

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 8 Ordinance/Resolution# 11-039 Council District:

For Meeting of August 16, 2010

(Adoption Date)

TITLE: A RESOLUTION AUTHORIZING THE LAS CRUCES POLICE DEPARTMENT (LCPD) TO CONTRACT WITH THE REGION VII DRUG ENFORCEMENT COORDINATING COUNCIL FOR REIMBURSEMENT OF OVERTIME (NOT TO EXCEED \$10,000) AND OF TRAVEL EXPENSES (NOT TO EXCEED \$2,500) WITH THE TOTAL ESTIMATE NOT TO EXCEED \$12,500, FOR THE LCPD INTENSIVE INTERDICTION OPERATION, TO RATIFY THE CITY MANAGER'S APPROVAL OF THE CONTRACT AND TO ADJUST THE FY 2010 BUDGET.

PURPOSE(S) OF ACTION: To authorize the contract between LCPD and the Region VII Drug Enforcement Coordinating Council, ratify the City Manager's approval of the contract and to adjust the FY 2011 budget.

Drafter and Staff Contact: Maria J. Nape		Department: Finance/GAO		Phone: (575) 541-2104	
Department	Signature	Phone	Department	Signature	Phone
Police Department		(575) 541-4200	Budget		(575) 541-2107
GAO		(575) 541-2281	Assistant City Manager		(575) 541-2271
Legal		(575) 541-2128	City Manager		(575) 541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS: The Las Cruces Police Department (LCPD) submitted to the Region VII Drug Enforcement Coordinating Council a Criminal Interdiction Operational Plan on March 10, 2010. In response, Region VII sent a letter approving reimbursement to LCPD for up to \$10,000 in law enforcement overtime and up to \$2,500 in travel support for controlled deliveries of contraband within the region which includes the City of Las Cruces. This resolution seeks Council approval for this reimbursement arrangement.

SUPPORT INFORMATION:

1. Resolution
2. Exhibit "A" Criminal Interdiction Operational Plan
3. Exhibit "B" Letter of Approval from Region VII Drug Enforcement Coordinating Council
4. Exhibit "C" Grant Acceptance Package with City Manager's approval
5. Exhibit "D" Budget Adjustment

(Continue on additional sheets as required)

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from: _____
		<input checked="" type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
	<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.	
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: 2400 Police Fund
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

FUND SUMMARY:

Fund Name(s) Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Police Fund - Revenue 24140210-551021-37308	\$12,500	0.00	\$12,500	Fulfill the scope of the grant activities
Police Fund - Expenses 24147400-Various-37308	\$12,500	0.00	\$12,500	Law enforcement overtime expenses

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will authorize the contract for law enforcement overtime under the Region VII project.
2. Vote "No"; this will prevent the LCPD from receiving reimbursement for overtime expenses for law enforcement activities related to Region VII.
3. Vote to "Amend"; this could affect the LCPD's ability to receive reimbursement as terms were established and agreed to in Region VII's agreement.
4. Vote to "Table"; this could prevent the LCPD from receiving reimbursement for overtime expenses by making the LCPD out of compliance with the Region VII agreement.

REFERENCE INFORMATION: None

RESOLUTION NO. 11-039

A RESOLUTION AUTHORIZING THE LAS CRUCES POLICE DEPARTMENT (LCPD) TO CONTRACT WITH THE REGION VII DRUG ENFORCEMENT COORDINATING COUNCIL FOR REIMBURSEMENT OF OVERTIME (NOT TO EXCEED \$10,000) AND OF TRAVEL EXPENSES (NOT TO EXCEED \$2,500) WITH THE TOTAL ESTIMATE NOT TO EXCEED \$12,500, FOR THE LCPD INTENSIVE INTERDICTION OPERATION, TO RATIFY THE CITY MANAGER'S APPROVAL OF THE CONTRACT AND TO ADJUST THE FY 2010 BUDGET.

