

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

**APPROVING AN INTERLOCAL COOPERATION
CONTRACT BETWEEN TEXAS STATE UNIVERSITY
AND THE SAN ANTONIO POLICE DEPARTMENT FOR
PARTICIPATION IN THE TOBACCO ENFORCEMENT
PROGRAM.**

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WHEREAS, Chapter 791 of the Texas Government Code, the Interlocal Cooperation Act, provides that local governmental entities may contract with entities of the State to provide governmental functions and services, including police protection and associated services, to protect public health; and

WHEREAS, the Texas School Safety Center at Texas State University contracts with counties and municipalities to enable local law enforcement agencies to enforce Chapter 161, Subchapter H of the Texas Health and Safety Code, to reduce the sale and distribution of cigarettes, e-cigarettes and tobacco products to persons under the age of 21 years; and

WHEREAS, the contract will provide that Texas State University will reimburse the San Antonio Police Department for conducting on-site controlled buy/stings at a rate of \$125 per sting, up to a maximum of 900 separate buy/stings, for a maximum of \$112,500.00; **NOW THEREFORE:**

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

SECTION 1. The City Manager and designee, and the Chief of Police and designee, are hereby authorized to execute the interlocal cooperation contract with Texas State University that is materially and substantively the same as the agreement set forth in **Exhibit A**. The terms and conditions of the interlocal cooperation contract, which terminates on August 31, 2024, are hereby approved. If additional funds become available from Texas State University for the Tobacco Enforcement Program, the City Manager and designee, and the Chief of Police and designee, are hereby authorized to accept such funds without further action by City Council.

SECTION 2. Funding for this ordinance is not required in that there is no commitment or expenditure of funds, cash match, or in-kind match in connection with this agreement; any necessary expenses can be paid through the current San Antonio Police Department budget.

SECTION 3. Funds received by this ordinance will be deposited in Fund 29817000, Internal Order 817000000024, and General Ledger Account 6301120.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage hereof.

PASSED AND APPROVED this _____ day of _____, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

Exhibit A

DRAFT