



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 15Ordinance/Resolution# 10-037Council District: AllFor Meeting of July 20, 2009

(Adoption Date)

TITLE: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LAS CRUCES, NEW MEXICO, TO SIGN AN AGREEMENT WITH SER, JOBS FOR PROGRESS, INC., TO PROVIDE ADMINISTRATION AND PLACEMENT OF "AT-RISK" YOUTHS IN A CITY-FUNDED SUMMER JOBS PROGRAM WITH FUNDING NOT TO EXCEED \$52,000.00.

PURPOSE(S) OF ACTION:

To obtain City Council approval of the funding to provide reimbursement to SER Jobs for Progress for a youth jobs program for eight weeks during the summer. The program covers four weeks in July 2009 and four weeks in June 2010.

Name of Drafter: Robert Caldwell		Department: Admin/PIO		Phone: 575-541-2200	
Department	Signature	Phone	Department	Signature	Phone
Originating Department	<i>RCaldwell</i>	2200	Budget	<i>[Signature]</i>	2300
			Assistant City Manager	<i>[Signature]</i>	2271
Legal	<i>zra/r</i>	7128	City Manager	<i>[Signature]</i>	

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

SER (Service, Employment, Redevelopment), Jobs for Progress, Inc., a jobs placement service available to the public, has administered and placed youths within various City departments for training. The SER "Youth at Risk" eight-week summer jobs program employs 31 youths. SER wishes to contract with the City again to place "at-risk" youths during FY 09-10, with SER administering the summer jobs programs, youths between the ages of 14 and 18 years of age will be employed.

The program will employ 31 youths for four weeks in summer 2009, and four weeks in summer 2010, for a total of eight weeks. Although the City will provide work supervision, the youths will not be considered City of Las Cruces employees. SER shall provide and maintain Workman's Compensation Policies, will issue payroll checks, and

(Continue on additional sheets as required)

prepare W-2 Forms. SER will agree to indemnify, defend, and hold harmless the City of Las Cruces against any and all liabilities.

Expenditure for the 08-09 Fiscal Year was \$51,814.39.

SER will consider those applicants which 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.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
General Fund 10100130-722190	\$52,000.00	\$52,000.00

1. Resolution.
2. Exhibit "A" Agreement.

COUNCIL OPTIONS:

1. Approving the Agreement, will result in 31 "at-risk" youth being placed in various departments.
2. Do not approve the Agreement, and the summer "at-risk" jobs program will not be available to 31 youth.
3. Modify the Agreement to reflect Council's wishes.

RESOLUTION NO. 10-037

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LAS CRUCES, NEW MEXICO, TO SIGN AN AGREEMENT WITH SER, JOBS FOR PROGRESS, INC., TO PROVIDE ADMINISTRATION AND PLACEMENT OF "AT-RISK" YOUTHS IN A CITY-FUNDED SUMMER JOBS PROGRAM WITH FUNDING NOT TO EXCEED \$52,000.00.

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, Jobs for Progress, Inc., a jobs placement service, desires to administer a youth "at-risk" summer jobs program but does not have the funding to do so, and

WHEREAS, a contract 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, this summer program has budget approval for FY 09-10 for up to but not to exceed \$52,000.00, 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 with SER designated as Exhibit "A", attachment hereto and made a part thereof of the Resolution, for placement and administration of a summer youth employment program.

(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 _____, 2009.

APPROVED:

Mayor, Ken Myagishima

ATTEST:

City Clerk (SEAL)

VOTE:

Moved by: _____

Seconded by: _____

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

APPROVED AS TO FORM:



City Attorney

**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 13, 2009 through August 7, 2009, Session I, and June 1, 2010 through June 28, 2010, 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 \$52,000.00 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 2009-2010 Eight Week Summer Youth Employment Program.**

YOUTH WAGES		# of Hours Per Day	# of Days	TOTALS 2009-2010
# of Youth	Rate			
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>
BENEFITS				
FICA	6.20%			\$2,232.00
Medicare	1.45%			\$ 522.00
SUTA	1.80%			\$ 648.00
Workers Comp (\$5.27per \$100 of payroll				<u>\$1,897.20</u>
TOTAL BENEFITS				<u>\$5,299.20</u>
TOTAL YOUTH WAGES AND BENEFITS				\$41,299.20
COORDINATOR WAGES				
# of Employees	Rate	# of Hours Per Week	# of Weeks	
1	\$9.00	40	13	\$4,680.00
BENEFITS				
FICA	6.20%			\$290.16
Medicare	1.45%			\$ 67.86
SUTA	1.80%			\$ 84.24
Workers Comp				<u>\$246.63</u>
TOTAL BENEFITS				<u>\$ 688.89</u>
TOTAL COORDINATOR WAGES AND BENEFITS				\$5,368.89
TOTAL WAGES AND BENEFITS				\$46,668.09
ADMINISTRATIVE				

COSTS

Supplies and Mileage	\$450.00	
Liability		
Insurance	\$353.49	
Administrative		
Fee	8.850%	\$4,130.12
(Total Wages & Benefits)		
TOTAL ADMINISTRATIVE COSTS		\$4,933.61
TOTAL REIMBURSEMENT TO SER		\$51,601.70

CITY OF LAS CRUCES**SER de New Mexico**

By: _____
Mayor

By: _____
President/CEO

ATTEST:

City Clerk
(SEAL)

Approved as to form
City Attorney