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

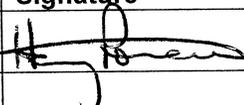
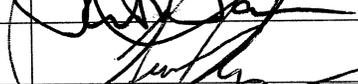
**Council Action and Executive Summary**

Item # 3 Ordinance/Resolution# 10-025 Council District:       

For Meeting of July 20, 2009  
 (Adoption Date)

**TITLE:** A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$31,950 FOR THE LAS CRUCES POLICE DEPARTMENT'S VICTIMS ASSISTANCE UNIT FROM THE STATE OF NEW MEXICO, CRIME VICTIMS REPARATION COMMISSION. ADDITIONALLY TO RATIFY THE CITY MANAGER'S SIGNATURE TO ACCEPT THE AWARD WITHIN THE GRANT TERMS AND TO ADJUST THE FY 2010 BUDGET.

**PURPOSE(S) OF ACTION:** To accept \$31,950 in grant funds for the City of Las Cruces Police Department's Victims Assistance Unit from the State of New Mexico, Crime Victims Reparation Commission for the continued salary support of two Crime Victim Advocates positions. Additionally, to ratify the City Manager's signature accepting the award to meet grant deadlines, and to adjust the FY 2010 budget.

<b>Name of Drafter:</b> Robin L. Rice		<b>Department:</b> Office of Management and Budget		<b>Phone:</b> (575) 541-2104	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Police Department		(575) 528-4200	Budget		(575) 541-2300
			Assistant City Manager		(575) 541-2271
Legal		(575) 541-2128	City Manager		(575) 541-2128

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:** The Las Cruces Police Department (LCPD), Victim Assistance Unit (VAU), has received from the State of New Mexico Crime Victims Reparation Commission \$31,950 for the continuation of its Victim Assistance program.

Funding will specifically support salaries for two Crime Victim Advocates positions in the VAU, in-state-travel for one Crime Victim Advocate to attend the Advanced Advocate Academy in Red River, New Mexico, and the purchase of a printer for the unit. Tthe City of Las Cruces will be required to provide match funding in the amount of \$7,613.00 which represents the employee benefit costs for the advocate positions and a small portion of the travel expense.

(Continue on additional sheets as required)

**SUPPORT INFORMATION:**

<b>Fund Name / Account Number</b>	<b>Amount of Expenditure</b>	<b>Budget Amount</b>
Victims Assistance Unit Revenue: 24140180-552999-34700 Expenditure: 24147070-610102-37400	\$31,950	\$31,950

- 1) Resolution
- 2) Grant Acceptance Package - Exhibit A
- 3) FY 2010 Budget Adjustment - Exhibit B

**OPTIONS / ALTERNATIVES:**

1. Approve the Resolution for the City to accept grant funds in the amount of \$31,950 from State of New Mexico, Crime Victims Reparation Commission and authorize the City Manager's acceptance of the award, and adjust the FY 2010 budget.
2. Do not approve the Resolution and the City of Las Cruces will not accept the funds for this grant.

(Continue on additional sheets as required)

**RESOLUTION NO. 10-025**

**A RESOLUTION AUTHORIZING THE CITY OF LAS CRUCES TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$31,950 FOR THE LAS CRUCES POLICE DEPARTMENT'S VICTIMS ASSISTANCE UNIT FROM THE STATE OF NEW MEXICO, CRIME VICTIMS REPARATION COMMISSION. ADDITIONALLY TO RATIFY THE CITY MANAGER'S SIGNATURE TO ACCEPT THE AWARD WITHIN THE GRANT TERMS AND TO ADJUST THE FY 2010 BUDGET.**

The City Council is informed that:

**WHEREAS**, the Las Cruces Police Department (LCPD), Victims Assistance Unit (VAU), was awarded \$31,950 from the New Mexico Crime Victims Reparation Commission; and

**WHEREAS**, FY10 VAU funding requires a 20% minimum match. The City will provide \$7613.00 in-kind match for the program.

