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**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # \*5 Ordinance/Resolution# 09-286 Council District:     

For Meeting of June 1, 2009  
 (Adoption Date)

**TITLE:** A RESOLUTION AUTHORIZING THE LAS CRUCES/DONA ANA COUNTY METRO NARCOTICS AGENCY TO APPLY FOR THE RECOVERY ACT: STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM: COMBATING CRIMINAL NARCOTICS ACTIVITY STEMMING FROM THE SOUTHERN BORDER OF THE UNITED STATES GRANT, AND TO RATIFY THE CITY MANAGER'S SIGNATURE TO MEET THE GRANT DEADLINE.

**PURPOSE(S) OF ACTION:** TO SECURE APPROVAL TO SOLICIT GRANT FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE IN THE AMOUNT OF \$360,606.00, AND TO RATIFY THE CITY MANAGER'S APPROVAL TO MEET GRANT SUBMISSION DEADLINE.

Name of Drafter: Sgt. Joseph Gonzales		Department: Metro Narcotics Agency		Phone: 575 541-7558	
Department	Signature	Phone	Department	Signature	Phone
Police Department		528-4200	Budget		2300
			Assistant City Manager		2071
Legal		2125	City Manager		2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:** THE RECOVERY ACT: State and Local Law Enforcement Assistance Program; Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States provides grant funding to assist regional partnerships the opportunity to apply for funding to support its intervention strategies to reduce drug related activities. The LC/DAC Metro Narcotics agency plans to devise a strategy that addresses the second program goal of the "Control and reduction of criminal narcotics activity, including drug related crime and violence in High Intensity Drug Trafficking Areas along the Southern border." The City will act as fiscal agent on behalf of The Recovery Act for the award designated to our agency. There is no local match required for these funds. Grant funding will be utilized for the following:

- A Technical Surveillance Van.
- A Radio System.
- To hire a Crime Analyst.
- To hire a Technical Surveillance Agent.
- Travel to two grant required and funded conferences

**SUPPORT INFORMATION:**

<b>Fund Name / Account Number</b>	<b>Amount of Expenditure</b>	<b>Budget Amount</b>
TBD	TBD	TBD

*List your exhibits and attachments after the fund box just like the example below.*

1. Resolution  
Exhibit "A". Grant Application Package
2. Exhibit "B". Copy of the 2009 Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States.

**OPTIONS / ALTERNATIVES:**

1. Approve Resolution as drafted
2. Modify Resolutions as the Council deems appropriate
3. Disapprove Resolution

(Continue on additional sheets as required)

RESOLUTION NO. 09-286

**A RESOLUTION AUTHORIZING THE LAS CRUCES/ DONA ANA COUNTY METRO NARCOTICS AGENCY TO APPLY FOR THE RECOVERY ACT: STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM: COMBATING CRIMINAL NARCOTICS ACTIVITY STEMMING FROM THE SOUTHERN BORDER OF THE UNITED STATES GRANT, AND TO RATIFY THE CITY MANAGER'S SIGNATURE TO MEET THE GRANT DEADLINE.**

The City Council is informed that:

**WHEREAS**, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is seeking applications for funding under the Recovery Act State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States; and

**WHEREAS**, the City will be the recipient of the award designated to our agency, and will act as the fiscal agent for the award on behalf of the Recovery Act; and

**WHEREAS**, the City will comply with the Recovery Act Award Cooperative Agreement with Special Conditions and will not use funds from the grant award to supplant state or local funds that would otherwise be made available for support of the Center initiative.

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

## (I)

**THAT** the Las Cruces Dona Ana County Metro Narcotics Agency is authorized to submit a grant application for \$360,606.00 to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States..

