



**Agenda Item Number: 2008-2-9A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

---

**Meeting Date:** February 26, 2008

**Department:** Parks and Recreation    **Staff Contact:** Ed Chismar, Director  
Clay Campbell, Planning Manager  
Julie M. Baca, Deputy County Manager for  
Community Services Division

**TITLE:** Inmate Work Crews

**ACTION:** Motion to approve a new Joint Powers Agreement (JPA) with State of NM Energy, Minerals, and Natural Resources Department (EMNRD).

### **SUMMARY:**

The proposed JPA will allow Inmate Work Camp Crews (IWC) to perform natural resource conservation improvements on County properties. Bernalillo County and the State of NM originally executed a JPA in February 1999 and amended it on April 9, 2002 (Agenda Item No. 2002-4-4D). The previous JPA expired after five years (2002-2007) and needs renewal, but the term of this new JPA is ongoing until changes are needed or termination is invoked.

Bernalillo County must consult with IWC Camp Supervisor, prepare a project plan for EMNRD consideration and approval, coordinate with the IWC Crew Supervisors, and pay EMNRD for cost of inmate days worked, inmate transportation, tool or equipment use, and materials furnished. These costs are included in the \$250 per day per crew expense. A typical crew has between 8-12 inmates, plus a supervisor, and comes from the Central NM Correction Facility in Los Lunas.

The IWC program provides vocational training for inmates classified by the Corrections Department as Level 1 minimum-security inmates. These inmates are under the supervision of trained EMNRD staff. Such crews have been used successfully for fence construction, limited trail development, fuel wood thinning, and other similar projects on State forest lands, State Parks, National Forest lands, and County Open Space properties.

### **ATTACHMENTS:**

1. Five (5) originals of JPA (EMNRD Contract No. 08-521-0400-0030)
2. Inmate Work Camp informational brochure

### **FISCAL IMPACT**

The Open Space Mill Levy fund (BC57) can be used when IWC crews are needed to work on Open Space properties.

# STAFF ANALYSIS SUMMARY

## COUNTY MANAGER

The Joint Powers Agreement will provide for the use of inmate work crews to perform natural resource improvements to open space properties located in the unincorporated areas of Bernalillo County. I recommend Board approval. TL 2/21/08

## DEPUTY COUNTY MANAGER

This collaborative agreement with the EMNRD will greatly assist the Parks & Recreation Department personnel who currently maintain all the open space property owned by the County. I recommend approval of the joint powers agreement. JMB 12/21/08

## LEGAL

Approved as to form, TBS 1/28/08

## FINANCE

- Budget** Funding is available in BC57 Open Space Fund. When services are rendered proper line items will be determined. Emily B. Hernandez, Financial Services Administrator I, 1/09/08.
- Purchasing** Proper Procurement procedures are being followed. 13-1-98 “Exemptions from the Procurement Code. A. Procurement of Items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in Sections 13-1-135 through 13-1-137 NMSA 1978.” Also, Section 13-1-135 “Cooperative procurement authorized. B. Notwithstanding the provisions of Subsection A of this section, a cooperative procurement agreement providing for mutually held funds or for other terms and conditions involving public funds or property include in Section 11-1-4 NMSA 1978 shall be entered into pursuant to the provisions of the Joint Powers Agreements Act [11-1-1 NMSA 1978].” Anita J. Maldonado, Senior Buyer 1/17/08
- Contracts** A Contract Control Number will be assigned by Purchasing once Joint Powers Agreement (JPA) is delivered to Purchasing after Board of County Commissioners (BCC) approval. Anita J. Maldonado, Senior Buyer 1/17/08
- Risk Management** No comment required. David A. Baca, Risk management Director. 1/21/08