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

**(I)**

**THAT** the City of Las Cruces is hereby accepts the \$31,950 in FY 2010 Victims Assistance Grant funds on behalf of the Las Cruces Police Department's Victims Assistance Unit; and

**(II)**

**THAT**, the City of Las Cruces FY 2010 Budget is hereby adjusted as designated in Exhibit B attached hereto and made a part of this resolution; and

**(III)**

**THAT**, the City Council for the City of Las Cruces does hereby ratify and affirm the

acceptance of the grant by the City Manager to meet the grant requirement deadline; and

(IV)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this 20<sup>th</sup> day of July, 2009.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

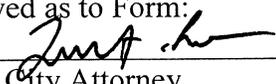
(SEAL)

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Archuleta:	_____
Councillor Small:	_____
Councillor Jones:	_____
Councillor Thomas:	_____

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

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

Approved as to Form:  
  
\_\_\_\_\_  
City Attorney

## Grant Acceptance Package

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### Grant Acceptance Verification and Signature

Opportunity Title: FY 2010 VOCA Victim Assistance Award Contract

Offering Agency: State of New Mexico Crime Victims Reparation Commission

Opportunity Number:

Value Awarded: \$31,950.00

Response Date: July 22, 2009

Requesting Agency/Department: Las Cruces Police Department

OMB – Grant Writer: Robin L. Rice

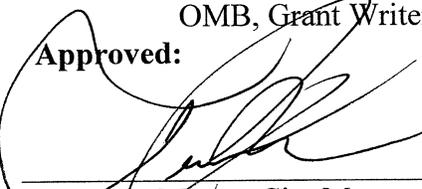
#### SUPPORT INFORMATION

Contract enclosed for signature to support the Victims Assistance Unit award for FY 2010, for July 1, 2009 to June 30, 2010.

#### OPTIONS

1. Agree with request to accept grant award. Sign the VOCA Award letter, and affirm signature below. Package to be returned to OMB, Grant Writer.
2. Disagree, award will not be accepted. Unsigned package to be returned to OMB, Grant Writer.

Approved:

  
 \_\_\_\_\_  
 Terrence Moore, City Manager

Date

  
 \_\_\_\_\_

<p>CMP #2.2 Effective 9/20/04: The City Manager may authorize the application for any grant with these exceptions:          The grant award is anticipated to be in excess of \$50,000 and funding has not been appropriated as part of the current budget.          The acceptance of the grant will require City Council to adjust the current budget to appropriate matching funds.          The grant requirements stipulate that the City will continue to operate and fund the project/program after the grant period is complete.          The grant requirements stipulate that the City enter into a new Memorandum of Understanding or a Joint Powers Agreement with another entity.</p>
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STATE OF NEW MEXICO  
CRIME VICTIMS REPARATION COMMISSION

BILL RICHARDSON  
GOVERNOR



LARRY TACKMAN  
DIRECTOR

RECEIVED  
JUN 12 2009  
LCPD-VICTIM ASSISTANCE

June 15, 2009

Sylvia Hall  
Las Cruces Police Dept./Victim Assistance Unit  
P.O. Box 20000  
Las Cruces, NM 88004

Dear Ms. Hall:

I am pleased to inform you that your organization has been selected to receive a FY2010 Victims of Crime Act (VOCA) Victim Assistance grant in the amount of \$31,950.00. Please review the material and information enclosed in this contract packet. Please note the FY10 VOCA application packet, the preliminary award letter, this final award letter and the contract packet contain important information and conditions that pertain to this funding cycle. Please keep it all together and available for reference purposes. All FY10 awards must end by June 30, 2010.

In addition, the following is enclosed for your agency to complete and mail back to our office by the specified dates.

1. FY2010 VOCA Victim Assistance Award Contract signed by the appropriate authorized official by June 22, 2009.

**A VOCA Post Award Workshop will be held on Tuesday, July 28, 2009 from 12:30 pm to 5:00 pm at the CVRC Conference Room at the 8100 Mountain Rd. NE Albuquerque.** The conference room is five doors west of suite 106 or the second door on the south side when entering the building from the west side glass doors.

