

# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 8 Ordinance/Resolution# 10-296 Council District: ALL

For Meeting of June 7, 2010  
(Adoption Date)

**TITLE:**

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO PARTICIPATE IN THE SUMMER FOOD SERVICE PROGRAM IN CONJUNCTION WITH THE LAS CRUCES PUBLIC SCHOOLS SYSTEM AND THE NEW MEXICO DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES, FOR A TOTAL ESTIMATED COST OF \$265,000, WHICH IS FEDERALLY FUNDED AND DOES NOT REQUIRE A LOCAL MATCH.

**PURPOSE(S) OF ACTION:** To accept funding from the New Mexico Department of Children, Youth and Families to provide Summer Food Services to the youth of Las Cruces.

|   |                    |  |                           |                        |              |
|---|--------------------|--|---------------------------|------------------------|--------------|
| <b>Name of Drafter:</b><br>Claudia Chavez, Recreation<br>Services Supervisor <i>[Signature]</i> |                    | <b>Department:</b><br>Facilities/Parks &<br>Recreation |                           | <b>Phone:</b> 541-2563 |              |
| <b>Department</b>   | <b>Signature</b>   | <b>Phone</b>   | <b>Department</b>         | <b>Signature</b>       | <b>Phone</b> |
| Facilities  | <i>[Signature]</i> | 541-2651   | Budget                    | <i>[Signature]</i>     | 2300         |
|   |                    |  | Assistant City<br>Manager | <i>[Signature]</i>     | 2271         |
| Legal   | <i>[Signature]</i> | 541-2128   | City Manager              | <i>[Signature]</i>     | 2076         |

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The City of Las Cruces has participated in the Summer Food Service Program since 1973, and has found this program to be very beneficial to the children of Las Cruces. There were a total of 72,069 lunches served at 35 sites, and 17,815 breakfasts served last summer with a cost factor of \$257,343. This year's program will serve approximately 30 sites. The program meals are funded through the New Mexico Department of Children, Youth and Families, utilizing federal funds with no local match required. The program begins on May 24, 2010, and ends on August 6, 2010, of the following Fiscal Year, causing an overlap between the two Fiscal Years. The total estimated cost for the program for June 2010, and July 2010 through August 2010 of Fiscal Year 2011, will be \$265,000.

The City of Las Cruces participates by distributing the lunches at the summer playground sites and receives reimbursement for the services from the state, through the New Mexico Department of Children, Youth and Families. The Las Cruces Public Schools System, through an Agreement with the City, will provide certain designated school playground sites. School personnel will prepare the lunches and the City will be billed for these lunches as stated in the Agreement. The New Mexico Department of Children, Youth and Families will reimburse the City the total authorized cost of the program. This year, breakfast will be distributed at ten (10) sites and lunch will be provided at forty (40) sites that provide summer activities, and the City will receive reimbursement for these services also.

The application is being submitted to the New Mexico Department of Children, Youth and Families to participate in the grant program. The program will be budgeted under the Summer Food Program Account 27205080.

Should Council choose not to participate in the Summer Food Service Program, breakfast and sack lunches will not be available to the children during the summer months.

**SUPPORT INFORMATION:**

| Fund Name / Account Number | Amount of Expenditure | Budget Amount |
|----------------------------|-----------------------|---------------|
| 2760-27205080-610104-23003 | \$265,000             | \$265,000     |

1. Resolution
2. Exhibit "A" - Application to New Mexico Department of Children, Youth and Families
3. Exhibit "B" - Agreement between the City of Las Cruces and the Department of Children, Youth and Families
4. Exhibit "C" - Agreement between the City of Las Cruces and the Las Cruces Public Schools
5. Exhibit "D" - 2010 Summer Food Service Program Sponsor Review

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes" and approve the Resolution authorizing the City of Las Cruces to participate in the Summer Food Services Program in conjunction with the Las Cruces Public Schools System, and the New Mexico Department of Children, Youth and Families, for a total estimated cost of \$265,000 which is federally funded and does not require a local match.
2. Vote "No" and do not approve the Resolution. Denial of the Resolution will result in not providing breakfast and sack lunches to the children of Las Cruces.
3. Modify the Resolution and provide staff with further direction.