The City Council is informed that:

WHEREAS, the LCPD submitted to the Region VII Drug Enforcement Coordinating Council a Criminal Interdiction Operational Plan ; and

WHEREAS, the Operational Plan included LCPD overtime activities to be conducted, and projected overtime and travel expenses expected under the project; and

WHEREAS, Region VII agreed to reimburse LCPD for the proposed hours and for travel expenses not to exceed \$12,500.

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

(I)

THAT the City of Las Cruces supports the joint operations with LCPD and Region VII.

(II)

THAT the LCPD is authorized to fulfill its obligations of participation with Region VII under the contract.

(III)

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

DONE AND APPROVED this 16th day of August, 2010.

(SEAL)

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

APPROVED:

Mayor

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Connor: _____

Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Thomas: _____

APPROVED AS TO FORM:

[Handwritten Signature]

Interim City Attorney



Las Cruces Police Department

TO: Robert Barr Region VII Coordinator

CC: Lieutenant England; Deputy Chief Montoya
TAS L385

FROM: Sergeant Lawrence Archuleta

DATE: 03-10-10

SUBJECT: Criminal Interdiction Operational Plan

Las Cruces Police Department Criminal Interdiction Operational Plan

I Overview:

The Operation will began March 21, 2010 and would conclude on or about May 31, 2010. The operation would help disrupt and dismantle street, mid-level narcotic trafficking, and gang activity through high volume legal traffic stops in the City of Las Cruces. All involved Officers will be required to have attended either Desert Snow or New Mexico State Police/DEA criminal interdiction training.

II Goals and Objectives:

The focus of the operation will be to interdict criminals trafficking in all controlled substances, weapons, explosives, large amounts of currency, stolen vehicles, wanted subjects and identify gang members. The operation will involve uniform Officers from the Las Cruces Police Department's Patrol, and K-9 division's. All felony arrests will be investigated by Agents from Las Cruces Dona Ana Count Metro Narcotics, Las Cruces Police Department Criminal Investigation Division, and depending on the severity of the offense the DEA or any other applicable federal law enforcement agency. All intelligence obtained will be shared with all involved Law Enforcement agencies. Mesilla Valley Regional Dispatch Center and EPIC will be the points of contact for all subject inquiries to include wants and warrants checks, and criminal histories. All statistics will be reported to Region VII by March 31, 2010, and June 30, 2010.

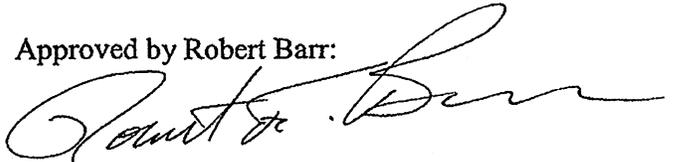
III Enforcement Methods:

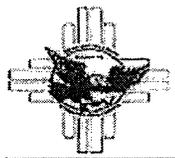
High volume legal traffic stops, and consensual contacts will be the primary enforcement methods for the duration of the operation. Las Cruces is at the crossroads of two major Interstate Criminal Trafficking Corridors Interstate 10 and Interstate 25. These Interstates have long been utilized by criminal organizations and gangs to traffic in illegal contraband. Truck stops, hotels, motels, and local street gangs will also be a focus of the operation. Land line and cell phone numbers will be obtained by Officers from suspects for the purpose of phone toll analysis. Information obtained from suspects by Officers will be provided to the New Mexico Intelligence Center for follow up investigation.

IV Projected Las Cruces Police Department Expenses to be reimbursed by Region VII:

Overtime for Police Officers	\$10,000.00
Controlled deliveries	\$2,500.00

Approved by Robert Barr:


Region VII Coordinator



**REGION VII DRUG ENFORCEMENT COORDINATING
COUNCIL**

**2450 Lakeside Dr., Bldg. B
Las Cruces, NM 88007
Phone: (575) 541-7552 Fax: (575) 541-7565**

March 22, 2010

Sergeant Lawrence Archuleta
Las Cruces Police Department
271 East Picacho Street
Las Cruces, NM 88001

Dear Sgt. Archuleta:

The is to formally advise you that I have reviewed your operational plan and funding request to enable your department to engage in an intensive interdiction operation targeting south bound weapons to Mexico, controlled substances and concealed bulk currency associated with illicit controlled substance trafficking/smuggling activity.

