



36
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 12-194

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of May 12, 2012
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC., TO CONTINUE "AT RISK" EMPLOYMENT SERVICES FOR HIGH SCHOOL AGE YOUTH IN THE PARKS AND RECREATION DEPARTMENT. TOTAL COST OF THE PROGRAM WILL NOT EXCEED \$42,255.

PURPOSE(S) OF ACTION:

Approve Agreement.

COUNCIL DISTRICT: ALL		
<u>Drafter/Staff Contact:</u> Sonya L. Delgado	<u>Department/Section:</u> Parks & Recreation Administration	<u>Phone:</u> 541-2550
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Parks and Recreation Department is seeking to renew the agreement between SER de New Mexico (SER) and City of Las Cruces to provide "at risk" youth with employment opportunities. SER will provide placement services, counseling, and administration of the year-round program for high school students ages 14 – 18. 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 working side by side with Parks and Recreation staff. Emphasis is placed on team work, following work rules, and completed the associated paperwork requirements. The total cost of the program will not exceed \$42,255.00 and has been requested in the FY 12/13 budget.

SUPPORT INFORMATION:

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

(Continue on additional sheets as required)

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

The program is scheduled to commence as soon as possible after July 1, 2012 as per the agreement between the City of Las Cruces and SER de New Mexico.

* Upon approval of the proposed FY 12/13 budget.

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	10383010-722190	\$42,255	\$442,319*	\$400,064	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.
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.

(Continue on additional sheets as required)

REFERENCE INFORMATION:

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

N/A.

(Continue on additional sheets as required)

RESOLUTION NO. 12-194

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LAS CRUCES AND SER DE NEW MEXICO, JOBS FOR PROGRESS, INC., TO CONTINUE "AT RISK" EMPLOYMENT SERVICES FOR HIGH SCHOOL AGE YOUTH IN THE PARKS AND RECREATION DEPARTMENT. TOTAL COST OF THE PROGRAM WILL NOT EXCEED \$42,255.

The City Council is informed that:

WHEREAS, the City of Las Cruces Parks and Recreation Department is seeking to renew the agreement with SER de New Mexico (SER); and

WHEREAS, SER will provide "at risk" youth ages 14 – 18 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 Department; and

WHEREAS, the total cost of the program will not exceed \$42,255.00 which was requested in the FY 12/13 budget as the agreement between the City and SER is scheduled to begin on or after July 1, 2012.

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

(I)

THAT the agreement with SER de New Mexico, attached hereto as Exhibit "A" and made a part of this Resolution is hereby 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 _____, 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

AGREEMENT**CITY OF LAS CRUCES AND SER DE NEW MEXICO
YEAR-ROUND YOUTH "AT - RISK", EMPLOYMENT PROGRAM**

THIS Agreement entered into 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 purpose of providing employment opportunities for "at-risk" youths;

Whereas, the City is desirous of using the services of "at-risk" youths who are clients of SER for work programs;

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

1. SER shall:

- A. Employ one full-time employee to coordinate the program and approximately three (3) youth ages 14-18 to work at the City Parks and Recreation Department for 52 weeks to be hired after program approval and as soon as possible after July 1, 2012.
- B. Pay the program coordinator's salary of \$4,478.00 plus payroll taxes, Workman's compensation Insurance, Liability Insurance, mileage, supplies, SER program administration fee, and pay each youth at the rate of \$7.50 (or the current minimum wage) per hour for all hours actually worked.

SER shall 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.

- C. Provide quarterly status reports on expenditures to the Parks and Recreation office. Keep data on employment training and employment related counseling, turnover, and progress. Fiscal close-out report will be provided 45 days after year end.
- D. Provide the City with current biographical and emergency notification information on each youth SER employee.
- E. Develop and maintain job descriptions for each youth employed through SER to be reviewed and approved by the City.
- F. Procure and maintain a policy of Workman's Compensation Insurance covering any claims arising from program coordination and any such youths for any work undertaking pursuant to this Agreement.
- G. Indemnify, defend and hold harmless the City and its public employees as 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 or its public employees in performing the specific obligations undertaking by the City hereunder.

2. The City Shall:

- A. Provide a harassment and discrimination free work environment and City-employed supervision of each "at risk" youth. The youths shall not be employees of the City.
- B. Provide the work site facilities.
- C. Provide youth with supplies that shall not exceed \$461.36.
- D. Provide and complete to SER, on a bi-weekly basis, time sheets and evaluation reports for all youths employed through the program.
- E. Reimburse SER for any salaries/wages paid by SER to the Coordinator and the youths who perform work pursuant to this Agreement, for the cost of Workman's Insurance, required by Section 1.D hereof, Liability insurance, Coordinator's mileage, and supplies. Pay SER's administrative fee. Total reimbursement and administrative fee shall not exceed \$42,254.18 in City funds for total program cost.

3. General:

- A. Each "at-risk" youth shall work no more than a total of 25 hours per week, Monday through Sunday; schedules may be anytime between the hours of 8:00am to 12:00 a.m. During special events, hours may be extended to 1:00 a.m. Each youth shall be scheduled on an alternating basis by a City Recreation or Park Manager. These hours can be shifted depending on unforeseen circumstances.

- B. Any "at-risk" youth who performs work pursuant to this Agreement shall not be entitled to any City benefits, unemployment benefits or any other benefits.
- C. This Agreement may be terminated by either party by giving the other party thirty (30) days written notice of intent to terminate this Agreement.

4. Cost Breakdown to Renew the Year-round Program 2012-2013.

3 youth @ 7.50/hour	\$29,250.00	
25 hours/week x 52 weeks		
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	
Liability Insurance	\$ 25.00	
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

SER DE NEW MEXICO

Page 5

YOUTH SUPPLIES

\$ 461.36

TOTAL PROGRAM COST:

\$42,254.18

DONE AND APPROVED THIS _____ day of _____, 2012.

CITY OF LAS CRUCES, NEW MEXICO

SER, DE NEW MEXICO

By: _____

By: _____

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney