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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 12-129

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of February 6, 2012
 (Adoption Date)

TITLE: A RESOLUTION TO ACCEPT A MEMORANDUM OF AGREEMENT BETWEEN THE COMMUNITY FOUNDATION OF SOUTHERN NEW MEXICO UNIFIED PREVENTION! (UPI) COALITION AND THE CITY OF LAS CRUCES, ON BEHALF OF THE LAS CRUCES POLICE DEPARTMENT AND TO ADJUST THE FY 2012 BUDGET.

PURPOSE(S) OF ACTION:

To accept a memorandum of agreement and adjust the FY 2012 budget.

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

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Community Foundation of Southern New Mexico (CFSNM) Unified Prevention! (UPI) Coalition (formerly known as the Border Region Coalition) requests partnership with the Las Cruces Police Department (LCPD) to assist the LCPD in developing and implementing a strategic plan to reduce underage drinking and illegal drug use by youth in Las Cruces, New Mexico. As a result of this partnership, and in coordination with The Executive Office, Substance Abuse and Mental Health Services Association (SAMHSA), and the Office of National Drug Control Policy, Drug-Free Community Funding; the CFSNM is able to offer the LCPD grant monies up to the amount of \$11,400.00 for Grant Year IV, of a five-year grant, to cover costs for off-duty hours related to LCPD programs targeted for the control of underage substance abuse. Additionally, the CFSNM is offering \$8,815.64 from Grant Year III carryover funds to cover overtime costs directly associated with programs targeted for the control of underage substance abuse; bring the total amount of grant funding offered to \$20,215.54.

Through an agreement with The Executive Office, Substance Abuse and Mental Health Services Association (SAMHSA), and the Office of National Drug Control Policy, Drug-Free Community Funding (the funding sources); the CFSNM has been designated to act as legal, fiscal and programmatic entity and agrees to provide the Las Cruces Police Department with a stipend to cover costs for any off-duty hours in an amount not to exceed \$11,400.00 for Grant Year IV and the additional carryover funds from Grant Year III in the amount of \$8,815.64.

(Continue on additional sheets as required)

As a member of the Unified Prevention! (UP!) Coalition, LCPD will participate in the development of a strategic plan that identifies problems leading to underage drinking and illegal drug use. LCPD will provide statistical data to the coalition based on operations such as "Party Patrols" and "Cops in Shops", and provide direct input into the strategic plan development.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Memorandum of Agreement.
3. Exhibit "B", Budget Adjustment.

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: <u>2400: Police Fund</u> in the approximate amount of <u>\$20,216.00*</u> for <u>FY12</u> .
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Funds received will be used to off-set office overtime for operations and data collection as outlined in the MOA with the Community Foundation of Southern New Mexico, Unified Prevention! (UP!) Coalition. Expenditures and reimbursement requests will be performed on an "as used" basis and will not exceed \$20,215.54 (\$11,400.00 for Grant Year IV and \$8,815.64 for Grant Year III carryover funds).

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Police Fund	24147460-610210-37015	\$20,216.00*	\$20,216.00*	\$0	N/A

*Pending Budget Adjustment: figures rounded up per Budget.

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Memorandum of Agreement and adjust the FY 2012 budget.
2. Vote "No"; this will reject Memorandum of Agreement and the LCPD will not participate in the Unified Prevention! (UP!) Coalition.
3. Vote to "Amend"; this would delay the City's acceptance of the position on the Unified Prevention! (UP!) Coalition and could adversely impact the grant funding from the CFSNM for the reimbursement of officer overtime.
4. Vote to "Table"; this is not an option, as the Memorandum of Agreement is subject to grant deadlines imposed by SAMHSA and Drug-Free Communities Office of National Drug Control Policy (the funding sources).