(Continue on additional sheets as required)

**RESOLUTION NO. 10-296**

**A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO PARTICIPATE IN THE SUMMER FOOD SERVICE PROGRAM IN CONJUNCTION WITH THE LAS CRUCES PUBLIC SCHOOLS SYSTEM AND THE NEW MEXICO DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES, FOR A TOTAL ESTIMATED COST OF \$265,000, WHICH IS FEDERALLY FUNDED AND DOES NOT REQUIRE A LOCAL MATCH.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces has participated in the Summer Food Service Program since 1973, and has found this program to be a worthwhile endeavor and beneficial to the needy children of Las Cruces; and

**WHEREAS**, the program is fully funded through the New Mexico Department of Children, Youth and Families utilizing federal funds for authorized costs with no local match required; and

**WHEREAS**, the City of Las Cruces participates by distributing lunches at the summer playground sites and receives reimbursement for this service from the State, through the New Mexico Department of Children, Youth and Families; and

**WHEREAS**, the program begins on May 24, 2010, and ends on August 6, 2010, of the following Fiscal Year. Total estimated cost of the program for Fiscal Years 2009/2010 and 2010/2011 is \$265,000.

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

**(I)**

**THAT** the City of Las Cruces hereby approves the Agreement with the State of New Mexico Department of Children, Youth and Families for funding for the Las Cruces Summer Food Service Program, Exhibit "A", attached hereto and made a part of this Resolution.

(II)

THAT City Staff is hereby authorized to execute an Agreement with the Las Cruces Public Schools System for lunch preparation, Exhibit "B", attached hereto and made a part of this Resolution.

(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 \_\_\_\_\_, 2010.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

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

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

APPROVED AS TO FORM:

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

VOTE:

- Mayor Miyagishima: \_\_\_\_\_
- Councillor Silva: \_\_\_\_\_
- Councillor Connor: \_\_\_\_\_
- Councillor Pedroza: \_\_\_\_\_
- Councillor Small: \_\_\_\_\_
- Councillor Sorg: \_\_\_\_\_
- Councillor Thomas: \_\_\_\_\_

|  |
|--|
| <b>2010 CERTIFICATE OF AUTHORITY</b><br>New Mexico Summer Food Service Program |
|--|

I, Ken Miyagishima, Mayor of Las Cruces  
 Name and Title of Sponsor Official

Certify that the information on this application and the attached Meal Site Information Sheet(s) are true to the best of my knowledge; that reimbursement will be claimed only for meals served at no separate charge, to eligible children regardless of race, color, national origin, sex, age, or disability, at approved food service sites and during approved serving times; and that these sites have been visited and have the capability and facilities for the meal service planned for the number of children anticipated to be served. I understand that this information is being given in connection with the receipt of Federal funds, and deliberate misrepresentation or withholding of information may result in prosecution under applicable State and Federal criminal statutes. I further understand that the program must be made available to all eligible children regardless of race, color, national origin, sex, age, or disability. If I represent a governmental sponsoring organization, or a private nonprofit organization, I certify that the Program is directly operated by that organization at all meal sites.

Hereby give, the below signed designee, the authority to sign and submit only the Claim for Reimbursements, Meal Site Information Sheets and Pre-Operational Site Visit Forms, on behalf of the Sponsoring Organization to the New Mexico Children, Youth and Families Department, Prevention and Intervention Division, Family Nutrition Bureau, for the administration of the Summer Food Service Program.

The Sponsor Official and/or Authorized Sponsor Representative accept(s) responsibility for the accuracy of the monthly claim for reimbursement and the availability of supporting documentation for allowable expenditures claimed for reimbursement.