The training will provide information on regular VOCA Victim Assistance (12:30 pm to 3:30 pm) and the Recovery Act VOCA Victim Assistance (3:30 pm to 5:00 pm) contracts, new reporting requirements, updated forms and the abc's of what is expected by federal and state guidelines. Only those agencies awarded Recovery Funding will be required to attend the Recovery Act segment of the training.

Participation at the workshop meets the Special Conditions contractual requirement of attending a CVRC Grants Reporting training for FY10. It is beneficial if the Program Director or someone **directly** involved with the VOCA reporting attend this workshop. No RSVP is required

Please contact Suzanne Lopez, Grants Accountant/Auditor or me at (505) 222-6441 if you have any questions. We are looking forward to working with you this coming grant year.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Brassie".

Robin Brassie  
VOCA Grant Administrator

State of New Mexico  
Crime Victims Reparation Commission

**FY2010 VOCA-Victim Assistance Award Contract**

A Federal Grant number 2009-VA-GX-00 Victims of Crime Act (VOCA) grant is hereby awarded to Las Cruces Police Dept./Victim Assistance Unit hereinafter called the Contractor, Subgrantee Number 2010-VA-533, in the amount of \$31,950.00, for the exclusive application of a Victim Assistance Program as set forth in the approved program of the State of New Mexico Grant Application. This award is authorized by the Crime Victims Reparation Commission (CVRC) as authorized by the Victims of Crime Act of 1984. This grant's CFDA# is 16.575. This award may be used for a period from July 1, 2009 to June 30, 2010.

The contractor shall administer the project for which this award is given in accordance with the applicable rules, regulations and conditions as set forth in the Federal and State Guidelines. In addition, the attached Special Conditions, must be followed.

**I. PAYMENT**

Payment is on a reimbursement basis.

**II. TERMINATION**

This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty days prior to the intended date of termination.

**III. RECORDS AND AUDIT**

Detailed expenditure records must be maintained. These records shall be subject to inspection by CVRC and its representative(s), and the United States Department of Justice, Office of Justice Programs. CVRC shall have the right to audit the expenditures both before and after payment. Payment under this Agreement shall not foreclose the right of CVRC to recover excessive and/or illegal payments.

**IV. ASSIGNMENT**

The contractor shall not assign or transfer any interest in this Agreement without prior written approval of CVRC.

**V. AMENDMENTS**

This agreement shall not be altered, changed or amended except by an instrument in writing executed by the parties hereto.

**VI. EQUAL OPPORTUNITY COMPLIANCE**

The contractor agrees to abide by all Federal and State laws and rules and regulations, and executive orders of the Governor of the State of New Mexico pertaining to equal employment opportunity. The subgrantee agrees that no person shall, on the basis of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with or participation in, be denied services, or be otherwise subjected to discrimination under any program or activity performed under this Agreement.

**VII. EFFECTIVE DATE**

This award becomes effective upon date of approval by the CVRC Director. No funds will be disbursed until a signed original of this agreement, a Subgrant Award Report, a vendor number, a revised budget, and a revised project description have been submitted to and approved by CVRC.

Organizations which do not adhere to these responsibilities will be in violation of the terms of this Grant, and the VOCA Award will be subject to appropriate administrative action, including withholding of funds or possible cancellation of Grant Award.

Las Cruces Police Dept./Victim Assistance Unit signifies acceptance of this award according to the terms and conditions set forth above and in the attached Special Conditions.