## (II)

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

(III)

THAT The Council does ratify the signature of the City Manager approving submission of the application to meet grant deadlines;

DONE AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Archuleta:	_____
Councillor Small:	_____
Councillor Jones:	_____
Councillor Thomas:	_____

Moved by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

## Grant Application Package

### Application Submission Verification and Signature

Opportunity Title: Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States

Offering Agency: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

Opportunity Number: CDFA 16.809

Approximate Value Requested: \$360,606.00

Opportunity Closing Date: April 17, 2009

Requesting Agency/Department: Las Cruces Doña Ana County Metro Narcotics Agency

OMB – Grant Writer: Lupe Cardenas

#### SUPPORT INFORMATION

The Office of Justice Programs, Bureau of Justice Assistance through the Recovery Act will focus on initiatives in the following seven areas:

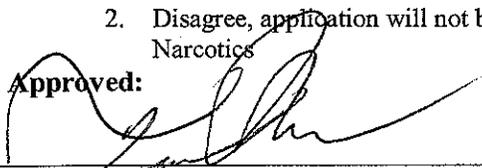
1. Controlling and reduction of criminal narcotics activity.
2. Utilize crime analyst to conduct intelligence based investigations.
3. Collaborate and interact with NM Intelligence Support Center, EPIC and other Intelligence Centers to ensure intelligence sharing.
4. The radio system will be designed for interoperability so that effective communication can be realized between Local, State, and Federal law enforcement during joint investigations.
5. The Surveillance van will be deployed on all proactive investigations where undercover work is conducted.
6. The Technical surveillance agent will assist ongoing drug investigations and will assume the additional work responsibilities of providing technical surveillance support to the Las Cruces/Dona Ana County Metro Narcotics Agency.
7. Required travel to two Department of Justice sponsored grant meetings.

Grant recipients will participate in an evaluation of programs supported through this solicitation. Each applicant must certify their willingness and capacity to participate in an evaluation, including offering full cooperation to the evaluator and to provide access and data. .

#### OPTIONS

1. Agree with request to submit the application. Affirmed by signature below. Package to be returned to Metro-Narcotics.
2. Disagree, application will not be submitted. Unsigned package to be returned to Metro-Narcotics

Approved:

  
 \_\_\_\_\_  
 Terrence Moore, City Manager

Date

  
 \_\_\_\_\_

CMP #2.2 Effective 9/20/04: The City Manager may authorize the application for any grant with these exceptions:  
 The grant award is anticipated to be in excess of \$50,000 and funding has not been appropriated as part of the current budget.  
 The acceptance of the grant will require City Council to adjust the current budget to appropriate matching funds.  
 The grant requirements stipulate that the City will continue to operate and fund the project/program after the grant period is complete.  
 The grant requirements stipulate that the City enter into a new Memorandum of Understanding or a Joint Powers Agreement with another entity.

# Grant Overview <sup>75</sup>Worksheet

**Title of Grant Program:** 2009 Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States.

**Funding Organization:** U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

**Section Applying:** Metro Narcotics Agency

**Description of Proposed Project:** The Las Cruces/Doña Ana County Metro Narcotics Agency is applying for \$360,606.00 in funding under Category I: Combating Criminal Narcotics Activity along the Southern Border. The requested funding will be utilized to purchase the following equipment and to hire the following personnel.

1. Technical Surveillance van.
2. Radio System.
3. Hire a Crime Analyst.
4. Hire a Technical Surveillance Agent.
5. Travel.

**Strategic Plan**            **Goal: B**            **Objective: 9**    **Strategy:**  
**Performance Budget Goal:**            **Objective:**            **Strategy:**

- Existing City Programs/Efforts** *(Example: request for environmentally-friendly weed management. Parks Section's existing budget and work activities includes weed management)*
- Expansion of Existing Program/Efforts** *(Example: request for advertising to increase public Awareness of the Farmers Market. The advertising campaign will be an increase over current activities/budget.)*
- New Initiative, Not Budgeted** *(Example: request to implement a recreational activity that is currently Not included in the city's recreational programs.)*

**Project Maintenance** *(If the grant specifies that the project must be maintained/operated after the grant period ends, list the requirements:*

Applicants must develop a plan for sustaining personnel hired with grant funds after the funding has ended.