\_\_\_\_\_  
 Signature of Sponsor Official  
 (as it appears on the Agreement form)

\_\_\_\_\_  
 Date

|                                  |
|----------------------------------|
| <b>AUTHORIZED REPRESENTATIVE</b> |
|----------------------------------|

\_\_\_\_\_  
 Claudia Chávez, Recreation Services Supervisor  
 Name and Title of Authorized Sponsor Representative (Print or Type)

\_\_\_\_\_  
 Signature of Authorized Sponsor Representative

5/11/2010  
 \_\_\_\_\_  
 Date

**Note:** Copies of this form can be duplicated, if the Sponsor authorizes other staff Official to sign the claim for reimbursement.

# Sponsor Profile

204

## Sponsor Information

|   |   |                                    |
|---|---|------------------------------------|
| <b>Application Status:</b> pending            | <b>Date Submitted:</b> 3/31/2010                        | <b>Appl Approved:</b>              |
| <b>Sponsor Name:</b> City of Las Cruces       | <b>Program Year:</b> 2010                               | <b>Agreement No.:</b> 3027         |
| <b>Federal Id No.:</b> 85-6000147             | <b>Contact Name:</b> Claudia Chavez                     | <b>Contact Phone:</b> 575-541-2558 |
| <b>Program Op. Dates:</b> 6/1/2010 - 8/6/2010 | <b>Program Days:</b> 49                                 | <b>Page Status:</b> pending        |
| <b>DFA Vendor No.:</b> 000054342              | <b>DFA Vendor Name:</b> Las Cruces, City of (Treasurer) | <b>Adj Approved:</b>               |

## General Sponsor and Additional Information

### General Sponsor Information:

|   |  |
|---|--|
| <b>Sponsor Organization Name:</b> City of Las Cruces  | <b>Zip Code:</b> 88001                             |
| <b>Mailing Address:</b> 1600 East Hadley  | <b>Main Telephone Number:</b> 575-541-2558         |
| <b>Mailing Address Continued:</b> P.O. Box 20000  | <b>Main FAX Number:</b> 575-541-2636               |
| <b>City/Town:</b> Las Cruces <input type="text"/> <b>If Other, Please Specify:</b> Other City | <b>Main Kitchen Telephone Number:</b> 575-527-9404 |
| <b>County:</b> Dona Ana <input type="text"/> <b>If Other, Please Specify:</b> Other County    | <b>Federal Employer ID:</b> 85-6000147             |
| <b>State:</b> New Mexico <input type="text"/>   |  |

### Additional Information: (if different from Mailing Address)

|   |                           |
|---|---------------------------|
| <b>Alternate Address:</b> Alternate Address   | <b>Zip Code:</b> Zip Code |
| <b>Alternate Address Continued:</b> Alternate Address (if needed)                                 |                           |
| <b>City/Town:</b> Select a City <input type="text"/> <b>If Other, Please Specify:</b> Other City  |                           |
| <b>County:</b> Select a County <input type="text"/> <b>If Other, Please Specify:</b> Other County |                           |
| <b>State:</b> New Mexico <input type="text"/>   |                           |

## Primary Contact Information

|   |   |
|---|---|
| <b>First Name:</b> Claudia              | <b>Email Address:</b> cchavez@las-cruces.org                    |
| <b>Middle Initial:</b>                  | <b>Phone Number:</b> 575-541-2558                               |
| <b>Last Name:</b> Chavez                | <b>Ext:</b> Extension (if needed)                               |
| <b>Job Title:</b> Recreation Supervisor | <b>Password:</b> cchavez  |
|   | <b>Signature Authority:</b> <input checked="" type="checkbox"/> |

## People with Signature Authority

### Person With Signature Authority

|   |
|---|
| <b>First Name:</b> Ken                            |
| <b>Middle Initial:</b> Middle Initial             |
| <b>Last Name:</b> Miyagishima                     |
| <b>Job Title:</b> Mayor                           |
| <b>Email Address:</b> KMiyagishima@las-cruces.org |
| <b>Password:</b> kmiyagishima                     |

### 2nd Person With Signature Authority (Optional)

|   |
|---|
| <b>First Name:</b> Jake                         |
| <b>Middle Initial:</b> Middle Initial           |
| <b>Last Name:</b> Gutierrez                     |
| <b>Job Title:</b> Recreation Services Leader    |
| <b>Email Address:</b> jgutierrez@las-cruces.org |
| <b>Password:</b> jgutierrez                     |

