



53
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 Ordinance/Resolution# 11-245

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 EMPLOYMENT SERVICES FOR "AT RISK" HIGH SCHOOL AGE YOUTH IN THE PARKS AND RECREATION SECTION. TOTAL COST OF THE PROGRAM WILL NOT EXCEED \$42,255.00.

PURPOSE(S) OF ACTION: To continue offering employment opportunities administered by SER de New Mexico, Jobs for Progress, Inc. (SER), in the Parks and Recreation Section to high school youth.

COUNCIL DISTRICT: All		
Drafter/Staff Contact: Mark Johnston	Department/Section: Facilities/Parks and Recreation	Phone: 541-2550
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Parks and Recreation Section is seeking to renew the agreement between SER and the City of Las Cruces to provide employment opportunities to "at-risk" youth. SER will provide placement services, counseling, and administration of the year-round program for high school students ages 16–19. Students must remain in school and maintain a C or better grade point average.

Program participants gain real world work experience and receive on the job training while working side by side with Parks and Recreation staff. Emphasis is placed on team work, following work rules, and completing the associated paperwork requirements. The total cost of the program will not exceed \$42, 255.00 and has been requested in the FY11/12 budget.

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 random drawing.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

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

SOURCE OF FUNDING:

Is this action already budgeted?	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.		
Does this action create any revenue?	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

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	10123210 722190	\$42,255.00	\$467,475.00	\$425,220.00	Other contractual obligations; landscape, restroom security 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

(Continue on additional sheets as required)

RESOLUTION NO. 11-245

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC. (SER), TO CONTINUE EMPLOYMENT SERVICES FOR "AT RISK" HIGH SCHOOL AGE YOUTH IN THE PARKS AND RECREATION SECTION. TOTAL COST OF THE PROGRAM WILL NOT EXCEED \$42,255.00.

The City Council is informed that:

WHEREAS, the City of Las Cruces Parks and Recreation Section is seeking to renew the agreement with SER de New Mexico, Jobs for Progress, Inc. (SER); and

WHEREAS, SER will provide "at risk" youth ages 16–19 with employment opportunities; and

WHEREAS, SER will provide placement services, counseling and administration of the year-round program; and

WHEREAS, program participants will receive on the job training and real world work experience in the Parks and Recreation Section; and

WHEREAS, the program funding was requested in the FY11/12 budget and the total cost of the program will not exceed \$42,255.00.

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

(I)

THAT the agreement with SER de New Mexico, Jobs for Progress, Inc., attached hereto and made a part of this Resolution is approved.

(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:

City Attorney

**AGREEMENT
BETWEEN THE CITY OF LAS CRUCES AND SER de NEW MEXICO YEAR
ROUGH YOUTH "AT-RISK, EMPLOYMENT PROGRAM**

This agreement is entered into between the City of Las Cruces ("City"), a New Mexico municipal corporation, and SER de New Mexico, Jobs for Progress, Inc. (SER). Now therefore, in consideration of the covenants set forth herein, the parties hereby agree as follows:

The City of Las Cruces will;

1. Provide a harassment and discrimination free work environment and City employed supervision of each 'at risk' youth. Those employed will not be employees of the City.
2. Provide the work site facilities.
3. Provide youth with supplies that shall not exceed an amount of \$461.36
4. Complete and provide to SER on a bi-weekly basis, time sheets and evaluation reports for all youth employed through the program.
5. Assign staff to act as the liaison to the different organizations, the Parks and Recreation Advisory Board and federal or state agencies.
6. Reimburse SER for any salaries/wages paid by SER to the Coordinator and the youth who perform work pursuant to this Agreement. Reimburse SER for the cost of Workman's compensation insurance required in Section 1.4 above, liability insurance, coordinator's mileage and supplies, and SER's administrative fee. Total reimbursement and administrative fee shall not exceed \$42,254.18 which is the total program cost.

SER de New Mexico will:

1. After program approval and as soon as possible after July 1, 2011, employ one full time program coordinator and one to three (1-3) youth, ages 16-19 to work at the City Parks and Recreation Section for 52 weeks.
2. Pay the program coordinator's salary of \$4,478.00 plus payroll taxes, workman's compensation insurance, liability insurance, mileage, supplies, SER administration fee, and pay each youth at the rate of \$7.50 (or the current minimum wage) per hour for all hours actually worked.

3. Will charge the City an administrative fee of nine percent (9.00%) of total salaries and benefits. Total reimbursement to SER shall not exceed \$42,254.18.
4. Provide quarterly expenditure status reports to the Parks and Recreation Administrator.
5. Keep data on employment training and employment related counseling, turnover and progress. Fiscal close out reports will be provided forty-five (45) days after year end.
6. Provide current biographical and emergency notification information on each youth SER employee.
7. Develop and maintain job descriptions for each youth employed through SER for review and approval by the City.
8. Procure and maintain a policy of Workman's Compensation Insurance covering any claims arising from program coordinator or youth for any work undertaking in accordance with this Agreement.
9. 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 for investigation and defense) arising out of or allegedly arising out of the performance of this agreement or any activities undertaking pursuant to the Agreement; other negligence of the City of its public employees in performing the specific obligations undertaking by the City.

GENERAL:

1. Each 'at risk' youth shall work no more than a total of twenty-five (25) hours per week, Sunday through Monday. Schedules may be anytime between the hours of 8:00a.m. and 12:00a.m. During special events, hours may be extended to 1:00a.m. Each youth shall be scheduled on an alternating basis by a City Recreation Manager. These hours can be shifted depending on unforeseen circumstances
2. Any 'at-risk' youth who performs work pursuant to this Agreement shall not be entitled to any City benefits, employment benefits or any other benefits.
3. This Agreement may be terminated by either party by giving the other party thirty (30) days written notice of intent to terminate.

Cost Breakdown to Renew the Year-round Program 2011-2012.

3 youth @ 7.50/hour 25 hours/week x 52 weeks	\$29,250.00	
FICA 6.20%	1,813.50	
Medicare 1.45%	424.13	
SUTA 1.11%	324.68	
Workers Compensation (\$4.27 per \$100 of payroll)	1,248.97	
Total Youth Salary & Benefits		\$33,061.28

SER Coordinator salary 52 weeks	\$ 4,478.00	
FICA 6.20%	277.64	
Medicare 1.45%	64.93	
SUTA 1.11%	49.71	
Workers Compensation	<u>191.21</u>	
Total Coordinator's Salary & Benefits		\$ 5,061.49

Supplies and Mileage	\$ 214.00	
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Liability Insurance	\$ 25.00	
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SER Administrative Fees 9% Of Total Salaries and Benefits	\$ <u>3,431.05</u>	
Total Other Expenses		\$ <u>3,670.05</u>

TOTAL REIMBURSEMENT TO SER:		\$ 41,792.82
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YOUTH SUPPLIES PROVIDED BY CLUB FUSION		<u>\$ 461.36</u>
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TOTAL PROGRAM COST:		\$42,254.18
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CITY OF LAS CRUCES, NEW MEXICO

SER, DE NEW MEXICO

By: _____

By: _____

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:


City Attorney