REFERENCE INFORMATION:

1. Resolution 11-114.

RESOLUTION NO. 12-129**A RESOLUTION TO ACCEPT A MEMORANDUM OF AGREEMENT BETWEEN THE COMMUNITY FOUNDATION OF SOUTHERN NEW MEXICO UNIFIED PREVENTION! (UP!) COALITION AND THE CITY OF LAS CRUCES, ON BEHALF OF THE LAS CRUCES POLICE DEPARTMENT AND TO ADJUST THE FY 2012 BUDGET.**

The City Council is informed that:

WHEREAS, the Community Foundation of Southern New Mexico (CFSNM) Unified Prevention! (UP!) Coalition requests partnership with the Las Cruces Police Department (LCPD) to assist the LCPD in developing and implementing a strategic plan to reduce underage drinking and illegal drug use by youth living in Las Cruces, New Mexico; and

WHEREAS, in accordance with The Executive Office, Substance Abuse and Mental Health Services Association (SAMHSA), and the Office of National Drug Control Policy, Drug-Free Community Funding; the CFSNM is able to offer to the LCPD grant monies up to the amount of \$11,400.00 for Grant Year IV and \$8,815.54 in carryover funds from Grant Year III, to cover costs for officer off-duty hours related to LCPD programs targeted for the control of underage substance abuse; and

WHEREAS, CFSNM is designated as the legal, fiscal and programmatic entity and agrees to provide LCPD with the aforementioned grant monies; and

WHEREAS, as a member of the Unified Prevention! (UP!) Coalition, LCPD is invited to participate in the development of a strategic plan to address prevention of underage substance abuse in Las Cruces; and

WHEREAS, LCPD will provide to the Coalition statistical data collected during operations targeting underage substance abuse, such as "Party Patrols" and "Cops in Shops".

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

(I)

THAT the City Council approves the Memorandum of Agreement; Exhibit "A", attached hereto and made part of this resolution.

(II)

THAT the City of Las Cruces FY 2012 budget is hereby adjusted as designated in Exhibit "B", attached hereto and made part of this resolution.

(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 _____, 2012.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

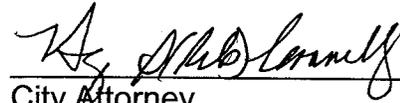
VOTE:

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

MEMORANDUM OF AGREEMENT

The Community Foundation of Southern New Mexico
Unified Prevention! (UP!) Coalition
for a
Drug Free Doña Ana County
And
City of Las Cruces
Las Cruces Police Department
Unified Prevention! (UP!) Coalition Member

The Unified Prevention! (UP!) Coalition for a Drug Free Doña Ana County is an initiative of the Community Foundation of Southern New Mexico, a nonprofit charitable organization linking local donors with local community needs. Funded through a five (5) year grant from The Executive Office, Substance Abuse and Mental Health Services Association (SAMHSA), and the Office of National Drug Control Policy, Drug-Free Community funding, the Unified Prevention! (UP!) Coalition convenes a county-wide coalition composed of community members representing a minimum of 12 (twelve) sectors from the community. These sectors are: parents, youth, media, business, faith-based organizations, law enforcement, state, local, or tribal government agencies, youth serving organizations, courts, schools, civic and volunteer groups, healthcare professionals, and other organizations involved in reducing substance abuse.

Using environmental strategies identified by SAMHSA, the coalition will develop and implement a strategic plan to reduce underage drinking and illegal drug use by youth living in Las Cruces. Through an agreement with the federal funding source, the Community Foundation of Southern New Mexico serves as the legal, fiscal and programmatic entity for the Unified Prevention! (UP!) Coalition.

In this role, the Community Foundation of Southern New Mexico agrees to:

1. Assure compliance with the terms and conditions of the notice of award from SAMHSA.
2. Assure fiscal compliance with budget expenditures.
3. Assure that complete fiscal and programmatic reports are filed by identified due dates.
4. Attend required grantee meetings.
5. Serve as the programmatic and fiscal contact with SAMHSA.
6. Assure the coalition's strategic plan identifies and implements environmental strategies as defined by SAMHSA.
7. Collect and report on required 4 core measures: age of onset of use; past 30 day use; perception of harm; and perception of parental approval.
8. Reimburse the Las Cruces Police Department for any overtime hours in amount not to exceed \$11,400, utilized to provide relevant data from existing programs.

