

# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 2

Ordinance/Resolution# 12-048

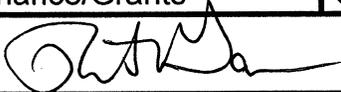
For Meeting of \_\_\_\_\_  
(Ordinance First Reading Date)

For Meeting of September 19, 2011  
(Adoption Date)

**TITLE:** A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT A GRANT AWARD MODIFICATION TO DECREASE GRANT AWARD NUMBER G10SN0006A BY THE AMOUNT OF \$3,778.86 FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY FOR THE SUPPORT OF THE REGIONAL INTERAGENCY DRUG TASK FORCE AND THE WARREN REESE SOUTHERN NEW MEXICO HIGH INTENSITY DRUG TRAFFICKING AREA LAW ENFORCEMENT CENTER AT THE SOUTHWEST BORDER OF NEW MEXICO HIGH INTENSITY DRUG INITIATIVE, TO RATIFY THE MAYOR'S APPROVAL OF THE MODIFIED CONTRACT AND TO ADJUST FY 2012 BUDGET.

**PURPOSE(S) OF ACTION:**

To accept a grant modification, ratify the Mayor's approval of the modified contract and to adjust the FY12 budget.

<b>COUNCIL DISTRICT: ALL</b>		
<b><u>Drafter/Staff Contact:</u></b> S. Nicole Williams	<b><u>Department/Section:</u></b> Finance/Grants	<b><u>Phone:</u></b> 541-2716
<b><u>City Manager Signature:</u></b>		

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

On June 7, 2009, City Council passed Resolution 10-293 allowing the City of Las Cruces (City), as fiscal agent on behalf of the Regional Interagency Drug Task Force and the Warren Reese Southern New Mexico High Intensity Drug Trafficking Area (HIDTA) Law Enforcement Center (Center), to accept grant funding in the amount of \$791,909.00 from the Office of National Drug Control Policy.

Designated as Office of National Drug Control Policy grant number G10SN0006A, the Cooperative Agreement with Special Conditions allows for funding to support multiple initiatives as designated by HIDTA including overtime for Doña Ana County Sherriff's Office agents assigned to the Las Cruces Police Department (LCPD) Metro division (Metro), salary and benefits for HIDTA employees assigned to Metro, various expenses incurred by LCPD agents assigned to Metro, annual rent for the Regional Interagency Drug Task Force, various expenses incurred by New Mexico State Police agents assigned to Metro, annual rent for management and coordination (Town of Mesilla), annual rent for the New Mexico Department of Public Safety Crime Lab and annual rent for the New Mexico Investigative Support Center.

(Continue on additional sheets as required)

On December 6, 2010, City Council passed Resolution 11-131 authorizing the City to accept Grant Award Modification 1 for grant number G10SN0006A to increase the previously awarded grant amount by \$67,096.75; bringing the overall grant award to \$859,005.75.

On July 18, 2011, City Council passed Resolution 12-013 authorizing the City to accept Grant Award Modification 2 for grant number G10SN0006A to decrease the previously awarded and modified grant by \$4,834.19; bringing the overall grant award to \$854,171.56.

On August 18, 2011, the City received notification documents stating that HIDTA funding for FY 2010 had been reduced. Included with the notice of decreased funding were: 1) a letter to Mayor Miyagishima notifying the City of the decrease in FY 2010 HIDTA funding, 2) a letter to Mayor Miyagishima outlining the reduction of the grant award to \$850,392.70: a reduction of \$3,778.86, and 3) the original Grant Award Modification 3 contract to be signed by the Mayor.

As per the original Cooperative Agreement with Special Conditions and subsequent modifications to the agreement, the City will act as fiscal agent on behalf of HIDTA for grant number G10SN0006A and will not use funds from the grant award to supplant state or local funds that would otherwise be made available for support of HIDTA Center initiatives.

**SUPPORT INFORMATION:**

1. Resolution.
2. Attachment "A", Letter from HIDTA to Mayor Ken Miyagishima.
3. Exhibit "A", Grant Award Modification 3 contract for grant number G10SN0006A.
4. Exhibit "B", Budget Adjustment.

**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 checked="" type="checkbox"/>	Expense reallocated from: 7422-Metro HDTA
		<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**

Grant funds reduction will be expensed from Fund 7422-Metro HDTA as indicated in the Fund Expenditure Summary below and as reflected in Exhibit "B", Budget Adjustment.