APPROVED:

AUTHORIZED OFFICIAL

DATE:

6/16/09

CVRC DIRECTOR

DATE:

6/23/09

APPROVED AS TO FORM  
[Signature]  
CVRC DIRECTOR

Approved: Chairman, New Mexico Crime Victims Reparation Commission

State of New Mexico  
Crime Victims Reparation Commission  
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**FY2010 VOCA-Victim Assistance Award Contract**  
**SPECIAL CONDITIONS**

1. Maintain separate accounts and accounting records for the VOCA funds.
2. Maintain and furnish to CVRC and the United States Department of Justice, upon request, detailed accounting and supportive records of expenditures and of the matching funds.
3. File quarterly statistical reports to be received by CVRC no later than ten days after the end of each quarter. Late or inaccurate reporting will delay the payment process.
4. Anyone providing direct services to victims shall attend a minimum of one compensation workshop held by CVRC during the grant year. Cross training of direct service staff is strongly recommended.
5. All training materials and brochures funded by this award must state, "Funding by the New Mexico Crime Victims Reparation Commission with funds from the Office of Victims of Crime, US Dept. of Justice."
6. Provide CVRC with an audit of the program, the audit management letter, and a resolution of all findings if your agency meets the conditions of the OMB Circular 133, which requires an audit if your agency expends at least \$500,000.00 of federal funds during the contract period. If your agency does not meet the conditions of the OMB Circular 133, please submit a "program-specific audit" with a copy of the audit management letter and resolution of all findings. Agencies in good standing may request a waiver of this condition from CVRC.
7. Payment is on a reimbursement basis. In order to receive payment, a Cash Reimbursement Packet consisting of: an original signed monthly invoice and two copies must be submitted (faxes will not be accepted) with an attached accounting sheet reporting the previous month's federal and match expenditures. A signed original of the Record of Match Expenditures must be included. The expenditures are to be reported by category used on the invoice form. This documentation must be received no later than the 10th of the month for the previous month's expenditures or as directed by the grant manager. If documentation is late or inaccurate, reimbursement will be delayed until the following month.
8. Cooperate, coordinate, and acknowledge services with other VOCA/VAWA funded programs and other service providers in your region that serve victims.
9. Two members of the project's staff shall attend the Annual Advocacy in Action Conference.
10. The project manager and anyone completing the quarterly statistical reports and the Cash Reimbursement Packet shall attend the CVRC VOCA/VAWA Grant Reporting training at least once during the grant budget period.
11. Prior to the final selection of personnel to be hired with grant funds, the contractor agrees to provide CVRC with the names and resumes of the candidates recommended for hiring. CVRC shall review and approve all recommendations regarding personnel selection and/or hiring. Project staff resumes must be submitted to CVRC in order for reimbursement for expenditures to occur.
12. Project staff and consultants must be provided a copy of the project proposal and budget. In addition the program manager agrees to disseminate project information to the project staff.
13. The contractor agrees that all equipment and/or technology purchased with grant funds will be used solely to assist victims of crime during, and for three years following the end of the grant budget period.
14. Utilize volunteers in your program and make certain volunteers are an integral part of your project.
15. VOCA funds must be used for direct services to victims of crime. Check the award letters for special restrictions on your agency's award. Your agency is responsible for adherence to these restrictions.
16. The contractor agrees to collect and keep on file nondiscrimination/demographic information on victims for which services were provided. This information must include race, national origin, primary language, sex, age, and physical and mental disability status.
17. The contractor agrees that all income generated as a direct result of this project shall be deemed "program income". It must be accounted for and it must be used for the purposes and under the conditions applicable to the use of grant funds. This is in accordance with regulations for program income under the Common Rule, "Uniform Administrative Requirements for Grant and Cooperative Agreements."

