



City of San Antonio

Agenda Memorandum

File Number: 15-4282

Agenda Item Number: 19.

Agenda Date: 8/20/2015

In Control: City Council A Session

DEPARTMENT: Police

DEPARTMENT HEAD: Anthony Trevino, Interim Chief of Police

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

An ordinance authorizing the negotiation and execution of an Interagency Cooperation Contract between Texas Department of Public Safety (DPS) and San Antonio Police Department (SAPD).

SUMMARY:

This ordinance authorizes the negotiation and execution of an Interagency Cooperation Contract not to exceed \$202,634.59 in Year 1 between Texas Department of Public Safety (DPS) and San Antonio Police Department (SAPD) effective September 1, 2015 to September 30, 2020.

BACKGROUND INFORMATION:

DWI is a pervasive problem in San Antonio and Bexar County. Each year the problem continues and citizens of San Antonio are struck with devastating tragedies as the numbers continue to grow. In 2008 SAPD began participating in no-refusal weekends during holidays and in 2011 SAPD moved to no-refusal every day. No-refusal refers to obtaining a blood specimen from the suspected driver who has refused a breath test.

In August 2013 a Master Interlocal Agreement between the City of San Antonio and Bexar County was approved for the Bexar County Medical Examiner and their subcontractor Integrated Forensic Laboratories (IFL) to complete blood testing for the San Antonio Police Department. Bexar County Medical Examiner's Office would be responsible for intoxication assault and intoxication manslaughter and their subcontractor IFL would be responsible for all other testing services such as the drug recognition evaluation (DRE), driving under the influence (DUI) and driving while intoxicated (DWI) specimens.

On March 16, 2015 the District Attorney's (DA) placed IFL's contract on hold therefore stopping the testing of

blood alcohol and drug toxicology analysis submitted on behalf of the San Antonio Police Department. As a result over 1,200 blood samples are pending testing.

In the interim, the San Antonio Police Department has been submitting a small amount of cases to DPS for blood alcohol and drug toxicology analysis on a case by case base. Collaborating with DPS has created a good partnership for the continuation of testing services. This Contract would begin on September 1, 2015 and terminate on September 30, 2020 with two (2) two-year automatic renewals prior to the expiration of the preceding termination term unless one party gives written notice at least one hundred and twenty (120) days prior to the expiration of the current contract term. The City will cover the cost for two (2) full time equivalents (FTE) to perform analysis with this Contract. The cost includes salaries, overtime when needed, benefits, DPS blood kits, travel and operating and equipment expenses. DPS will test approximately 250 blood samples a month and return results within approximately 30 days.

ISSUE:

In order to continue the mandatory blood draw, a contract for testing the samples is needed.

ALTERNATIVES:

The City could choose not to enter this Interagency Cooperation Contract with the Texas Department of Public Safety (DPS) and begin working on a Request for Proposal for a qualified lab to conduct blood alcohol and drug toxicology analysis. This process would take approximately six (6) months to conclude, and pending samples will continue to increase.

FISCAL IMPACT:

Under the terms of the agreement, the City will pay DPS an amount not to exceed \$7,500.00 in FY 2015 and an amount not to exceed \$202,634.59 in FY 2016. Of the \$202,634.59, \$182,634.59 are for salaries, benefits at 29% of salaries, training and travel, and overtime to test the pending 1,200 blood samples. The remaining \$20,000.00 will be used to purchase DPS blood kits which are required by DPS to hold all DPS blood samples. Sufficient funding is available in the police operating budget to cover the \$7,500.00 in FY 2015. Fees in FY 2016 are commensurate with current expenses and will be fully funded from the police operating budget contingent on FY 2016 budget approval.

RECOMMENDATION:

Staff recommends approval to negotiate and execute a contract with Texas Department of Public Safety to provide blood alcohol and drug toxicology analysis of evidence submitted by the San Antonio Police Department.