

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 2 Ordinance/Resolution# 11-064 Council District:

For Meeting of September 20, 2010
(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES POLICE DEPARTMENT TO ACCEPT GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAMS (OJJDP) IN THE AMOUNT OF \$250,000 FOR AN AFTER SCHOOL AND TRUANCY PREVENTION PROGRAM (WITH NO MATCH REQUIRED), TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE GRANT AGREEMENT, AND TO ADJUST THE FY 2011 BUDGET.

PURPOSE(S) OF ACTION: To accept grant funding from the Department of Justice to fund an after-school and truancy prevention program.

Drafter and Staff Contact: Maria J. Nape		Department: Finance/ Grants		Phone: 541-2104	
Department	Signature	Phone	Department	Signature	Phone
Police Department		526-0795	Budget		541-2107
Grant Administration		541-2281	Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention notified the Las Cruces Police Dept. of their eligibility for 2010 Congressional Earmarked funds upon receipt and approval of a full proposal and application. The LCPD submitted the required application detailing the proposed after-school program to include a one-on-one mentoring program, tutoring services, case management, crisis intervention and a truancy prevention component to be operated in partnership with Dona Ana County. The City received notice of the award, and accepted on August 19, 2010. The program will run two years, from September 1, 2010 – August 31, 2012.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A" Award letter and agreement
3. Exhibit "B" Budget Adjustment

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input type="checkbox"/>	See fund summary below
	No	<input 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 in the amount of \$250,000 will be deposited into this fund: <u>2400 Police Fund</u>
	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
Fund 2400 – Police Fund 24140210-551021-37309 (Reimbursement Grant)	250,000			
24147460-722190-37309				
24147460-730110-37309				

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will accept funds in the amount of \$250,000.00 from the Department of Justice (DOJ).

(Continue on additional sheets as required)

2. Vote "No"; this will reject these funds from the DOJ.
3. Vote to "Amend"; this could change the grant agreement and delay process.
4. Vote to "Table"; this will relinquish funds to DOJ for the program since deadline will not be met.

REFERENCE INFORMATION

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

Resolution 10-262

RESOLUTION NO. 11-064

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES POLICE DEPARTMENT TO ACCEPT GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAMS (OJJDP) IN THE AMOUNT OF \$250,000 FOR AN AFTER SCHOOL AND TRUANCY PREVENTION PROGRAM (WITH NO MATCH REQUIRED), TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE GRANT AGREEMENT, AND TO ADJUST THE FY 2011 BUDGET.

The City Council is informed that:

WHEREAS, the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Programs announced its award of the 2010 Congressional Earmark funding program to the Las Cruces Police Department; and

WHEREAS, the Las Cruces Police Department was awarded \$250,000 to fund a 2-year after-school and truancy prevention program; and

WHEREAS, these funds will be used for a mentoring program, tutor, case management, crisis intervention and a truancy program to be operated in collaboration with Dona Ana County; and

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

(I)

THAT the Las Cruces Police Department is authorized to accept the a grant award of \$250,000 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

(II)

THAT the grant will be utilized to operate a 2-year truancy prevention and mentorship program.

(III)

THAT the grant program does not require any cash or in-kind match.

(IV)

THAT the FY2011 budget will be adjusted.

(V)

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

DONE AND APPROVED this 20th day of September, 2010.

(SEAL)

ATTEST:

City Clerk

Moved by: _____

Seconded by: _____

APPROVED:

Mayor

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Connor: _____

Councillor Pedroza: _____

Councillor Small: _____

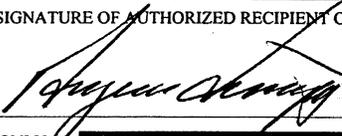
Councillor Sorg: _____

Councillor Thomas: _____

APPROVED AS TO FORM:

[Handwritten Signature]

City Attorney

 Department of Justice Office of Justice Programs Office of Juvenile Justice and Delinquency Prevention		Grant		PAGE 1 OF 3	
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Las Cruces P.O. Box 20000 Las Cruces, NM 88004-9002		4. AWARD NUMBER: 2010-JL-FX-0420		5. PROJECT PERIOD: FROM 08/01/2010 TO 07/31/2012 BUDGET PERIOD: FROM 08/01/2010 TO 07/31/2012	
1A. GRANTEE IRS/VENDOR NO. 856000147		6. AWARD DATE 08/19/2010		7. ACTION Initial	
3. PROJECT TITLE Juvenile Justice and Law Enforcement After School Program		8. SUPPLEMENT NUMBER 00		9. PREVIOUS AWARD AMOUNT \$ 0	
10. AMOUNT OF THIS AWARD \$ 250,000		11. TOTAL AWARD \$ 250,000			
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).					
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY10(OJJDP Part E) 42 USC 5665-5667					
15. METHOD OF PAYMENT GPRS					
AGENCY APPROVAL			GRANTEE ACCEPTANCE		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Laurie Robinson Assistant Attorney General			18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Augie Henry Acting Grants Administrator		
17. SIGNATURE OF APPROVING OFFICIAL 			19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 		19A. DATE 8-24-10
AGENCY USE ONLY					
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X F JL 70 00 00 250000			21. JLTGT0394		

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
**Office of Juvenile Justice and
Delinquency Prevention**

**AWARD CONTINUATION
SHEET
Grant**

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PROJECT NUMBER 2010-JL-FX-0420

AWARD DATE 08/19/2010

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.