**The Organization's Classification and Types of Meal Sites**

Your organization is classified as:

- Rural or Self-Prep       Urban and Vended

205 Please make sure that all the information is filled out correctly in the appropriate sections before you submit.

**SUBMIT**

Your organization is requesting approval for:

- Summer Only       Year Round

**Please do not complete this section. The system will pre-fill the fields for the number of each type of meal site that your program will operate. This information will come from the active meal site pages that are approved.**

|                                  |           |   |
|----------------------------------|-----------|---|
| Number of Open Sites:            | 23        | + |
| Number of Migrant Sites:         | 0         | + |
| Number of Closed Enrolled Sites: | 6         | + |
| Number of Camp Sites:            | 0         | + |
| <hr/>                            |           |   |
| Total Meal Sites:                | <b>29</b> |   |

2025-03-18 10:00:00 AM EST

# Program Operation

## Sponsor Information

|   |   |                                    |
|---|---|------------------------------------|
| <b>Application Status:</b> pending            | <b>Date Submitted:</b> 4/20/2010                        | <b>Appl Approved:</b>              |
| <b>Sponsor Name:</b> City of Las Cruces       | <b>Program Year:</b> 2010                               | <b>Agreement No.:</b> 3027         |
| <b>Federal Id No.:</b> 85-6000147             | <b>Contact Name:</b> Claudia Chavez                     | <b>Contact Phone:</b> 575-541-2558 |
| <b>Program Op. Dates:</b> 6/1/2010 - 8/6/2010 | <b>Program Days:</b> 49                                 | <b>Page Status:</b> pending        |
| <b>DFA Vendor No.:</b> 000054342              | <b>DFA Vendor Name:</b> Las Cruces, City of (Treasurer) | <b>Adj Approved:</b>               |

## Program Operation & Waivers/Requests

### Program Operation

What is your organization's fiscal year?

**Start:** 07/01/2009 **Finish:** 06/30/2010

Does your organization receive and expend more than \$500,000.00 in Federal funds per fiscal year?

Yes  No

Select any/all other USDA Programs in which your organization participates:

Select: **None**

Other: *Other USDA Programs*

### Waivers/Requests:

Will the program serve meals to children less than one year of age?

Yes  No

Will you implement the waiver to allow off-site consumption from the fruits & vegetables component?

Yes  No

Private Nonprofit 501(c)(3) organizations ONLY (other than Schools, gov't., and camps):

Do you plan to serve meals at more than 25 meal sites?

Yes  No

If you answered Yes, please download the linked form for submission: [Click Here](#)

Do you plan to serve more than 300 children per day at any one meal site?

Yes  No

If you answered Yes, please download the linked form for submission: [Click Here](#)

## Food Preparation & Training Plan Information

For Experienced Sponsors and Staff ONLY:

Do you wish to request a waiver for the first monitoring requirement?

Yes  No

If you answered Yes, please download the linked form for submission: [Click Here](#)

Select any/all meal preparation options in the following list that apply:

**Vended with Local School Food Authority**

Where will meals be prepared? (select only one)

**At a central kitchen(s)**

### Training Plan Information:

Select the option (one only) you will use for training your Program Staff:

**Sponsor (self)-provided**

Select the date (prior to program start) on which Sponsor training will be provided:

05/26/2010

ALL Sponsors must maintain training agendas & attendance records for CYFD reviews/inspections.

Sample agenda and sign-in sheets are available on the Home Page.

**Program Service Populations:**

Please identify the population composition of your program service areas:

**ETHNIC CATEGORIES**

**Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic or Latino."

**Not Hispanic or Latino.**

**RACIAL CATEGORIES**

**American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America, (including Central America), and who maintains tribal affiliation or community recognition.

**Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."

**Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White.** A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

**Please specify your source (US Census, School data, Tribal data, etc.)**

Doña Ana County, NM U.S. Census 2006

**Select any/all of the methods and materials you will use to inform potential participants of Program availability:**

Hold down "Ctrl" to select multiple items

- Newspaper
- Flyers
- Posters
- Newsletter
- Television
- Radio
- Website

**2017 Assurances:**

The Sponsor Official and its Staff assure the State of New Mexico Children, Youth and Families Department that:

It provides an ongoing year-round service to the community, which it proposes to serve under the Summer Food Service Program.

Yes  No

Prior to Program start date, it will submit to the media the announcement that the area from which it draws its attendance will be served free meals, and that the non-discrimination and complaint address will be included.

Yes  No

It will advise the appropriate Environmental/Health Authorities of their intention to provide a food service during specific periods at specific sites.

Yes  No

It will maintain proper sanitation and health standards in the storage, preparation and service of food to conform to all applicable State and local health laws and regulations.

Yes  No

As a unit of government or private nonprofit organization, it shall administer the program only at approved meal sites over which they have direct operational control.

Yes  No

All children are offered/served the same meals at the site, at no separate charge and without discrimination in the course of the food service.

Yes  No

It has never been terminated or determined to have been seriously deficient in its operation of the SFSP.

Yes  No

**Submit Program Operation Information**

Please make sure that all the information is filled out correctly in the appropriate sections before you submit.

**SUBMIT**

# Listing of Meal Sites for 3027

208

Total # of Active Sites: 29

|    | Meal Site Name                       | Active   | Approval Status |
|----|--------------------------------------|----------|-----------------|
| 1  | Alameda Elementary                   | Inactive |                 |
| 2  | Apodaca Park                         | Active   | pending         |
| 3  | Benavidez Community Center           | Active   | pending         |
| 4  | Branigan Library Park                | Active   | pending         |
| 5  | Cadron Park                          | Inactive |                 |
| 6  | Calvary Chapel                       | Active   | pending         |
| 7  | Camino Real Middle Cafeteria         | Active   | pending         |
| 8  | Camunez Park                         | Inactive |                 |
| 9  | Central Elementary - Jump Start      | Active   | pending         |
| 10 | Cesar Chavez Elementary - Jump Start | Active   | pending         |
| 11 | Club Fusion Teen Center              | Active   | pending         |
| 12 | College Manor Park                   | Inactive |                 |
| 13 | Columbia Elementary                  | Inactive |                 |
| 14 | Conlee Elementary - Jump Start       | Active   | pending         |
| 15 | Cub Scouts                           | Active   | pending         |
| 16 | Dona Ana Elementary Cafeteria        | Active   | pending         |
| 17 | Dream Center                         | Inactive |                 |
| 18 | East Mesa Recreation Center          | Active   | pending         |
| 19 | East Mesa Swimming Pool              | Inactive |                 |
| 20 | Fairacres Elementary Cafeteria       | Inactive |                 |
| 21 | Family Worship & Praise              | Inactive |                 |
| 22 | Frenger Park                         | Active   | pending         |
| 23 | Hermosa Heights Elementary           | Active   | pending         |
| 24 | Highland Elementary Cafeteria        | Inactive |                 |
| 25 | Hillrise Elementary School Cafeteria | Inactive |                 |
| 26 | Holy Cross Elementary Cafeteria      | Active   | pending         |
| 27 | Jornada Elementary Cafeteria         | Inactive |                 |
| 28 | La Fonda Mini Park                   | Active   | pending         |
| 29 | Laabs Swimming Pool                  | Inactive |                 |
| 30 | Las Cruces High Football Clinic      | Active   | pending         |
| 31 | Lions Park                           | Active   | pending         |
| 32 | Loma Heights Elementary Cafeteria    | Inactive |                 |
| 33 | Lynn Middle School                   | Active   | pending         |
| 34 | Mayfield High Football Clinic        | Inactive |                 |
| 35 | Meerscheidt Recreation Center        | Active   | pending         |
| 36 | Mesilla Elementary Cafeteria         | Inactive |                 |
| 37 | Mesilla Park Community Center        | Active   | pending         |
| 38 | Mesilla Park Elementary - Jump Start | Active   | pending         |
| 39 | Montessori Children's House          | Inactive |                 |
| 40 | Newman Center                        | Inactive |                 |
| 41 | NMSU School for Young Children       | Inactive |                 |
| 42 | NMSU Youth Sports Program            | Inactive |                 |
| 43 | Ocate High School Cafeteria          | Inactive |                 |
| 44 | Picacho Middle School Cafeteria      | Active   | pending         |

