

AN ORDINANCE 2019-01-31-0109

**APPROVING AN INTERLOCAL COOPERATION
CONTRACT WITH THE TEXAS DEPARTMENT OF
PUBLIC SAFETY TO ASSIGN THE FISCAL AGENT
RESPONSIBILITIES FOR THE TEXAS ANTI-GANG
PROGRAM FROM THE SAN ANTONIO POLICE
DEPARTMENT TO THE TEXAS DEPARTMENT OF
PUBLIC SAFETY.**

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WHEREAS, the Office of the Governor, Criminal Justice Division, has assigned the Fiscal Agent responsibilities for the Texas Anti-Gang (TAG) from the San Antonio Police Department (SAPD) to the Texas Department of Public Safety (DPS); and

WHEREAS, the assignment of Fiscal Agent responsibilities to DPS will have no impact on SAPD's continued provision of all current TAG program goods and services, including the lease on the real property for the TAG facility; Information Technology services; equipment and supplies for the operation of the TAG; and contractual and City personnel associated with the TAG; and

WHEREAS, SAPD will invoice the DPS on the monthly reimbursable amount for these costs, which will be paid by DPS; and

WHEREAS, such an agreement is authorized by Chapter 791 of the Texas Government Code;
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

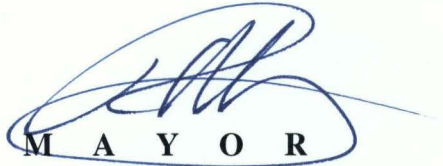
SECTION 1. The City Manager or her designee, or the Chief of the San Antonio Police Department or his designee, is hereby authorized to execute the interlocal cooperation contract with DPS attached hereto as **Exhibit A**, or a contract that is substantially the same as that attached hereto.

SECTION 2. Section 1: Funds generated by this ordinance will be deposited into the General Fund 29616005 and Internal Order 217000000135.


SECTION 3: The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 31st day of January, 2019.



M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney
(for)

Agenda Item:	21 (in consent vote: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21)						
Date:	01/31/2019						
Time:	09:57:54 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance approving an Interlocal Cooperation Contract with the Texas Department of Public Safety to assign the Fiscal Agent responsibilities for the Texas Anti-Gang Program to the Texas Department of Public Safety. [Erik Walsh, Deputy City Manager; William P. McManus, Chief of Police]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Art A. Hall	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

Exhibit A

INTERLOCAL COOPERATION CONTRACT

I. CONTRACTING PARTIES AND AUTHORITY

The Department of Public Safety (DPS) and the City of San Antonio (COSA) are contracting under the authority of Texas Government Code Chapter 791 (the Interlocal Cooperation Act).

DPS certifies that it has the authority to contract for the services agreed upon by the authority granted in Texas Government Code Chapter 411.

COSA certifies that it has the authority to contract for the services agreed upon by the authority granted in Ordinance No. _____, passed and approved by San Antonio City Council on January 31, 2019.

II. STATEMENT OF SERVICES TO BE PERFORMED

COSA will continue to provide all current Texas Anti-Gang grant (TAG) services and goods it provides during the transition to DPS. COSA will invoice DPS the monthly reimbursable amount for these costs.

DPS will pay COSA the monthly reimbursable amount based on COSA's costs for these TAG services and goods. During the transition, DPS may assume real property, IT, and equipment responsibilities, and other items as coordinated between the parties.

III. CONTRACT AMOUNT and BASIS FOR CALCULATING COSTS

The total amount of this contract will not exceed \$970,890 or the entire Texas Anti-Gang Program grant award amount awarded to DPS, with the addition of any future amounts awarded to DPS under the Texas Anti-Gang Program grant during the term of this contract.

IV. TERM OF CONTRACT and AMENDMENTS

This contract is effective on the date of the last party to sign and will terminate on 8/31/20, or upon written request of either party with 30 calendar days' written notice, whichever occurs earlier. This contract may only be amended or extended by mutual written agreement of the parties, but it may not be extended more than six months after the expiration date.

V. NOTICE

The respective party will provide any required notice as noted in this section. Either party may change its information in this section by giving the other party written notice and the date upon which the change will become effective.

If to DPS: CID Major Manuel Espinosa, Manuel.Espinosa@dps.texas.gov, 512-424-2505

If to COSA: Robert Blanton, Robert.Blanton@sanantonio.gov, 210-207-4119

VI. CERTIFICATIONS

The parties certify that (1) the contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the parties are stated within the contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

City of San Antonio

Department of Public Safety

William McManus
Chief, San Antonio Police Department

Steven C. McCraw
Director

Date

Date