**FUND EXPENDITURE SUMMARY:**

<b>Fund Name(s)</b>	<b>Account Number(s)</b>	<b>Expenditure Proposed</b>	<b>Available Budgeted Funds in Current FY</b>	<b>Remaining Funds</b>	<b>Purpose for Remaining Funds</b>
7422- Metro HDTA	Various	\$3,778.86	\$54,840.00	\$51,061.14	Various Expenses

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will ratify the Mayor's acceptance of Grant Award Modification 3 for grant number G10SN0006A and approve the budget adjustment for FY 2012.
2. Vote "No"; this will disapprove the Resolution and reject the Grant Award Modification 3 for grant number G10SN0006A.
3. Vote to "Amend"; this is not an option as the Grant Agreement with Special Conditions has been entered in to and grant funding has been awarded and received by the City of Las Cruces as fiscal agent for HIDTA.
4. Vote to "Table"; this is not an option as the Grant Agreement with Special Conditions has been executed by the Office of National Drug Policy and the City of Las Cruces is obligated to adhere to all grant terms and conditions as fiscal agent for HIDTA.

**REFERENCE INFORMATION:**

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

1. Resolution 10-293.
2. Resolution 11-131.
3. Resolution 12-013.

(Continue on additional sheets as required)

**RESOLUTION NO. 12-048**

**A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT A GRANT AWARD MODIFICATION TO DECREASE GRANT AWARD NUMBER G10SN0006A BY THE AMOUNT OF \$3,778.86 FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY FOR THE SUPPORT OF THE REGIONAL INTERAGENCY DRUG TASK FORCE AND THE WARREN REESE SOUTHERN NEW MEXICO HIGH INTENSITY DRUG TRAFFICKING AREA LAW ENFORCEMENT CENTER AT THE SOUTHWEST BORDER OF NEW MEXICO HIGH INTENSITY DRUG INITIATIVE, TO RATIFY THE MAYOR'S APPROVAL OF THE MODIFIED CONTRACT AND TO ADJUST FY 2012 BUDGET.**

The City Council is informed that:

**WHEREAS**, the City of Las Cruces (City) is the fiscal agent for the Regional Interagency Drug Task Force and the Warren Reese Southern New Mexico High Intensity Drug Trafficking Area (HIDTA) Law Enforcement Center (Center); and

**WHEREAS**, on June 7, 2009, the City Council approved Resolution 10-293 accepting grant funding from the Office of National Drug Control Policy in the amount of \$791,909.00 on behalf of HIDTA and ratifying the Mayor's signature on the Cooperative Agreement with Special Conditions for the grant award; and

**WHEREAS**, the Office of National Drug Control Policy has designated the executed Cooperative Agreement with Special Conditions as grant number G10SN0006A; and

**WHEREAS**, grant funding allows for the support of multiple HIDTA initiatives including overtime for Doña Ana County Sherriff's Office agents assigned to the Las Cruces Police Department (LCPD) Metro division (Metro), salary and benefits for HIDTA employees assigned to Metro, various expenses incurred by LCPD agents assigned to Metro, annual rent for the Regional Interagency Drug Task Force, various expenses incurred by New Mexico State Police agents assigned to Metro, annual rent for management and coordination (Town of Mesilla), annual rent for the New Mexico

Department of Public Safety Crime Lab and annual rent for the New Mexico Investigative Support Center; and

**WHEREAS**, on December 6, 2010, City Council passed Resolution 11-131 authorizing the acceptance of Grant Award Modification 1, increasing the grant award by \$65,096.75; bringing the total grant award to \$859,005.75; and

**WHEREAS**, on July 18, 2011, City Council passed Resolution 12-013 authorizing the acceptance of Grant Award Modification 2, decreasing the grant award by \$4,834.19; bringing the total grant award to \$854,171.56; and

**WHEREAS**, on August 18, 2011, the City was notified that grant number G10SN0006A funding had been reduced by \$3,778.86; bringing the total grant award to \$850,392.70; and

**WHEREAS**, the City's FY 2012 budget will be adjusted to reflect a decrease of funds in Fund 7422-Metro HDTA by \$3,778.86; and

**WHEREAS**, the Mayor is authorized to sign the Grant Award Modification 3 contract; and

**WHEREAS**, the City and HIDTA will comply with the HIDTA Cooperative Agreement with Special Conditions and the subsequent modifications, and will not use funds from the grant award to supplant state or local funds that would otherwise be made available for support of HIDTA Center initiatives.