Department of Justice
Office of Justice Programs
Office of Juvenile Justice and
Delinquency Prevention

**AWARD CONTINUATION
SHEET**
Grant

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PROJECT NUMBER 2010-JL-FX-0420

AWARD DATE 08/19/2010

SPECIAL CONDITIONS

8. The recipient agrees to report data on the grantee's OJJDP-approved performance measures as part of the semi-annual categorical progress report. This data will be submitted on line at OJJDP's Performance Measures website (<http://ojjdp.ncjrs.gov/grantees/pm/index.html>) by July 31 and January 31 each year for the duration of the award. Once data entry is complete, the grantee will be able to create and download a "Performance Measures Data Report." This document is to be included as an attachment to the grantee's narrative categorical assistance progress report submitted in GMS for each reporting period.
9. Any deviation from the timeline provided in the application or revised grant program implementation plan must receive prior approval from OJJDP.
10. The Project Director and key program personnel designated in the application shall be replaced only for compelling reasons and with the concurrence of OJP. OJP will not unreasonably withhold concurrence. All successors to key personnel must be approved, and such approval is contingent upon submission of appropriate information, including, but not limited to, a resume. Changes in other program personnel require only notification to OJP and submission of resumes, unless otherwise designated in the award document.
11. The recipient agrees to submit quarterly financial status reports to OJP. At present, these reports are to be submitted on-line (at <https://grants.ojp.usdoj.gov>) using Standard Form SF 269A, not later than 45 days after the end of each calendar quarter. The recipient understands that after October 15, 2009, OJP will discontinue its use of the SF 269A, and will require award recipients to submit quarterly financial status reports within 30 days after the end of each calendar quarter, using the government-wide Standard Form 425 Federal Financial Report form (available for viewing at www.whitehouse.gov/omb/grants/standard_forms/ffr.pdf). Beginning with the report for the fourth calendar quarter of 2009 (and continuing thereafter), the recipient agrees that it will submit quarterly financial status reports to OJP on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form, not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the grant period.
12. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on line-through the Internet at <https://grants.ojp.usdoj.gov/>.
13. The award recipient agrees, as a condition of award approval, to comply with the requirements of 28 CFR Part 22, including the requirement to submit a properly executed Privacy Certificate that is in accordance with the requirements of 28 CFR Section 22.23 to OJJDP for approval.
14. The award recipient agrees, as a condition of award approval, to comply with the requirements of 28 CFR Part 46 and all other Department of Justice/Office of Justice Programs policies and procedures regarding the protection of human research subjects, including informed consent procedures and obtainment of Institutional Review Board (IRB) approval, if appropriate.
15. As a condition of receiving grant funds, the grantee certifies that it has appropriate criminal background screening procedures in place, to the extent permitted by state, local, and federal law, to evaluate any employee, contractor, or volunteer working under this grant who is expected to have direct substantial contact with minor children. Direct substantial contact is defined as contact that is regular, continuous, and personal in nature.

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2010/2011**

FUND	DIVISION		FUND TYPE	
Police Fund 2400	Police		Special Revenue	
	FY 2009/10 Projected*	FY 2010/11 Adopted	Adjustment	FY 2010/11 Adjusted
RESOURCES				
Beginning Balance	\$ 0	0		0
REVENUES				
24140050-552006 NM Dept of Public Safety	\$ 3,354	8,000		8,000
24140210-552019 Univ of NM (UNM)	0	0		0
24147040-551021 U.S. Department of Justice	0	10,000		10,000
24140210-551022 Immigration & Customs Enforcement	0	10,000		10,000
24140210-551007 Federal Bureau of Investigation	0	102,765		102,765
24140210-551021 OJJDP After School Program	0	0	250,000	250,000
Total Revenues	\$ 3,354	130,765	250,000	380,765
Total Resources	\$ 3,354	130,765	250,000	380,765
EXPENDITURES				
24147040-37300 NM Dept of Public Safety	3,354	8,000		8,000
24147250 University of New Mexico (UNM)	0	0		0
24147040-37301 U.S. Department of Justice	0	10,000		10,000
24147460-37312 Immigration and Customs Enforcement	0	10,000		10,000
24147400-37310 Federal Bureau of Investigation	0	102,765		102,765
24147460-37309 OJJDP After School Program	0	0	250,000	250,000
Total Expenditures	\$ 3,354	130,765	250,000	380,765
ENDING BALANCE	\$ 0	0	0	0

*Projected based on 8 months actual through February 28, 2010 and 4 months projected.