|    | Meal Site Name                        | Active   | Approval Status |
|----|---------------------------------------|----------|-----------------|
| 45 | Pioneer Women's Park                  | Inactive |                 |
| 46 | San Andres Learning Center            | Active   | pending         |
| 47 | Seventh Day Adventist Church          | Inactive |                 |
| 48 | Sierra Middle School                  | Active   | pending         |
| 49 | Sunrise Elementary - Jump Start       | Active   | pending         |
| 50 | The Arc Life Center                   | Inactive |                 |
| 51 | Tombaugh Elementary Cafeteria         | Inactive |                 |
| 52 | University Hills Elementary Cafeteria | Inactive |                 |
| 53 | Valley View Elementary - Jump Start   | Active   | pending         |
| 54 | Valley View Park                      | Active   | pending         |
| 55 | Vista Middle School                   | Active   | pending         |

**AGREEMENT**  
**FOR SUMMER FOOD SERVICE PROGRAM**

This Agreement is made and entered into between the City of Las Cruces ("City"), a New Mexico municipal corporation, and the Las Cruces School District No. 2 ("School").

**WHEREAS**, the parties desire to set forth in writing their agreement and understanding as to their respective responsibilities and duties for the Summer Food Service Program, which provides free lunches to community youth during June , July and August of their school summer vacation.

**IT IS THEREFORE AGREED** as follows:

1. The School shall do the following:
  - A. Acquire the necessary supplies and prepare weekday breakfast and lunches from May 26, 2010 through August 6, 2010, for a period of ten weeks, with quantities to be determined by the City;
  - B. Prepare the breakfast and lunches at a designated school cafeteria(s) and ready for pick up and delivery to designated sites;
  - C. Pursuant to the New Mexico Summer Food Service Program and the New Mexico Environmental Department, assure that said breakfast and lunch meals are prepared to meet the health and safety requirements minimum nutritional value and content requirements.
  - D. Bill the City monthly. The June 2010 billing will be due on or before July 9, 2010, the July 2010 billing will be due on or before August 6, 2010, and the August billing will be due on or before August 20, 2010. The billings will show the number of lunches prepared for the program at the rate of \$1.25 per breakfast and \$2.20 per lunch, which rate includes all costs associated with preparing the lunches including but not limited to school employee salaries, food, drink and other supply acquisition costs, and any operating expenses;

**SUMMER FOOD SERVICE PROGRAM AGREEMENT****Page 2**

- E. Maintain accurate and complete menu records including the amount of food and number of meals prepared;
  - F. Maintain all records required to be maintained for this program for a period of three (3) years after the end of the fiscal year to which the records pertain, or longer if an audit is in progress. Upon request, make all accounts and records pertaining to the program available to representatives of the City, New Mexico Children, Youth and Families Department, United States Department of Agriculture ("U.S.D.A."), and the General Accounting Office for audit or administrative review at a reasonable time and place.
  - G. Arrange the payroll and pay schedules for its employees;
  - H. Not assign, transfer or subcontract any duties or responsibilities under this Agreement without the City's prior written consent.
2. The City shall do the following:
- A. Compensate the schools at the rate of \$1.25 for each breakfast and \$2.20 for each lunch that meets the New Mexico Summer Food Service Program standards prepared in accordance with this Agreement;
  - B. Payment will be made by the City within ten (10) days after receipt by the City of the school's monthly bill. The City will be reimbursed for the amounts paid to the school with a U.S.D.A. Summer Food Service Grant administered through the New Mexico Children, Youth and Families Department.
  - C. Schedule the New Mexico Environmental Department to inspect and review the Summer Food Service Program.

