City of Las Cruces®
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 **Ordinance/Resolution#** 15-209

For Meeting of _____ (Ordinance First Reading Date)

For Meeting of May 4, 2015 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☐ LEGISLATIVE ☒ ADMINISTRATIVE

TITLE: **A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAS CRUCES ON BEHALF OF ITS POLICE DEPARTMENT, AND NEW MEXICO STATE UNIVERSITY, TO ACCEPT A GRANT AWARD IN THE AMOUNT OF $5,000.00, TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AGREEMENT, AND TO ADJUST THE FY15 BUDGET.**

PURPOSE(S) OF ACTION:

Approve a Memorandum of Understanding.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Michelle K. Belone	**Department/Section:** Financial Services / Grants Administration	**Phone:** 541-2716
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces (City), on behalf of its Police Department (LCPD), and New Mexico State University (NMSU), on behalf of the Stan Fulton Chair for the Improvement of Border and Rural Schools, upon acceptance of this Memorandum of Understanding (MOU) will agree to provide support both programmatically and financially for the LCPD Youth Leadership Academy (Academy). The LCPD Academy will provide an opportunity for young people to develop their leadership skills and become productive and positive members of our community. The MOU identifies the responsibilities, principles, working practices and financial responsibility that underlie the relationship between the City and NMSU.

The $5,000.00, in funding provided through the MOU will purchase materials, supplies, and transportation costs associated with LCPD's Academy.

The Academy is scheduled to be held June 1, 2015 to June 12, 2015. This agreement between the parties is for the time period of June 1, 2015 to July 1, 2015 to complete activities and reimbursements.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Memorandum of Understanding Between the City of Las Cruces Police Department and New Mexico State University Stan Fulton Chair for the Improvement of Border and Rural Schools.
3. Exhibit "B" Budget Adjustment.

SOURCE OF FUNDING:

Is this action already budgeted?			
	Yes	☐	See fund summary below
	No	☒	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from:_____
		☒	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the ___Fund.
Does this action create any revenue?			
	Yes	☒	Funds will be deposited into this fund: 1000 in the amount of $5,000.00 for FY15 .
	No	☐	There is no new revenue generated by this action.

BUDGET NARRATIVE

Grant funding is budgeted in Fund 1000 under project number 37141: Youth Leadership Academy Summer. Funds will be drawn-down as needed by LCPD for expenses related to general supplies and various services.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
General	10147010-730110-37141	$5,000.00*	$5,000.00*	$0.00	None

*Upon approved budget adjustment.

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the agreement, accept the grant funding, and ratify the City Manager's signature on the agreement.
2. Vote "No"; this will reject the agreement and the LCPD Academy will be cancelled.

(Continue on additional sheets as required)

3. Vote to "Amend"; this is could hinder necessary actions by both parties between jurisdictions.
4. Vote to "Table"; this action could cause the LCPD Academy to be cancelled as it is scheduled to be held from June 1, 2015 to June 12, 2015.

REFERENCE INFORMATION:

N/A

(Continue on additional sheets as required)

RESOLUTION NO. 15-209

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAS CRUCES ON BEHALF OF ITS POLICE DEPARTMENT, AND NEW MEXICO STATE UNIVERSITY, TO ACCEPT A GRANT AWARD IN THE AMOUNT OF $5,000.00, TO RATIFY THE CITY MANAGER'S SIGNATURE ON THE AGREEMENT, AND TO ADJUST THE FY15 BUDGET.

The City Council is informed that:

WHEREAS, the City of Las Cruces, (City) on behalf of its Police Department (LCPD), has been awarded grant funding in the amount of $5,000.00, from New Mexico State University, on behalf of the Stan Fulton Chair for the Improvement of Border and Rural Schools (NMSU-Stan Fulton Chair), to support the LCPD's Youth Leadership Academy (Academy); and

WHEREAS, the Memorandum of Understanding between the City on behalf of its LCPD and the NMSU-Stan Fulton Chair, identifies the responsibilities, principles, working practices and financial responsibility that underlie the relationship between the City and the NMSU-Stan Fulton Chair; and

WHEREAS, the Memorandum of Understanding states that the NMSU-Stan Fulton Chair will provide funding not to exceed $5,000.00, to provide materials, supplies and transportation costs for the LCPD Academy; and

WHEREAS, the LCPD Academy is scheduled to be held June 1, 2015 to June 12, 2015 with the period of performance of June 1, 2015 to July 1, 2015 to complete activities and reimbursements.

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

(I)

THAT the City, on behalf of the LCPD, is approved to enter into a Memorandum

of Understanding, and accept the grant funding in the amount of $5,000.00, with NMSU-Stan Fulton Chair for the Improvement of Border and Rural Schools.

