

City of San Antonio



AGENDA

City Council A Session

Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

Thursday, May 1, 2025

9:00 AM

Municipal Plaza Building

The City Council will hold its regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at the above referenced date and time for the following items. Once convened, the City Council will take up the following items in any order during the meeting but no sooner than the designated times.

9:00AM: Call to Order

Members of the public can comment on items on the agenda. To sign up to speak visit www.saspeakup.com. Click on meetings and events and select the meeting you'd like to participate in. Sign up to speak or submit a written comment. Questions relating to these rules may be directed to the Office of the City Clerk at (210) 207-7253.

Individuals signing up for public comment may register for VIA bus fare or parking validation at www.saspeakup.com. VIA bus fare or parking at City Tower Garage (located at 100 Blk N. Main) will be provided to individuals who request the assistance. Staff will provide VIA bus fare passes and parking validation tickets in the lobby of City Council Chambers.

To view the Live meeting please view our [Live Stream](#)

During the meeting, the City Council may meet in executive session for consultation with the City Attorney's Office concerning attorney-client matters under Chapter 551 of the Texas

Government Code.

ACCESS STATEMENT

The City of San Antonio ensures meaningful access to City meetings, programs and services by reasonably providing: translation and interpretation, materials in alternate formats, and other accommodations upon request. To request these services call (210) 207-2098 or Relay Texas 711 or by requesting these services online at <https://www.sanantonio.gov/DEI/Language-Services>. Providing at least 72 hours' notice will help to ensure availability.

Intérpretes en español estarán disponibles durante la junta del consejo de la ciudad para los asistentes que lo requieran. También se proveerán intérpretes para los ciudadanos que deseen exponer su punto de vista al consejo de la ciudad. Para más información, llame al (210) 207-7253.

For additional information on any item on this agenda, please visit www.sanantonio.gov or call (210) 207-7080.

24. Ordinance approving an Interlocal Cooperation Contract with the Texas Department of Public Safety (DPS) to provide the San Antonio Police Department (SAPD) with a Technical Supervisor for officer/operator training, expert testimony, and maintenance of intoxilyzer instruments for total cost of \$112,041.20 per year with a maximum of \$448,165 over a four-year contract term. Funding is from the FY2025 General Fund, and funding for subsequent years is contingent upon City Council approval of the annual budget. [Maria Villagomez, Deputy City Manager; William McManus, Police Chief, Police Department]

THE CITY COUNCIL MAY RECESS FOR LUNCH AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

6:00 P.M. – If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.

Printed on: 05/04/2025 08:05 AM



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 24

Agenda Date: May 1, 2025

In Control: City Council A Session

DEPARTMENT: Police Department

DEPARTMENT HEAD: William McManus, Chief of Police

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Interlocal Cooperation Contract with the Texas Department of Public Safety

SUMMARY:

This ordinance authorizes an Interlocal Cooperation Contract with the Texas Department of Public Safety (DPS) to provide SAPD with officer/operator training, expert testimony, and maintenance of intoxilyzer machines for a total cost of \$112,041.20 per year with a maximum of \$448,165 over a four-year contract term. Funding is available from FY2025 General Fund and funding for subsequent years is contingent upon City Council approval of the annual budget.

BACKGROUND INFORMATION:

In 2008, SAPD began participating in no-refusal weekends (no-refusal refers to obtaining a blood specimen from a suspected alcohol impaired driver who refuses a breath test). In 2011, SAPD moved to no-refusal every week day. In addition to the no-refusal blood draw warrants, the SAPD DWI Unit administers breath tests to detect and measure alcohol limits in those cases where a suspected impaired driver does not refuse. The breath tests must be administered by SAPD DWI Unit officers who are trained, authorized, and certified to properly operate the DPS intoxilyzer instruments.

On April 28, 2021, SAPD and DPS entered in to a four-year Interlocal Cooperation Contract (ICC) wherein DPS provided SAPD with a temporarily assigned DPS Technical Supervisor providing officer/operator training, expert testimony, and service of intoxilyzer machines.