3. The parties mutually agree as follows:

- A. The School's employees or agents are not servants, representatives, employees, or agents of the City in any capacity under this Agreement, and shall not be entitled to any benefits accruing to employees of the City, including but not limited to workmen's compensation or unemployment compensation benefits;
- B. Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred by either party in connection with the Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.
- C. By entering into this Agreement, the School, the City and their respective employees and agents do not waive sovereign immunity defenses or any other limitation of liability. No provision of this Agreement is intended to modify or waive any provision of the New Mexico Tort Claims Act;
- D. This Agreement is not intended to create in the public or any member of the public a third party beneficiary or to authorize anyone not a party to the agreement to maintain suit for personal injury or property damage pursuant to the provisions of this Agreement;
- E. This Agreement shall extend through August 2010 and may be terminated by either party by giving seven (7) days written notice. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination;
- F. This Agreement contains the full understanding and agreement of the parties and may not be modified except in writing signed by the parties hereto.

DONE AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**CITY OF LAS CRUCES**

By \_\_\_\_\_  
Ken Miyagishima, Mayor

**LAS CRUCES PUBLIC SCHOOLS  
DISTRICT NO. 2**

By *Annie Phillips*  
School Board President

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# Sponsor Review - MRB and Nutrition Education - 2007 SFSP

Exhibit "C"

Reviewer EC,

Agreement Number 3027

City of Las Cruces

Sites Approved 24 Sites Reviewed 5

Program Operational Dates 6/1/2009 thru 8/7/2009

Review Start Date ##### Review Note Review Closed Date 7/8/2009

**MRB Findings**

None

**MRB C/A, T/A, Comments and Recommendations**

Comments:  
Excellent food preparation and safety observed at the kitchens.

**MRB C/A Received**

N/A



**Submitted Nutrition Education Activities**

| Discussion Group(s)                            | Hands On                       | Food Guide Pyramid | Food Safety - handwashing activity w/HO | Lesson on fast food & fat content   |
|--|--------------------------------|--------------------|---|---|
| Lesson on Nutrition Facts Label-How to read it | Taste Testing-fruits & veggies | Game(s)            | Exercise                                | Create a meal of healthy foods on paper plate, portion sizes, visual aids |

**Activities:**

**Strengths/Commendations:**

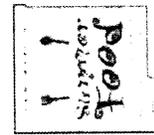
Your activities exceeded the SFSP Nutrition Education requirements. Congratulations on doing an excellent job.

**Compliance:**

Complied with nutrition education requirement.

**Recommendations/Comments:**

We suggest that you provide small prizes such as stickers, stamps, pens, pencils or other small toys as incentives for children to participate.



# Sponsor Review - Other Findings and Comments - 2009 SFSP

Sponsor Name City of Las Cruces Agreement Number 3027 Reviewer EC,  
Program Operational Dates 6/1/2009 Thru 8/7/2009 Sites Approved 24 Sites Reviewed 5  
Review Start Date 7/7/2009 Review Note Review Closed Date 7/8/2009

## Other Findings1

None

## Other1 C/A T/A or Comments

Additional site comments:  
1) Provide a way to package the individual food items so that children carry all items together. It was difficult for some children to carry four separate items.

## Other1 C/A Received or Comments

N/A

## Other Findings2

None

## Other2 C/A T/A or Comments

N/A

## Other2 C/A Received or Comments

N/A



# Sponsor Review - Strengths, Site, Finance and Program - 2009 SFSP

Sponsor Name City of Las Cruces Agreement Number 3027 Program Operating Dates 6/1/2009 thru 8/7/2009  
 Review Started 7/7/2009 Review Note Review Closed 7/8/2009 Sites Approved 24 Sites Reviewed 5 Reviewer EC,