(II)

THAT the City Manager's signature is hereby ratified on the Memorandum of Understanding; Exhibit "A" attached hereto and made part of this resolution.

(III)

THAT the City's FY 2015 adopted budget is adjusted as outlined in the budget adjustment, Exhibit "B" attached hereto and made part of this resolution.

(IV)

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 Levatino: _____

APPROVED AS TO FORM:

Deputy City Attorney

YOUTH LEADERSHIP ACADEMY

Memorandum of Understanding

Between the

City of Las Cruces Police Department

And New Mexico State University Stan Fulton Chair

for the Improvement of Border and Rural Schools

FORWARD

The Las Cruces Police Department (LCPD) and New Mexico State University (NMSU) have a history of mutual support and strong bond of supporting young people in our community. The LCPD Summer Youth Leadership Academy provides an opportunity for young people to develop their leadership skills and become productive and positive members of their community. The effective interaction of government and education is vital for the well-being of our children and the future of all our youth. School Resource Officers (SRO) work to provide a safe learning environment in the schools. Provide valuable resources to school staff, foster positive relationship with the youth in the schools and develop strategies to resolve problems affecting the school community.

INTRODUCTION

This Memorandum sets out the understanding of the City of Las Cruces on behalf of its police department and the NMSU Stan Fulton Chair for the Improvement of Border and Rural Schools of the responsibilities, principles, working practices and financial responsibility that underlie the relationship between them.

This document shall be finding on both parties as a statement of intent designed to guide officials and support the development of detailed working arrangements.

GOALS AND OBJECTIVES

1. To create and provide a safe learning environment in the schools

    a. Foster a positive relationship with the youth, school staff and SRO's.
    b. Support the goals of LCPS's "Character Counts" curricula
    c. Develop positive skills through mentoring and teamwork

2. Continue a lasting relationship between the police department, NMSU, the school district and the students, which will encourage communications and serve to develop a continually focused, effective collaboration to the benefit of our youth.

a. Involve students through leadership activities and workshops
b. Build relationships with the young people in attendance at the academy , to promote positive connection throughout the youth's school career and beyond
c. Additionally, work with and on behalf of young people promoting bullying prevention, advocacy and education

MISSION STATEMENT

Our mission is to motivate and mentor potential young leaders, to enable them to take an active role in their school and community.

We hope to assist in building strong leaders who have hope for the future and the tools to influence a positive and safe community.

ROLES AND RESPONSIBILITIES

- The functions of each party are established by governing rules, regulations, policies, procedures, and statutes. Neither party shall be asked to compromise their internal responsibilities as a result of this partnership.

- SECTION ONE – THE CITY OF LAS CRUCES (CITY) ON BEHALF OF ITS POLICE DEPARMENT AGREES:

    - LCPD will provide a budget to NMSU for the LCPD Summer Youth Leadership Academy;
    - LCPD will not expend any funds up to $5,000.00 until the Memorandum of Understanding between the City and NMSU has been signed by the City Manager, and the funding accepted and the City Manager's signature has been ratified at a City Council meeting;
    - LCPD shall act as fiscal agent for funding by setting up a city account that is dedicated to this program to promote accurate tracking of expenditures, reimbursement requests and payments;
    - Financial reporting will be accomplished through the LCPD and the City of Las Cruces Accounting Office; and
    - Provide to NMSU a final programmatic report

- SECTION TWO – NEW MEXICO STATE UNIVERSITY STAN FULTON CHAIR FOR THE IMPROVEMENT OF BORDER AND RURAL SCHOOLS AGREES:

    - NMSU Stan Fulton Chair for the Improvement of Border and Rural Schools will provide funding not to exceed $5000.00 to provide materials,

supplies and transportation costs for the LCPD Youth Leadership Academy;
- Funding is contingent on an NMSU approved LCPD budget and approval of the Memorandum of Understanding by the Education Research and Budgeting Office as evidenced by the signature of the Director;
- Agrees to cover the approved expenses upon a reimbursement request from the City of Las Cruces;
- Recognize that acceptance of funding is contingent on the approval of this Memorandum of Understanding and ratification of the City Manager's signature by the City of Las Cruces City Council through a resolution authorizing the receipt and expenditure of funds associated with the LCPD Summer Youth Academy;
- Funding will be on a cost reimbursement basis, by means of an invoice referencing a valid NMSU purchase order number;
- The period of performance to complete activities and expenditures for the Summer Youth Academy are June 1, 2015 to July 1, 2015

- SECTION THREE-LIABILITY:

  - Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.