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

(I)

**THAT** the Mayor is authorized to sign Grant Award Modification 3 contract for Cooperative Agreement with Special Conditions, grant number G10SN0006A, designated as Exhibit "A".

(II)

THAT the City's FY 2012 budget is adjusted to reflect a decrease of \$3,778.86 in Fund 7422-Metro HDTA.

(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 \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

(SEAL)

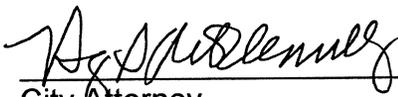
VOTE:

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

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

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

APPROVED AS TO FORM:

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



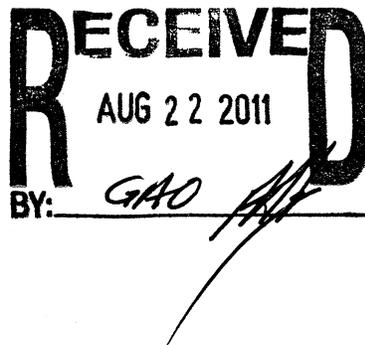
## NEW MEXICO REGION

### HIGH INTENSITY DRUG TRAFFICKING AREA

2450 Lakeside Dr. Bldg. A, Las Cruces, NM 88007  
PH (575) 541-7501 Fax (575) 541-7510

August 18, 2011

Ms. Ken Miyagishima  
City of Las Cruces  
200 N. Church St.  
Las Cruces, NM 88004



Dear Mayor Miyagishima:

High Intensity Drug Trafficking (HIDTA) funds have been decreased in the amount of \$3,778.86 for the FY 10 RIDTF Initiative. The enclosed grant award modification should be completed and **returned to the NM HIDTA Director's Office** as soon as possible.

Detailed information is provided in a letter to you from Michael K. Gottlieb, Acting National HIDTA Director. *In his letter he does ask that you send the signed Award Modification to Miami; however I am asking that you return this paperwork to our office.* We will forward this information to the Miami Assistance Center to ensure that we have the same records.

If you have any questions, please contact Sandra A. Russell, Finance Director at (575) 541-7503.

Sincerely,

  
Ernesto "Ernie" Ortiz  
Regional Director

Attachments



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**EXECUTIVE OFFICE OF THE PRESIDENT**  
**OFFICE OF NATIONAL DRUG CONTROL POLICY**  
Washington, D.C. 20503

July 26, 2011

Mr. Ken Miyagishima  
City of Las Cruces  
200 N Church ST  
Las Cruces, NM 88004

Dear Mayor Miyagishima:

Grant number G10SN0006A has been decreased and now totals \$850,392.70.

The original of Modification 3 is enclosed. If you accept this Modification, sign the Modification and return a copy to the Assistance Center in Miami. Keep the original Modification for your file.

All terms and conditions of the original award apply to the Modification. If you have any questions pertaining to this grant award, please feel free to contact Lisa Newton at (202) 395-6639.

Sincerely,

A handwritten signature in black ink, appearing to read "MKC", written over the printed name.

Michael K. Cottlieb

Deputy National HIDTA Director

Enclosures

<b>Executive Office of the President Office of National Drug Control Policy</b>		<b>AWARD Grant</b>	Page 1 of 1
1. Recipient Name and Address Mr. Ken Miyagishima City of Las Cruces 200 N Church ST Las Cruces, NM 88004		4. Award Number: G10SN0006A	
		5. Grant Period: From 01/01/2010 to 12/31/2011	
1A. Subrecipient IRS/Vendor No.	6. Date: 7/26/2011	7. Action	
Subrecipient Name and Address	8. Supplement Number 3	Initial	
		<input checked="" type="checkbox"/> Supplemental	
2A. Subrecipient IRS/Vendor No.:	9. Previous Award Amount:	\$854,171.56	
3. Project Title	10. Amount of This Award:	(\$3,778.86)	
Multiple	11. Total Award:	\$850,392.70	
12. The above Grant is approved subject to such conditions or limitations as are set forth in the original award.			
13. Statutory Authority for Grant: Public Law 111-117			
<b>AGENCY APPROVAL</b>		<b>RECIPIENT ACCEPTANCE</b>	
14. Typed Name and Title of Approving Official Michael K. Gottlieb Deputy National HIDTA Director		15. Typed Name and Title of Authorized Official Ken Miyagishima City of Las Cruces	
16. Signature of Approving ONDCP Official 		17. Signature of Authorized Recipient/Date	
<b>AGENCY USE ONLY</b>			
18. Accounting Classification Code DUNS: 077609279 EIN: 1856000147A2		19. HIDTA AWARD OND10B3SE1011 OND2000000 OC 4101 JID: 26480	