|   |   |
|---|---|
| <b>Sponsor Strengths</b>                | 1) Nutrition Education<br>2) Meal Count System<br>3) Excellent teamwork and monitoring<br>4) Food Service System and Kitchen Crews  |
| <b>Site Findings</b>                    | None  |
| <b>Site C/A, T/A or Comments</b>        | Sites Reviewed:<br>Cesar Chavez Elem., Club Fusion, Lions Park, Mesilla Park Elem., Pioneer Park<br>Comments:<br>1) Ensure milk is refrigerated or kept on ice after the meal service is finished.  |
| <b>Site C/A Received or Comments</b>    | Additional comments:<br>2) Place ice blankets or ice to ensure milks are at 40 degrees. The milks at Mesilla Park were recorded at 46-48 degrees.<br>3) Ensure to train the staff at Mesilla Park to count the meals served and not to include the leftover meals |
| <b>Financial Findings</b>               | None  |
| <b>Finance C/A, T/A or Comments</b>     | N/A   |
| <b>Finance C/A Received or Comments</b> | N/A   |
| <b>Program Findings</b>                 | None  |
| <b>Program C/A, T/A or Comments</b>     | N/A   |
| <b>Program C/A Received or Comments</b> | N/A   |

216



# Sponsor Financial Profile - 2009 SFSP

Agree #: 3027

Sponsor Name: City of Las Cruces  
 Address: PO Box 20000, 1600 E. Hadley  
 City, State, Zip: Las Cruces, NM 88001

| Number of 1st Break.    | 17815 | Number of 1st Lunches    | 72069 | Number of 1st Suppers    | 0 | Number of 1st Snacks    | 0 |
|-------------------------|-------|--------------------------|-------|--------------------------|---|-------------------------|---|
| Reimbursable 2nd Break. | 0     | Reimbursable 2nd lunches | 18    | Reimbursable 2nd Suppers | 0 | Reimbursable 2nd Snacks | 0 |
| Days served breakfast   | 50    | Days served lunch        | 50    | Days served supper       | 0 | Days served snack       | 0 |
| Breakfast ADA *         | 357   | Lunch ADA *              | 1442  | Supper ADA *             | 0 | Snack ADA *             | 0 |
| Breakfast Disallowance  | 0     | Lunch Disallowance       | 0     | Supper Disallowance      | 0 | Snack Disallowance      | 0 |
| Open Sites              | 24    | Enrolled Sites           | 0     |                          |   |                         |   |

## PROGRAM EXPENDITURES

|   |              |   |             |                    |              |
|---|--------------|---|-------------|--------------------|--------------|
| Total Actual Operational Costs                  | \$246,374.47 | Total Actual Administrative Costs               | \$10,968.54 | Total Actual Costs | \$257,343.01 |
| Total Operational Entitlement                   | \$237,005.31 | Total Administrative Funds/Entitlement          | \$20,337.70 | Total Entitlement  | \$257,343.01 |
| Cost is Even(\$0),Over(\$X)or Under Entitlement | (\$9,369.16) | Cost is Even(\$0),Over(\$X)or Under Entitlement | \$9,369.16  | Total Disbursed    | \$257,343.01 |

## LINE ITEM COSTS

| Operational Line Items | % of Budget**      | Administrative Line Items | % of Budget**    |
|------------------------|--------------------|---------------------------|------------------|
| Op Beginning Inventory | \$0.00             | Ad Beginning Inventory    | \$0.00           |
| Op Food                | \$163,422.00 66.3% | Ad Salaries               | \$1,598.80 14.6% |
| Op Labor               | \$20,390.18 8.3%   | Ad Office Supplies/Copies | \$2,222.38 20.3% |
| Op Non-Food            | \$1,402.26 0.6%    | Ad Telephone/Postage      | \$0.00 0.0%      |
| Op Mileage             | \$39,412.68 16.0%  | Ad Outreach/Advertising   | \$4,591.60 41.9% |
| Op Other               | \$21,747.35 8.8%   | Ad Mileage                | \$157.74 1.4%    |
| Op Subtotal            | \$246,374.47 8.8%  | Ad Other                  | \$2,398.02 21.9% |
| Op Program Income      | \$0.00             | Ad Subtotal               | \$10,968.54      |
| Op Ending Inventory    | \$0.00             | Ad Ending Inventory       | \$0.00           |
| Op Total               | \$246,374.47       | Ad Total                  | \$10,968.54      |

\* Second eligible meals are not included in the ADA

\*\* The percentage of the calculated budget is based on the subtotal minus the beginning inventory (when applicable)