PARTNER INVOLVEMENT IN COMMUNITY POLICING

The LCPD and NMSU are developing and implementing a new and innovative strategy to achieve needed results for our community and youth. This program will only serve to strengthen and verify those efforts. Both parties will strive to proactively solve problems and strengthen the bonds of cooperation within our community of interest.

- A shared focus on providing an effective and efficient service
- The maintenance of key relationships in a flexible way
- An open and cooperative dialogue on strategic and key issues
- A cooperative approach to settling issues of roles and responsibilities
- A transparent relationship which works effectively at all levels to meet the needs and challenges facing our youth.

The LCPD and NMSU aim jointly to:

- **Enable each party to deliver its services in an effective manner in support of the program objective.**
- **Enable each party to participate in the development of future procedures in a cooperative atmosphere.**

- **Items and services procured to fulfill this grant will be obtained in accordance with applicable state and City of Las Cruces procurement regulations and adhere to the State of New Mexico Procurement Code**

This Agreement shall not be altered, changed, or amended except by an instrument, in writing, executed and approved by all parties.

The following parties have executed Agreement specified on the dates below.

Robert L. Garza, P.E. City Manager City of Las Cruces	Jaime Montoya Chief of Police City of Las Cruces	Juanita Hanna, PhD Director, ERB College of Education NMSU
4/20/15	4/9/15	4/8/15.
Date	Date	Date

APPROVED AS TO FORM:

City Attorney

EXHIBIT "B"

CITY OF LAS CRUCES
2014-15 Fiscal Year Budget

FUND	DIVISION	FUND TYPE
General Fund Fund 1000	Government	General Funds

	2013-14 Un-Audited	2014-15 Budget	2014-15 Adjustment	2014-15 Adjusted
RESOURCES				
Beginning Balance	$ 18,112,065	22,493,489	36,815	22,530,304
Revenues				
Gross Receipts Tax	61,710,001	62,777,000	0	62,777,000
Hold Harmless Replacement Gross Receipts Tax	0	7,402,280	0	7,402,280
Public Safety Gross Receipts Tax	521,614	3,339,000	0	3,339,000
Property Taxes	10,091,643	10,150,630	0	10,150,630
Payment In Lieu of Property Tax	787,140	808,771	0	808,771
Franchise Fees	2,700,727	2,892,619	0	2,892,619
Payment In Lieu of Franchise Fees	1,205,265	1,253,304	0	1,253,304
Licenses, Fees & Permits	1,566,787	1,614,107	0	1,614,107
Fines & Forfeitures	659,718	778,083	0	778,083
Charges For Services	1,958,868	2,673,978	0	2,673,978
Administrative Transfers	3,004,484	3,237,545	0	3,237,545
All Other Revenues	1,776,034	821,114	5,000	826,114
Debt Service	0	104,500	0	104,500
Operating Transfers In	2,746,138	73,519	0	73,519
Total Revenues	88,728,419	97,926,450	5,000	97,931,450
TOTAL RESOURCES	$ 106,840,484	120,419,939	41,815	120,461,754
Expenditures				
Legislative	725,237	809,837	0	809,837
Judicial	1,156,625	1,176,520	0	1,176,520
Administration	2,595,822	3,503,899	0	3,503,899
Legal	1,338,935	1,373,892	0	1,373,892
Human Resources	1,037,819	1,024,244	0	1,024,244
Financial Services	2,703,441	3,098,418	0	3,098,418
Information Technology	3,409,760	4,198,823	0	4,198,823
Transportation	4,987,868	5,191,551	0	5,191,551
Parks & Recreation	8,658,358	10,184,363	0	10,184,363
Community Development	3,139,757	3,433,203	0	3,433,203
Community & Cultural Services	5,271,412	5,589,156	0	5,589,156
Public Works	6,476,037	5,760,307	0	5,760,307
Las Cruces Police Department	21,066,134	24,819,929	5,000	24,824,929
Las Cruces Fire Department	9,888,066	12,337,900	0	12,337,900
Legislative Reserve	1,507,007	2,918,570	0	2,918,570
Operating Transfers Out	10,866,353	19,318,470	0	19,318,470
Total Expenditures	$ 84,828,631	104,739,082	5,000	104,744,082
Accrual Adjustments	481,636	0	0	0
ENDING BALANCE	$ 22,493,489	15,680,857	36,815	15,717,672
Required Reserve:				
State Required 1/12th	7,202,386	6,875,170	243,631	7,118,801
Local CLC 1/12th	7,202,386	6,875,170	243,631	7,118,801
UN-RESERVED BALANCE	$ **8,088,717**	**1,930,517**	**(450,447)**	**1,480,070**