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

**Council Action and Executive Summary**

Item # 5      Ordinance/Resolution# 11-244

For Meeting of \_\_\_\_\_  
 (Ordinance First Reading Date)

For Meeting of June 20, 2011  
 (Adoption Date)

**TITLE:** A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC. (SER), TO CONTINUE SUMMER EMPLOYMENT SERVICES FOR "AT RISK" HIGH SCHOOL AGE YOUTH. TOTAL COST OF THE PROGRAM WILL NOT EXCEED \$51,000.00.

**PURPOSE(S) OF ACTION:** To obtain City Council approval of the funding to provide reimbursement to SER de New Mexico, Jobs for Progress, Inc. (SER), for a youth jobs program for eight weeks during the summer.

<b>COUNCIL DISTRICT: All</b>		
<b>Drafter/Staff Contact:</b> Robert Caldwell	<b>Department/Section:</b> Administration/PIO	<b>Phone:</b> 541-2200
<b>City Manager Signature:</b> 		

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

SER (Service, Employment, and Redevelopment) de New Mexico, Jobs for Progress, Inc., is a jobs placement service available to the public, has administered and placed youths within various City departments for training. The SER "Youth at Risk" eight-week summer jobs program employs 31 youths. The program covers four weeks in July 2011 and four weeks in June 2012 due to the Fiscal Year start in July and ending in June of each year. SER wishes to contract with the City again to place "at-risk" youths during Fiscal Year 2011-2012, with SER administering the summer jobs programs, youths between the ages of 14 and 18 years of age will be employed.

SER will consider those applicants which identify with multiple characteristics of "at-risk" youth as defined on the application. These characteristics are: school dropout, offender, substance abuser, teenage parent, lack of work history, foster care (not family member), economically disadvantaged, on public assistance, single parent home, disabled. Eligible youth shall be derived for employment by a controlled system equal to a random drawing

**SUPPORT INFORMATION:**

1. Resolution.
2. Exhibit "A". Agreement between the City of Las Cruces and SER de New Mexico, Jobs for Progress, Inc.

(Continue on additional sheets as required)

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>	Yes	<input checked="" 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 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.
<b>Does this action create any revenue?</b>	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: in the amount of \$ _____ for FY__.
	No	<input checked="" type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

N/A
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**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
General Fund Purchased Services	10100130 722190	\$51,000.00	\$28,737.00	\$2054.00	Other Services

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will approve the Resolution continuing the youth employment program with SER de New Mexico, Jobs for Progress, Inc.
2. Vote "No"; this will not approve the Resolution and discontinue the program.
3. Vote to "Amend"; and increase or decrease the program funding level.
4. Vote to "Table"; and provide staff with further direction.

**REFERENCE INFORMATION:**

N/A

**RESOLUTION NO. 11-244**

**A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC. (SER), TO CONTINUE SUMMER EMPLOYMENT SERVICES FOR "AT RISK" HIGH SCHOOL AGE YOUTH. TOTAL COST OF THE PROGRAM WILL NOT EXCEED \$51,000.00.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces has a desire to offer employment opportunities to "at-risk" youths between the ages of 14 and 18;

**WHEREAS**, SER de New Mexico, Jobs for Progress, Inc. (SER), a jobs placement service, desires to administer an eight week youth "at-risk" summer jobs program;

**WHEREAS**, a contract with SER for placement of "at-risk" youths would allow the City to provide employment opportunities and direct supervision without incurring administrative responsibilities of such a summer program; and

**WHEREAS**, this summer program has budget approval for Fiscal Year 2011-2012 for up to but not to exceed \$51,000.00; and

**WHEREAS**, it is in the best interest of the City of Las Cruces to contract with SER to provide administration and placement of "at-risk" youths in a summer job program.

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

**(I)**

**THAT** the Mayor of the City of Las Cruces, New Mexico, is hereby authorized to execute the agreement with SER de New Mexico, Jobs for Progress, Inc., designated

as Exhibit "A", attached hereto and made a part of this Resolution, for placement and administration of a summer youth employment program.

(II)

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

DONE AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

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

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

APPROVED AS TO FORM:

*A. J. McDonnell*  
\_\_\_\_\_  
City Attorney

**CITY OF LAS CRUCES AND SER de New Mexico,  
EIGHT WEEK SUMMER YOUTH  
EMPLOYMENT PROGRAM**

**THIS AGREEMENT IS ENTERED INTO BY AND BETWEEN**, the City of Las Cruces, New Mexico, hereinafter referred to as "City" and SER de New Mexico, hereinafter referred to as "SER".