**Amount Section anticipates requesting:** \$360,606.00    **Match Requirement (%):** -0-

**Projected Match**            **In-Kind:**            **Cash:**  
**Match Source:**

**Grant Application Due:** April 17, 2009

**Grant Duration** *(Months/Years):* 24 months

# Grant Overview<sup>76</sup> Worksheet

**MOU or Joint Powers Agreement Required (Yes/No):** No

**Grant Collaborators (List other city departments or outside agencies):** No

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**Employees To Be Hired** (# to be hired, full-time or part-time position and 1-sentence job responsibilities)

1. Crime Analyst - full time Crime analyst is needed to effectively conduct our investigative operations.
  2. Technical Surveillance Agent - full time Technical Surveillance Agent is needed to keep up with the large number of investigations our agency is conducting.
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**Grant Manager** (Responsible for contract, project operations, budget management, and reports as prescribed)

**Name:** Lupe Cardenas

**Title:** Accounting Technician

**Phone:** 575 541-7562

**E-mail:** lcardenas@las-cruces.org

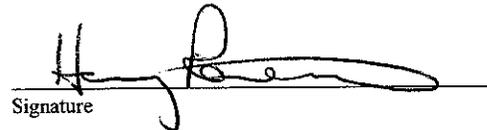
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**Submitted by:** Lupe Cardenas, Acct Tech

  
Signature

**Date:** 5/5/09

**Reviewed & Approved by:** Harry Romero, Police Chief  
Department Director

  
Signature

**Date:** 5/6/09

U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance



# RECOVERY ACT



The U.S. Department of Justice, Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Recovery Act State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States.

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (the "Recovery Act"). As one of its many elements, the Recovery Act provides the U.S. Department of Justice (DOJ) with funding for grants to assist state, local, and tribal law enforcement (including support for hiring), to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crime, and to support youth mentoring. DOJ is committed to working with our national, state, local and tribal partners to ensure this funding invests in the American workforce.

Specifically, under this solicitation, BJA will be making awards to provide assistance and equipment to local law enforcement along the Southern border to combat criminal narcotics activity.

## Recovery Act: State and Local Law Enforcement Assistance Program: Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States Competitive Grant Announcement

### Eligibility

For categories I, II, and III, applicants are limited to: **(A)** state, local, and tribal law enforcement agencies located in the Southern border region, or **(B)** authorized state, local or tribal law enforcement agencies applying on behalf of High-Intensity Drug Trafficking Areas (HIDTA) combating criminal narcotics activity stemming from the Southern border (see also "HIDTA Eligibility").

For Category IV only, applicants are limited to: **(A)** state, local, and tribal law enforcement agencies located in the Southern border region; and national organizations; institutions of higher education; faith-based, community, and regional organizations that provide assistance and equipment to local law enforcement located in the Southern border region, or **(B)** authorized state, local or tribal law enforcement agencies applying on behalf of High-Intensity Drug Trafficking Areas (HIDTA) combating criminal narcotics activity stemming from the Southern border.

**HIDTA Eligibility:**

In order for a HIDTA to apply for funding under Categories I-IV, the Director of the HIDTA must authorize a designee from a participating state, local, or tribal law enforcement agency to apply on behalf of the HIDTA. The Director must sign a statement which expressly authorizes the designee to apply on behalf of the HIDTA. BJA will consider applications from multiple law enforcement agencies located within the same HIDTA. This signed statement must be attached as part of the application (see "Attachment 5," page 18).

In further defining the term "criminal narcotics activity," all criminal narcotic drug activity stemming from areas south of the southern geographic land border of the United States (i.e., Mexico, Central and South America) are included as origination points. Consequently, HDTAs within the distribution chain for drugs stemming from these areas are also included.

**For purposes of this solicitation:**

1. The "Southern border" (or "Southern border region") of the United States is limited to the southern geographic land border of the United States, which includes, and is limited to, the following states: California, Arizona, New Mexico, and Texas.
2. State and local law enforcement agencies include state and local prosecutors, parole, probation, and community corrections agencies.

(See "Eligibility," page 2)

**Deadline**

**Registration with OJP's Grants Management System is required prior to application submission.**

**Applicants must obtain a DUNS number from Dun and Bradstreet prior to application submission. Applicants must register with the Central Contractor Registration (CCR) database.**

(See "Deadline: Registration," page 2)

**All applications are due by 8:00 p.m. Eastern Time on April 17, 2009.**

(See "Deadline: Applications," page 2)