State of New Mexico  
Crime Victims Reparation Commission  
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**FY2010 VOCA-Victim Assistance Award Contract**  
**SPECIAL CONDITIONS (Continued)**

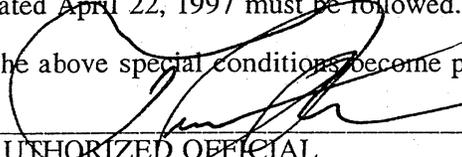
18. The Contractor agrees to supplement and not supplant state or local funds.
19. The contractor agrees to complete and keep on file, as appropriate, Immigration and Naturalization Service Employment Eligibility Verification Form (I-9). This form is to be used by recipients of Federal funds to verify that persons are eligible to work in the United States.
20. The Contractor agrees to submit an annual performance report for each year the award is active, by the due date.
21. All information furnished to VOCA contractor agencies by victims of crime, including identifying information, is confidential, with the following exceptions: a) court subpoena, b) in situations where a trained professional assesses that a victim is in danger of harming themselves or others (i.e. suicide or homicide), c) periodic review of files by the funding agency, and d) in the event the victim provides written consent for a release of information. In addition, staff counselors are legally required to report all suspected child abuse and neglect to the NM Children, Youth and Families Department and /or law enforcement.
22. Any Contractor that desires to purchase food or beverages for training projects must submit written request for approval to the VOCA Grant Manager at least six weeks prior to the event, unless such expenditures were approved during the award process.
23. Organizations shall submit the Office for Civil Rights Certification of Compliance form to CVRC within 45 days of the grant award. The provisions included in the form shall be complied with by the Contractor.
24. The Contractor agrees to allow CVRC access to the grant funded project's documentation, client files and other sources in order to determine that funds are being utilized in accordance with funding/contractual agreements and state and federal guidelines.
25. The Contractor agrees to abide by the DOJ Financial Guide and the Final Program Guidelines, Victims of Crime Act FFY1997 Victim Assistance Program.
26. Due to the requirements of the NM Department of Finance, all cash reimbursement invoices for grant expenditures made prior to June 30th will be due no later than July 3rd. Invoices received after July 5th cannot be processed and these expenditures will become the responsibility of the Contractor.
27. The Contractor agrees to administer the VOCA Emergency fund totaling \$0.00, under the guidance of CVRC and the Emergency Funds Guidelines.

Organizations must submit an acceptable Equal Employment Opportunity Plan, if required pursuant to 28 CFR 42.302. This plan must be approved by the DOJ, OJP Office of Civil Rights.

Organizations which do not adhere to these Special Conditions will be in violation of the terms of this Grant, and the VOCA Award will be subject to appropriate administrative action, including withholding of funds or possible cancellation of Grant Award.

All guidelines as described in the Revised Final Guidelines for the VOCA Program as published in the Federal Register dated April 22, 1997 must be followed. The above may be waived with written approval.

The above special conditions become part of the Grant Award and are accepted by the subgrantee.

  
\_\_\_\_\_  
AUTHORIZED OFFICIAL

DATE: 6/17/09

**Las Cruces Police Dept./Victim Assistance Unit**

CITY OF LAS CRUCES  
ADOPTED BUDGET FY 2009/2010

FUND	DIVISION		FUND TYPE	
Victims Assistance Fund 2405	Police		Special Revenue	
	FY 2008/09 Projected*	FY 2009/10 Adopted	Adjustment	FY 2009/10 Adjusted
<b>RESOURCES</b>				
Beginning Balance	\$ 0	16,571		16,571
<b>REVENUES</b>				
24140180-552999 Victims Assistance Grant	\$ 30,450	30,450	31,950	62,400
<b>Total Revenues</b>	\$ 30,450	30,450	31,950	62,400
<b>Total Resources</b>	\$ 30,450	47,021	31,950	78,971
<b>EXPENDITURES - 24147070</b>				
Salaries	\$ 38,413	46,571	29,818	76,389
Operating Expenses	417	450	2,132	2,582
<b>Total Expenditures</b>	\$ 38,830	47,021	31,950	78,971
<b>OTHER FINANCING SOURCES (USES)</b>				
Transfer from Fund 101000 - General Fund	\$ 24,951	0		0
<b>Total Other Financing Sources (Uses)</b>	\$ 24,951	0	0	0
<b>ENDING BALANCE</b>	\$ 16,571	0	0	0

\*Projected based on 8 months actual through February 28, 2009 and 4 months projected.