

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 13-071

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of November 19, 2012
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES, ON BEHALF OF ITS POLICE DEPARTMENT, TO ACCEPT EMERGENCY PREPAREDNESS EQUIPMENT VALUED AT \$179,460.00 PURSUANT TO A GRANT FUNDED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS THROUGH THE NEW MEXICO DEPARTMENT OF PUBLIC SAFETY, OFFICE OF EMERGENCY MANAGEMENT AND THE DOÑA ANA COUNTY / CITY OF LAS CRUCES OFFICE OF EMERGENCY MANAGEMENT FOR FY 2010 AND TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AGREEMENT TO ACCEPT THE EQUIPMENT.

PURPOSE(S) OF ACTION:

To formally accept equipment.

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 United States Department of Homeland Security, Domestic Preparedness Equipment Program provides opportunities for state and tribal governments to apply for grant funding under nine separate initiatives. In order for the New Mexico Department of Homeland Security (NMDHS) to submit an application for the above mentioned program, NMDHS provides Homeland Security Guidance documents and grant application kits to local jurisdictions. NMDHS requires each county to collect and prioritize local jurisdiction NMDHS sub-grant applications requesting funds.

Upon collection and prioritization of the sub-grant applications, a Department of Homeland Security Planning Team reviews the qualified NMDHS prioritized application lists and submits a grant request to the United States Department of Homeland Security for program funding. Upon approval of NMDHS grant application, the United States Department of Homeland Security

awards grant funds to NMDHS, who then disburses grant funds to local jurisdictions to purchase emergency preparedness equipment as prioritized in collected and approved local jurisdiction sub-grant applications. Purchased equipment is then awarded to the local units of government according to the approved sub-grant application.

The New Mexico Department of Homeland Security through the Doña Ana County Office of Emergency Management has awarded the City of Las Cruces, on behalf of the Las Cruces Police Department (LCPD), a 2012 North Star 212-5 Command Vehicle valued at \$179,460.00. The Police Department is in possession of the vehicle which has been processed into the City's fleet via the Transportation Department. No match is required for this award; however the City will be expected to cover all costs associated with maintaining the vehicle.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Agreement Upon Receipt of Equipment between Doña Ana County and the City, on behalf of the Las Cruces Police Department and Attachment "A" to the agreement.

SOURCE OF FUNDING:

N/A	Is this action already budgeted?		
	Yes	<input 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

Equipment has been purchased by the Doña Ana County Office of Emergency Management with grant funds provided by the United States Department of Homeland Security through the NMDHS Domestic Preparedness Equipment Program FY 2010.

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

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will authorize the acceptance of the emergency preparedness equipment through the NMDHS Domestic Preparedness Equipment Program FY 2010.
2. Vote "No"; this will disallow acceptance of the equipment.
3. Vote to "Amend"; this is not an option as the awarded equipment is specific to the grantor agency.
4. Vote to "Table"; this could delay the ability to accept, and use the equipment.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 13-071

A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES, ON BEHALF OF ITS POLICE DEPARTMENT, TO ACCEPT EMERGENCY PREPAREDNESS EQUIPMENT VALUED AT \$179,460.00 PURSUANT TO A GRANT FUNDED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS THROUGH THE NEW MEXICO DEPARTMENT OF PUBLIC SAFETY, OFFICE OF EMERGENCY MANAGEMENT AND THE DOÑA ANA COUNTY / CITY OF LAS CRUCES OFFICE OF EMERGENCY MANAGEMENT FOR FY 2010 AND TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AGREEMENT TO ACCEPT THE EQUIPMENT.

The City Council is informed that:

WHEREAS, the New Mexico Department of Homeland Security through the Doña Ana County Office of Emergency Management has awarded the City of Las Cruces, on behalf of its Police Department, emergency preparedness equipment valued at \$179,460.00; as listed in Exhibit "A", attached hereto and made part of this resolution; and

WHEREAS, the awarded vehicle has been purchased by the Doña Ana County Office of Emergency Management with grant funds provided by the United States Department of Homeland Security through the New Mexico Department of Homeland Security Domestic Preparedness Equipment Program FY 2010; and

WHEREAS, there is no match required for the grant award, however the City will be expected to cover all costs associated with maintaining the vehicle; and

WHEREAS, the Police Department is in possession of the vehicle, which has been processed into the City's fleet via the Transportation Department.

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

(I)

THAT the City of Las Cruces, on behalf of its Police Department, is approved to accept the emergency preparedness equipment from the Doña Ana County Office of Emergency Management.

(II)

THAT the City Manager's signature on the Agreement Upon Receipt of Equipment is ratified; Exhibit "A", 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 _____, 20_____.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

VOTE:

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

By [Signature]

city attorney

City Attorney

**AGREEMENT UPON RECEIPT OF EQUIPMENT
State Homeland Security Grant Program FY 2010**

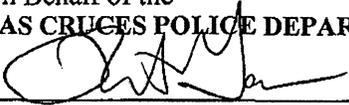
WHEREAS, the City of Las Cruces Police Department ("the City") is in receipt of preparedness equipment, transferred to it by the County of Dona Ana, through its Office of Emergency Management ("the County"), which equipment will be used for the protection of the residents of the City and the County; and,

WHEREAS, the acquisition of this preparedness equipment is funded by the New Mexico Department of Homeland Security Office of Emergency Management pursuant to a grant funded by the United States Department of Homeland Security Office "Homeland Security Grant Program" (hereinafter "the Program"); and the equipment is to be used to increase the City's ability to respond to a terrorist incident involving weapons of mass destruction;

NOW THEREFORE, The City acknowledges receipt of the equipment and, after inspection of the same, states as follows:

1. The equipment as listed in the lists attached hereto as "Attachment A," is present and in good working order. The equipment will be used to increase the City's ability to respond to a terrorist incident involving weapons of mass destruction.
2. The City will advise the County in writing before transferring any of this equipment to other persons; jurisdictions or entities and the City shall maintain records of the condition and whereabouts of such equipment.
3. The County provides no warranties as regards to the supplied equipment.
4. The City agrees and accepts that the County is not liable for any injuries or damages that arise out of the transfer, ownership or use of the supplied equipment.
5. The City agrees to assume full responsibility for whatever training, upkeep, maintenance, storage costs, etc. are necessitated by its custody and use of the supplied equipment.
6. The City acknowledges that the State retains the right to inspect/inventory all equipment supplies hereunder.
7. This Agreement shall remain in effect throughout the entire period of use and possession by the City of the above referenced equipment.

RECEIVED AND ACKNOWLEDGED:
On Behalf of the
LAS CRUCES POLICE DEPARTMENT,


By: Robert L. Garza, P.E.
Its: City Manager

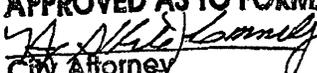
10/29/12
Date

ACKNOWLEDGED:

COUNTY OF DONA ANA,

By:
Its:

Date

APPROVED AS TO FORM:

City Attorney

**Dona Ana County/City of Las Cruces
Office of Emergency Management**

**State Homeland Security Grant Program
Dona Ana County Equipment List FY 2010
Attachment A
Las Cruces Police Department**

Vendor: Braun Northwest, Inc.
Address: 150 North Star Drive/ P.O. Box 1204
Chehalis, WA 98532

Item	Description	Quantity	Unit Cost	Total
	2012 North Star 212-5 Command Vehicle	1	\$ 179,460.00	\$ 179,460.00
	See attached specifications			
	Total			\$ 179,460.00