



58  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 5 Ordinance/Resolution# 12-208

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

For Meeting of June 18, 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. (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:**

Approve agreement.

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

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

SER (Service, Employment, and Redevelopment) de New Mexico, Jobs for Progress, Inc., a job placement service available to the public, would like to contract with the City again to employ 31 youths within various City departments for training beginning July 9, 2012. The program covers four weeks in July 2012 and four weeks in June 2013. This is to due to the City's fiscal year starting in July and ending in June of each year.

SER, who administers of the "Youth at Risk" eight week long summer job program will consider applicants between the ages of 14 and 18 years of age who are 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.

Approval of an agreement 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.

(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:**

<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**

Funding to provide reimbursement to SER for the youth job program, for up to, but not to exceed \$51,000.00 was included in the Fiscal Year 2012-2013 General Fund budget within the Public Liaison/Purchased Services account which was approved on May 7, 2012.

**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

**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.

(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** 12-208

**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; and

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

**WHEREAS**, an agreement 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**, the summer program has budget approval for Fiscal Year 2012-2013 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 attached hereto as Exhibit "A" and made a part of this resolution, with SER de New Mexico, Jobs for Progress, Inc.

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)

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

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

APPROVED AS TO FORM:

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

VOTE:  
Mayor Miyagishima: \_\_\_\_\_  
Councillor Silva: \_\_\_\_\_  
Councillor Smith: \_\_\_\_\_  
Councillor Pedroza: \_\_\_\_\_  
Councillor Small: \_\_\_\_\_  
Councillor Sorg: \_\_\_\_\_  
Councillor Thomas: \_\_\_\_\_

**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 9, 2012 through August 3, 2012, Session I, and June 3, 2013 through June 28, 2013, 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 \$51,000.00 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 2012-2013 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>2012-2013</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	2.00%			\$ 720.00
Workers Comp (\$3.27per \$100 of payroll				<u>\$1,177.20</u>
<b>TOTAL BENEFITS</b>				<u>\$4,651.20</u>
<b>TOTAL YOUTH WAGES AND BENEFITS</b>				<b>\$40,651.20</b>
<b>COORDINATOR WAGES</b>				
<b># of Employees</b>	<b>Rate</b>	<b># of Hours Per Week</b>	<b># of Weeks</b>	
1	\$9.00	40	13	\$4,680.00
<b>BENEFITS</b>				
FICA	6.20%			\$290.16
Medicare	1.45%			\$ 67.86
SUTA	2.00%			\$ 93.60
Workers Comp				<u>\$153.03</u>
<b>TOTAL BENEFITS</b>				<u>\$ 604.65</u>
<b>TOTAL COORDINATOR WAGES AND BENEFITS</b>				<b>\$5,284.65</b>
<b>TOTAL WAGES AND BENEFITS</b>				<b>\$45,935.85</b>
<b>ADMINISTRATIVE</b>				

**COSTS**

Supplies and Mileage	\$450.00	
Liability		
Insurance	\$353.50	
Administrative		
Fee	8.850%	\$4,065.32
(Total Wages & Benefits)		
<b>TOTAL ADMINISTRATIVE COSTS</b>		<b>\$4,868.82</b>
<b>TOTAL REIMBURSEMENT TO SER</b>		<b>\$50,804.67</b>

**CITY OF LAS CRUCES**

**SER de New Mexico**

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

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

**ATTEST:**

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Approved as to form  
City Attorney