

City of Las Cruces⁴⁰
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 13-124

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of March 18, 2013
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION TO ACCEPT THE 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 2013 BUDGET.

PURPOSE(S) OF ACTION:

To accept a Memorandum of Agreement and adjust the FY 2013 budget.

COUNCIL DISTRICT: N/A		
<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! (UP!) 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 V, of a five-year grant, to cover costs for off-duty hours related to LCPD programs targeted for the control of underage substance abuse.

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 V.

(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 amount of <u>\$11,400.00</u> for <u>FY13</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 \$11,400.00.

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	24147460-610210-37030	\$11,400.00*	\$11,400.00*	\$0	N/A

*Upon approval of the budget adjustment.

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Memorandum of Agreement and adjust the FY 2013 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:

N/A

(Continue on additional sheets as required)

RESOLUTION NO. 13-124**A RESOLUTION TO ACCEPT THE 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 2013 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 V, 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 2013 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 _____, 20_____.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

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

APPROVED AS TO FORM:



City Attorney

MEMORANDUM OF AGREEMENT

**The Community Foundation of Southern New Mexico
Unified Prevention (UP!) Coalition
And
City of Las Cruces
Representing
Las Cruces Police Department**

The Unified Prevention (UP!) Coalition is an initiative of The Community Foundation of Southern New Mexico, a nonprofit charitable resource linking donors with community needs. **Currently, funded through a five (5) year grant** from The Executive Office of the President, Office of National Drug Control Policy **Drug Free Communities Support Program Grants** (DFC), and Substance Abuse and Mental Health Services Association (SAMHSA), the UP! Coalition consists of community members representing a minimum of 12 sectors across Doña Ana County. These sectors include: 1) Business Community, 2) Civic and Volunteer Groups, 3) Healthcare Professionals, 4) Law Enforcement Agencies, 5) Media, 6) Religious or Fraternal Organizations, 7) Schools, 8) State, Local and/or Tribal Government Agencies, 9) Youth-Serving Organizations, 10) Parents, 11) Youth and 12) Other organizations – state and local agencies – involved in reducing substance abuse.

The Coalition will expand and **sustain** the work accomplished through the DFC grant with a **new three (3) year funding** opportunity, the **Partnerships for Success II** grant, from the New Mexico Office of Substance Abuse Prevention (OSAP). This will allow the Coalition to develop and implement a strategic plan to **reduce underage drinking and prescription drug misuse by youth** living in Doña Ana County. The Community Foundation of Southern New Mexico serves as the legal, fiscal sponsor and staff the Coalition.

In this role, The Community Foundation of Southern New Mexico will:

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 four core measures: 1) age of onset of use; 2) past 30-day use; 3) perception of harm; and 4) 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.

The Las Cruces Police Department agrees to:

1. Attend Coalition meetings held on a monthly basis, when scheduling permits.
2. Participate in Coalition training opportunities, when scheduling permits.

3. Support the work of the Coalition through participation in community awareness and special events as outlined in the strategic plan.
4. Provide relevant data from existing LCPD programs as allowable subject to the inspection of Public Records Act of New Mexico
5. Assist in the development and approval of an annual strategic plan that identifies problems leading to underage drinking and illegal drug use and addresses the outcomes desired through the use of environmental strategies.
6. Provide necessary data/reports as related to the strategic plan and/or four core measures.

This agreement becomes effective 1.19.2013 (Date).



City Manager

1-7-13

Date

APPROVED AS TO FORM:



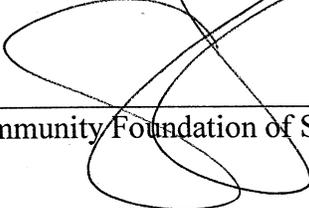
City Attorney



Chief, Las Cruces Police Department

1/9/13

Date



The Community Foundation of Southern New Mexico

1/9/13

Date

**CITY OF LAS CRUCES
ADOPTED BUDGET FY 2012/2013**

FUND	DIVISION		FUND TYPE	
Police Fund 2400	Police		Special Revenue	
	FY 2011/12 Actual	FY 2012/13 Adopted	FY 2012/13 Adjustment	FY 2012/13 Adjusted
RESOURCES				
Beginning Balance	\$ 0	0		0
REVENUES				
37015 Southern New Mexico Border Region Coalition	\$ 9,427	16,917		16,917
37020 NM Dept of Transportation	5,468	3,008		3,008
37030 UP! Coalition	0	0	11,400	11,400
37301 U.S. Department of Justice	0	0		0
37302 Project Safe Neighborhoods 2010	9,911	8,279		8,279
37303 Project Safe Neighborhoods 2011	8,000	8,000		8,000
37309 OJJDP After School Program	97,590	132,988		132,988
37310 Federal Bureau of Investigation	34,817	105,053		105,053
37311 Domestic Highway Enforcement (HIDTA)	3,956	3,102		3,102
37312 Immigration & Customs Enforcement	12,557	0		0
37313 Department of Homeland Security	0	0		0
37315 NM Homeland Security - Stonegarden	49,391	290,839		290,839
37316 NM Homeland Security - Stonegarden 2011	0	40,000		40,000
37320 U.S. Marshals	7,111	20,688		20,688
Total Revenues	\$ 238,228	628,874	11,400	640,274
Total Resources	\$ 238,228	628,874	11,400	640,274
EXPENDITURES				
37015 Southern New Mexico Border Region Coalition	9,427	16,917		16,917
37020 NM Dept of Transportation	5,468	3,008		3,008
37030 UP! Coalition	0	0	11,400	11,400
37301 U.S. Department of Justice	0	0		0
37302 Project Safe Neighborhoods 2010	9,911	8,279		8,279
37303 Project Safe Neighborhoods 2011	8,000	8,000		8,000
37309 OJJDP After School Program	97,590	132,988		132,988
37310 Federal Bureau of Investigation	34,817	105,053		105,053
37311 Domestic Highway Enforcement (HIDTA)	3,956	3,102		3,102
37312 Immigration & Customs Enforcement	12,557	0		0
37313 Department of Homeland Security	0	0		0
37315 NM Homeland Security - Stonegarden	49,391	290,839		290,839
37316 NM Homeland Security - Stonegarden 2011	0	40,000		40,000
37320 U.S. Marshals	7,111	20,688		20,688
Total Expenditures	\$ 238,228	628,874	11,400	640,274
ENDING BALANCE	\$ 0	0	0	0