I have attached a copy of your approved operational plan, and set aside \$10, 000.00 in Region VII law enforcement overtime, as well as \$2, 500.00 in travel to support controlled deliveries, should your interdiction operation successfully generate the opportunity for a controlled delivery of contraband within Region VII, or other New Mexico cities. I would request any controlled deliveries, utilizing Region VII travel funding, be approved prior to initiating the controlled delivery. Controlled deliveries of drug contraband outside of New Mexico should be coordinated with and funded by an appropriate federal agency.

Sincerely,

Robert F. Barr
Region VII Coordinator

CC: Ms. Pat Degman, Comptroller

Attachment:

07-999

Grant Acceptance Package

Grant Acceptance Verification and Signature

Opportunity Title: Intensive Interdiction Operation

Offering Agency: Region VII Enforcement Coordinating Council

Opportunity Number: N/A

Amount Awarded: \$12,500

Performance Period: open

Requesting Agency/Department: Las Cruces Police Department

GAO – Grant Writer: Maria Nape

SUPPORT INFORMATION:

Enables LCPD to engage in an intensive interdiction operation targeting southbound weapons to Mexico, controlled substances and concealed bulk currency associated with illicit controlled substance trafficking/smuggling activity. \$10,000 has been set aside for law enforcement overtime, and \$2,500 in travel to support controlled deliveries.

OPTIONS

1. Agree with request to accept funding agreement. Affirmed by signature below. Package to be returned to GAO.
2. Disagree, funding agreement to be returned to funder. Unsigned package to be returned to GAO.

Approved:


 City Manager

Approved as to Form:


 City Attorney

CMP #2.2 Effective 07/06/09: 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 ARRA grant award is anticipated to be in excess of \$500,000 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.

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2009/2010**

FUND	DIVISION		FUND TYPE	
Police Fund 2400	Police		Special Revenue	
	FY 2008/09 Prelim Actual*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
RESOURCES				
Beginning Balance	\$ 0	0		0
REVENUES				
24140050-552006 NM Dept of Public Safety	\$ 17,934	0		0
24140050-552006-37300 NM Dept of Public Safety	0	2,344		2,344
24140210-552019 Univ of NM (UNM)	0	0		0
24140210-551007-37310 FBI	0	25,000		25,000
Project Safe Neighborhoods	0	10,000		10,000
Safe Haven	0	250,000		250,000
24140210-551021-37308 Region VII Drug Enforcement	0	0	12,500	12,500
Total Revenues	\$ 17,934	287,344	12,500	299,844
Total Resources	\$ 17,934	287,344	12,500	299,844
EXPENDITURES				
Org 24147040				
Personnel	\$ 13,210	0		0
Operating	4,724			
Total Org 24147040	\$ 17,934	0	0	0
Org 24147250				
610210 Overtime	0	0		0
Total Org 24147250	0	0	0	0
Org 24147040-37300				
610210 Overtime	0	0		0
Operating	0	1,932		1,932
Total Org 24147040-37300	0	1,932	0	1,932
Project Safe Neighborhoods 37301				
Operating	0	10,000		10,000
Total Project Safe Neighborhoods 37301	0	10,000	0	10,000
Federal Bureau of Investigation 37310				
Operating	0	25,000		25,000
Total Federal Bureau of Investigation 37310	0	25,000	0	25,000
Safe Haven				
Operating	0	250,000		250,000
Total Safe Haven	0	250,000	0	250,000
Region VII Drug Enforcement				
Overtime	0	0	10,000	10,000
Operating	0	0	2,500	2,500
Total Region VII Drug Enforcement	0	0	12,500	12,500
Total Expenditures	\$ 17,934	286,932	12,500	299,432
ENDING BALANCE	\$ 0	412	0	412