Name: David Simon Phone: (505) 768-5360 Email: dsimon@cabq.gov	10. Recipient Administrative Contact  Name: Rafah Khazal Phone: (505) 768-5302 Email: rkhazal@cabq.gov
11. CFDA  10.935	12. Authority  7 USC 6923	13. Type of Action  New Agreement	14. Program Director  Name: David Simon Phone: (505) 768-5360 Email: dsimon@cabq.gov
15. Project Title/ Description: People's Garden Initiative			
16. Entity Type: C = City or township Government			
17. Select Funding Type			
Select funding type:	<input checked="" type="checkbox"/> Federal	<input type="checkbox"/> Non-Federal	
Original funds total	\$26,900.00	\$0.00	
Additional funds total	\$0.00	\$0.00	
Grand total	\$26,900.00	\$0.00	
18. Approved Budget			

Personnel	\$0.00	Fringe Benefits	\$0.00
Travel	\$0.00	Equipment	\$0.00
Supplies	\$0.00	Contractual	\$0.00
Construction	\$0.00	Other	\$26,900.00
Total Direct Cost	\$26,900.00	Total Indirect Cost	\$0.00
		Total Non-Federal Funds	\$0.00
		Total Federal Funds Awarded	\$26,900.00
		Total Approved Budget	\$26,900.00

This agreement is subject to applicable USDA NRCS statutory provisions and Financial Assistance Regulations. In accepting this award or amendment and any payments made pursuant thereto, the undersigned represents that he or she is duly authorized to act on behalf of the awardee organization, agrees that the award is subject to the applicable provisions of this agreement (and all attachments), and agrees that acceptance of any payments constitutes an agreement by the payee that the amounts, if any, found by NRCS to have been overpaid, will be refunded or credited in full to NRCS.

Name and Title of Authorized Government Representative  Rigoberto Lopez Acting State Conservationist	Signature  <b>RIGOBER TO LOPEZ</b> Digitally signed by RIGOBERTO LOPEZ Date: 2022.07.22 13:34:14 -05'00'	Date
Name and Title of Authorized Recipient Representative  David Simon Director	Signature   DocuSigned by: 3A1B8403E7FE4D0...	Date  7/22/2022   8:55 AM PDT

#### NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

#### PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. Section 522a).

## Statement of Work

### Purpose

The purpose of this agreement, between the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) and the City of Albuquerque, is production of vegetables and fruits are important to small and large communities and urban neighborhoods lacking access to locally grown produce. Additionally, the development of greenspaces in urban areas beautifies communities and provides opportunities for community gathering. This agreement and partnership support USDA's interest in urban agriculture and the People's Garden Initiative. To improve an existing garden or establish a new garden in the Albuquerque metropolitan area at The Rey and Ilsa Garduno Acro-Ecology Center, Corner of Wellesley Ave, SE and Ross Ave SE, Albuquerque, NM 87106 as a model People's Garden to benefit the local community.

### Objectives

The People's Garden will include four components:

1. Benefit the community
2. Be collaborative
3. Educate the community
4. Incorporate sustainable practices

### Budget Narrative

The official budget described in this Budget Narrative will be considered the total budget as last approved by the Federal awarding agency for this award.

Amounts included in this budget narrative are estimates. Reimbursement or advance liquidations will be based on actual expenditures, not to exceed the amount obligated.

**TOTAL BUDGET: \$26,900.00**

**TOTAL FEDERAL FUNDS: \$26,900.00**

**PERSONNEL: \$0.00**

**FRINGE BENEFITS: \$0.00**

**TRAVEL: \$0.00**

**EQUIPMENT: \$15,200.00**

**SUPPLIES: \$11,700.00**

**CONTRACTUAL: \$0.00**

**CONSTRUCTION: \$0.00**

**OTHER: \$0.00**

**TOTAL DIRECT COSTS: \$26,900.00**

**INDIRECT COSTS: \$0.00**

**Equipment Total: \$15,200.00**

1. Water meter to improve the garden's irrigation system: Badger Meter, Recordall Disc Meters Model 55-1in. with no installation at 1 each @\$10,000

2. Conex box to increase storage for tools and equipment for the garden 1 each @\$5,200. Storage would be a typical 10 ft. or 20 ft lockable container. Price will vary slightly new versus used and based on what is in stock.

**Supplies Total: \$11,700.00**

Contribute to larger projects that will improve soil health (\$11,700):

Approximately 100 cubic yards of all-natural, organic mulch/compost @\$102/cubic yard = \$10,200.00

$\$102.00 \times 100 = \$10,200.00$

Cost of plants that fix nitrogen and improve soil at 150 plants @\$10 per plant = \$1,500.00

$10.00 \times 150 = \$1,500.00$

Recipient has elected to voluntarily waive indirect costs.