- 9. The coalition will provide an additional \$8,815.64 (from Grant Year III carryover funds) to LCPD for Cops in Shops and Party Patrol Operations.

The Las Cruces Police Department, Unified Prevention! (UP!) Coalition Member agrees to:

- 1. Attend coalition meetings and community events.
- 2. Provide relevant data from existing LCPD programs as allowable subject to the inspection of Public Records Act of New Mexico.
- 3. As a coalition member, assist in the development of a strategic plan that identifies problems leading to underage drinking and illegal drug use.
- 4. As a coalition member, review and approve the annual strategic plan.
- 5. Participate in coalition training.
- 6. Accept said carryover amount.

This agreement becomes effective _____, 2012.

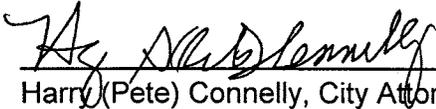


Robert L. Garza, P.E.
City Manager, City of Las Cruces

1-20-12

Date

APPROVED AS TO FORM:



Harry (Pete) Connelly, City Attorney



Richard Williams
Chief, Las Cruces Police Department
Unified Prevention! (UP!) Coalition Member

1/20/12

Date

Coordinator, Unified Prevention! (UP!)
Coalition, The Community Foundation
Of Southern New Mexico

Date

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

FUND	DIVISION		FUND TYPE	
Police Fund 2400	Police		Special Revenue	
	FY 2010/11 Preliminary*	FY 2011/12 Adopted	Adjustment	FY 2011/12 Adjusted
RESOURCES				
Beginning Balance	\$ 0	0		0
REVENUES				
37020 NM Dept of Transportation	\$ 0	8,400		8,400
37313 Department of Homeland Security	589	0		0
37301 U.S. Department of Justice	10,000	0		0
37302 U.S. Department of Justice	63	0		0
37312 Immigration & Customs Enforcement	0	10,000		10,000
37310 Federal Bureau of Investigation	38,777	75,000		75,000
37309 OJJDP After School Program	37,479	231,538		231,538
37311 Domestic Highway Enforcement (HIDTA)	17,642	9,450		9,450
37302 Project Safe Neighborhoods-DOJ	0	8,000		8,000
37015 Southern New Mexico Border Region Coalition	1,535	11,400	8,816	20,216
37315 NM Homeland Security - Stonegarden	1,403	250,527		250,527
37320 U.S. Marshals	8,995	25,000		25,000
Total Revenues	\$ 116,483	629,315	8,816	638,131
Total Resources	\$ 116,483	629,315	8,816	638,131
EXPENDITURES				
37020 NM Dept of Transportation	\$ 0	8,400		8,400
37313 Department of Homeland Security	589	0		0
37301 U.S. Department of Justice	10,000	0		0
37302 U.S. Department of Justice	63	0		0
37312 Immigration & Customs Enforcement	0	10,000		10,000
37310 Federal Bureau of Investigation	38,777	75,000		75,000
37309 OJJDP After School Program	37,479	231,538		231,538
37311 Domestic Highway Enforcement (HIDTA)	17,642	9,450		9,450
37302 Project Safe Neighborhoods-DOJ	0	8,000		8,000
37015 Southern New Mexico Border Region Coalition	1,535	11,400	8,816	20,216
37315 NM Homeland Security - Stonegarden	1,403	250,527		250,527
37320 U.S. Marshals	8,995	25,000		25,000
Total Expenditures	\$ 116,483	629,315	8,816	638,131
ENDING BALANCE	\$ 0	0	0	0

*Preliminary actual as of December 9, 2011.