**WHEREAS**, SER is operated for the purposes of providing employment opportunities for "At-risk" youths:

**WHEREAS**, the City is desirous of using and providing employment opportunities through a summer work program with city offices, for "At-risk" youths registered through SER.

**NOW, THEREFORE**, in consideration of the mutual agreements herein contained, the parties agree as follows:

**(1) SER shall:**

- A.** Employ one full-time employee (40 hours per week up to 13 weeks), for program coordination and outreach and recruitment, 30 youths ages 14 to 18 to work at city facilities for the period of July 11, 2011 through August 5, 2011, Session I, and June 4, 2012 through June 29, 2012, Session II. Youth employed by SER shall not be employees of the City.
- B.** Consider those applicants which identify with multiple characteristics of "At-risk" Youth as defined on the application. Eligible youth shall be derived to participate by a controlled system parallel to random drawing.
- C.** Pay the program coordinator's salary, plus Worker's Compensation Insurance, Liability Insurance, mileage, office supplies, and pay each youth at the rate of \$7.50 (or the current minimum wage) per hour for all hours actually worked. SER will be responsible for preparation of W-2 forms for all such youth. SER shall charge the City an administrative fee of 8.85% of total salaries and benefits.
- D.** Provides session status reports on employment related counseling, turnover, and expenditure reports. Keep data on employment training progress, provide Fiscal closeout report, and Session closeout report 20 days after the end of each Session.

- E. Procure and maintain a policy of Workers Compensation Insurance covering claims arising from program coordination for any such youth and any work undertaken pursuant to the Agreement.
- F. Indemnify, defend and hold harmless the City and its public employees as defined in the New Mexico Tort Claims Act (as amended) from and against any and all liability or alleged liability, judgment demands, claims or costs (including reasonable attorney's fees and costs of investigation and defense arising out of or allegedly arising out of the performance of this Agreement or any activities undertaken pursuant to the Agreement, other than liability from the obligations undertaken by the City hereunder.)

(2) **The City shall:**

- A. Provide a safe, harassment free and discrimination free work environment, city-employed supervision for such youth.
- B. Provide the work-site facilities.
- C. Prepare and complete to SER bi-weekly basis time sheets and evaluation reports for all youth employed through the program.
- D. Reimburse SER for any salaries paid by SER to the coordinator and the youth who perform work pursuant to this Agreement, for the cost of Workmen's Compensation Insurance, required by Section (1). D. hereof, Liability Insurance, coordinator's mileage, office supplies, and administrative fee. Total reimbursement shall not exceed \$52,000.00 in City funds, total program cost.

(3) **This Agreement may be terminated by either party by giving the other party thirty (30) days written notice of intent to terminate the Agreement.**

(4) **Cost breakdown for 2011-2012 Eight Week Summer Youth Employment Program.**

<b>YOUTH WAGES</b>		<b># of Hours Per Day</b>	<b># of Days</b>	<b>TOTALS</b>
<b># of Youth</b>	<b>Rate</b>			<b>2011-2012</b>
Session I 30	\$7.50	4	20	\$18,000.00
Session II 30	\$7.50	4	20	\$18,000.00
				<u>\$36,000.00</u>
<b>BENEFITS</b>				
FICA	6.20%			\$2,232.00
Medicare	1.45%			\$ 522.00

SUTA Workers Comp (\$4.27per \$100 of payroll	1.11%	\$ 400.00	
			<u>\$1,537.20</u>
<b>TOTAL BENEFITS</b>			<u>\$4,691.20</u>
<b>TOTAL YOUTH WAGES AND BENEFITS</b>			<b>\$40,691.20</b>

**COORDINATOR WAGES**

# of Employees	Rate	# of Hours Per Week	# of Weeks	
1	\$9.00	40	13	\$4,680.00
<b>BENEFITS</b>				

FICA	6.20%	\$290.16	
Medicare	1.45%	\$ 67.86	
SUTA	1.11%	\$ 51.94	
Workers Comp		<u>\$199.83</u>	
<b>TOTAL BENEFITS</b>			<u>\$ 609.79</u>
<b>TOTAL COORDINATOR WAGES AND BENEFITS</b>			<b>\$5,289.79</b>

**TOTAL WAGES AND BENEFITS** **\$45,980.99**

**ADMINISTRATIVE COSTS**

Supplies and Mileage Liability		\$450.00	
Insurance		\$353.50	
Administrative Fee	8.850%	<u>\$4,069.31</u>	
(Total Wages & Benefits)			
<b>TOTAL ADMINISTRATIVE COSTS</b>			<b>\$4,872.81</b>

**TOTAL REIMBURSEMENT TO SER** **\$50,853.80**

**CITY OF LAS CRUCES****SER de New Mexico**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
President/CEO

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**Approved as to form  
City Attorney**