# Initiative Cash by HIDTA

FY 2010

Current Budget (net of reprogrammed funds)

HIDTA	Agency Name	Initiative	Cash	Type	Grant
SWB - New Mexico	City of Las Cruces	Fugitive/Violent Offender Task Force	25,093.00	Investigation	G10SN0006A
		Management & Coordination	122,282.00	Administration	G10SN0006A
		NM Investigative Support Center	193,022.00	Intelligence	G10SN0006A
		Regional Interagency Drug Task Force	397,219.70	Interdiction	G10SN0006A
		Southern Forensic Laboratory	112,776.00	Operations Support	G10SN0006A
<b>Agency Total : City of Las Cruces</b>			<b>850,392.70</b>		

**Total**

# Budget Detail

2010 - SWB - New Mexico

Initiative - Regional Interagency Drug Task Force

Award Recipient - City of Las Cruces (G10SN0006A)

Resource Recipient - City of Las Cruces

<b>Current Budget (net of reprogrammed funds)</b>		<b>(\$3,778.86)</b>
<b>Supplies</b>	<b>Quantity</b>	<b>Amount</b>
Supplies		(\$956.11)
<b>Total Supplies</b>		<b>(\$956.11)</b>
<b>Other</b>	<b>Quantity</b>	<b>Amount</b>
Other		(\$2,822.75)
<b>Total Other</b>		<b>(\$2,822.75)</b>
<b>Total Budget</b>		<b>(\$3,778.86)</b>

**CITY OF LAS CRUCES  
ADOPTED BUDGET FY 2011/2012**

FUND	DIVISION		FUND TYPE	
	JPA/Fiscal Agent		Fiduciary	
HIDTA Grants Fund 7422	FY 2010/11 Projected*	FY 2011/12 Adopted	Adjustment	FY 2011/12 Adjusted
<b>RESOURCES</b>				
Beginning Balance	\$ 0	0		0
<b>REVENUES</b>				
HIDTA Grant I8PSNP562Z Project 13008	\$ 0	0		0
HIDTA Grant I9PSNP562Z Project 13009	16,880	0		0
HIDTA Grant I10PSNP562Z Project 13011	814,332	69,410	(3,779)	65,631
HIDTA Grant I11PSNP562Z Project 13012	0	791,896		791,896
<b>Total Revenues</b>	\$ 831,212	861,306	(3,779)	857,527
<b>Total Resources</b>	\$ 831,212	861,306	(3,779)	857,527
<b>EXPENDITURES</b>				
<b>HIDTA Grant I8PSNP562Z Project 13008</b>				
Personnel	\$ 0	0		0
Operating	0	0		0
<b>Total I8PSNP562Z</b>	\$ 0	0	0	0
<b>HIDTA Grant I9PSNP562Z Project 13009</b>				
Personnel	\$ 12,058	0		0
Operating	4,822	0		0
<b>Total I9PSNP562Z</b>	\$ 16,880	0	0	0
<b>HIDTA Grant I10PSNP562Z Project 13011</b>				
Personnel	\$ 150,718	20,964		20,964
Operating	663,614	48,446	(3,779)	44,667
<b>Total I10PSNP562Z</b>	\$ 814,332	69,410	(3,779)	65,631
<b>HIDTA Grant I11PSNP562Z Project 13012</b>				
Personnel	\$ 0	122,435		122,435
Operating	0	669,461		669,461
<b>Total I11PSNP562Z</b>	\$ 0	791,896	0	791,896
<b>Total Expenditures</b>	\$ 831,212	861,306	(3,779)	857,527
<b>ENDING BALANCE</b>	\$ 0	0	0	0

\*Projected based on 8 months actual through February 28, 2011 and 4 months projected.