When equipment is purchased with Federal funds it must be used until no longer needed as described in the General Terms and Conditions and 2 CFR 200. If the residual value of the equipment is \$5,000 or more at the time it is no longer needed, the recipient must request disposition instructions. The disposition instructions may direct the recipient to: 1) sell the equipment and return a proportionate share of the proceeds to the Federal agency; 2) transfer title to another eligible entity identified by the Federal agency; or 3) keep the equipment if desired and compensate the Federal agency for its proportionate share of the value.

#### **Responsibilities of the Parties:**

If inconsistencies arise between the language in this Statement of Work (SOW) and the General Terms and Conditions attached to the agreement, the language in this SOW takes precedence.

#### **NRCS RESPONSIBILITIES:**

- a) Provide technical assistance to plan and design the People's Garden.
- b) Participate in the public relations events to highlight conservation technical assistance and programs.
- c) Provide the garden with an official USDA People's Garden sign.

#### **RECIPIENT RESPONSIBILITES:**

- a) Improve an existing garden or develop a new garden at the Corner of Wellesley Ave, SE and Ross Ave SE, Albuquerque, NM 87106.
- b) Ensure the garden meets the requirements for a People's Garden as outlined in the objectives of this agreement.
- c) Involve community participation in the development and ongoing operation of the garden, such as by providing volunteer opportunities to community members.
- d) Provide educational opportunities for the community, including programs about food production, food preparation, and/or environmental stewardship.
- e) Control/ownership of the land where the garden is to be located.
- f) Incorporate volunteers from the community to assist in the installation and maintenance of the garden and its supporting infrastructure, such as the raised beds, irrigation system, shed and greenhouse. Perform the work and produce the deliverables as outlined in this Statement of Work.

Comply with the applicable version of the General Terms and Conditions.

Submit reports and payment requests to the ezFedGrants system or the Farm Production and Conservation (FPAC) Grants and Agreements Division via email to FPAC.BC.GAD@usda.gov as outlined in the applicable version of the General Terms and Conditions. Limit advance payment requests to immediate cash needs (generally 30-60 days). Reporting frequency is as follows:

Performance reports: Annual

SF425 Financial Reports: Annual

Submit payments request on a quarterly basis

#### **Expected Accomplishments and Deliverables**

The Recipient will improve or develop a People's Garden and maintain the garden through the life of this agreement. The Recipient will also use the garden to encourage community involvement and education.

#### **Milestones:**

Water meter installation, storage purchase, soil health materials delivered all before the end of the agreement 05/31/2023.

Summer 2022 – Much of the preliminary work can be accomplished without incurring expense. Work at the existing garden will be ongoing during the summer growing season and will not have to be disrupted.

Once the agreement is executed, the City of Albuquerque will begin the process of ordering supplies and equipment necessary to expand the existing community garden. (See budget narrative for specifics). After some work has begun, the City of Albuquerque will coordinate with the State Public Affairs Specialist for USDA/NRCS to coordinate a community wide ribbon cutting to officially dedicate the People's Garden.

Fall and Winter 2022/Spring 2023 – Coordinate visits and educational outreach events for surrounding community members and other organizations.

**Resources Required**

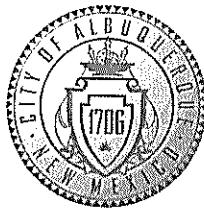
See the Responsibilities of the Parties section for required resources, if applicable.

**Milestones**

See the Expected Accomplishments and Deliverables section for milestones.

## **GENERAL TERMS AND CONDITIONS**

Please reference the below link(s) for the General Terms and Conditions pertaining to this award:  
<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>



# City of Albuquerque

## Parks and Recreation Department



**Timothy M. Keller, Mayor**

**David J. Simon, Director**

### Interoffice Memorandum

**May 17, 2022**

**To:** Lawrence Rael, Interim Chief Administrative Officer

**From:** David J. Simon, Director 

**Subject:** IDOH Waiver Request for NM People's Garden Project

The Parks and Recreation Department (PRD) is likely to be the recipient of a grant from the U.S. Department of Agriculture/Natural Resources Conservation Service (NRCS) for the "New Mexico People's Garden" project. This is an NRCS nationwide program that makes grants to improve community gardens.

PRD has identified the Rey & Ilsa Garduno Agroecology Center as our top choice for the People's Garden grant. The garden is located on City-owned land (Aviation Department) at the corner of Wellesley Ave, SE and Ross Ave SE. PRD and Aviation are partnering to improve this garden and this grant is a nice opportunity to invest in the site. NRCS has agreed to fund a \$26,900 grant that will install a new water meter, improve soil health, and increase storage.

Since this such a small grant, and PRD would like to utilize the full amount on garden improvements, PRD requests a waiver of the Indirect Overhead (IDOH). The current IDOH rate for PRD of 6.2% would result in a waiver of only \$1,668. If this project goes well, there is also a possibility of a second, larger NRCS grant for the garden and if that occurs, PRD would not object to the IDOH being applied to the larger grant amount.

Thank you for considering this request.

Waiver of the IDOH:  Approve  Not Approve

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5/26/2022 | 4:52 PM PDT

Lawrence Rael, Interim Chief Administrative Officer

Date