During the last 4 years, DPS serviced four SAPD intoxilyzer instruments used to conduct intoxilyzer tests daily, and certified numerous SAPD operators. The intoxilyzer instruments are utilized by DPS and SAPD. Currently, SAPD has 96 officers certified to conduct intoxilyzer tests, 24 hours a day/7 days a week, and one intoxilyzer Supervisor (civilian) certified to perform the tests and ensure the intoxilyzer machines are operating properly.

SAPD conducted the following intoxilyzer tests over the past 4 years:

Complete SAPD Subject Tests Conducted

Year (Calendar)	2021	2022	2023	2024	2025 (Q1)
# of Tests	2,805	2,855	3,276	3,021	689

SAPD seeks to extend its contractual relationship with DPS to continue intoxilyzer maintenance services, expert testimony, and officer training services with DPS for the use of the intoxilyzer instruments. This Contract will commence upon full execution and will terminate April 27, 2029.

ISSUE:

This contract will provide the SAPD with a Texas DPS Technical Supervisor to train SAPD officers/operators, provide expert testimony, and maintenance of intoxilyzer machines to prevent disruption to DWI investigations.

ALTERNATIVES:

None.

FISCAL IMPACT:

The annual cost to the City associated with this contract is \$112,041.20 with a maximum cost of \$448,165 over a four-year contract term. Funding is available from FY2025 General Fund and funding for subsequent years is contingent upon City Council approval of the annual budget.

RECOMMENDATION:

Staff recommends approval of this ordinance.

INTERLOCAL COOPERATION CONTRACT

I. CONTRACTING PARTIES AND AUTHORITY

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

DPS certifies that it has authority to perform the services contracted for by authority granted in Texas Government Code Chapter 411.

SAPD certifies that it has the authority to contract for the services by authority granted in Local Government Code Chapter 252.

II. BACKGROUND AND PURPOSE

SAPD has a need for assistance in technical services related to evidential breath alcohol testing instruments.

DPS has the ability to assist and will provide technical supervisory services related to breath alcohol testing instruments to SAPD to comply with its public safety requirements.

III. STATEMENT OF SERVICES

DPS will provide, and SAPD will pay for, the services of one technical supervisor. This individual will be certified by the Scientific Director of the Alcohol Testing Program of DPS. DPS and its technical supervisor will perform the following.

DPS will perform the following services.

- A. Inspect, certify, calibrate, and maintain evidential breath alcohol testing instruments;
- B. Supervise the operation of the evidential breath testing instruments and associated equipment in consultation with SAPD;
- C. Provide expert testimony concerning the evidential breath testing instruments and associated equipment and testing techniques that are under the supervision of DPS's technical supervisors;
- D. Provide technical advice to prosecutors and law enforcement agencies;
- E. Check and prepare chemicals used for testing when necessary;
- F. Perform other duties as necessary to enable evidence obtained from evidential breath alcohol testing instruments to be admissible in criminal and civil proceedings;
- G. Provide annual supplemental training and retraining of certified breath alcohol testing operators;

- H. Maintain records and reports required by the Scientific Director and comply with requests for records and data, including subpoenas, discovery, and public information act requests for records held by the DPS; and
- I. Maintain as many evidential testing sites of SAPD as necessary for the success of the breath alcohol testing program.

SAPD understands or will perform the following.

- A. SAPD understands that DPS is solely responsible for the employment and management of the DPS personnel;
- B. Initial training and certification of breath alcohol testing operators;
- C. Provide suitable classroom style facilities to DPS for supplemental training and retraining of certified breath alcohol test operators;
- D. Provide physical spaces for breath alcohol instrument test site locations, suitable for evidential breath alcohol testing; and
- E. Comply with Texas Breath Alcohol Testing Regulations.

IV. CONTRACT AMOUNT AND BASIS FOR CALCULATING COSTS

The total four-year term of this Contract will not exceed \$448,164.81. The annual amount of \$112,041.20 reflects the actual annual cost of having a DPS Technical Supervisor available to SAPD during its business hours and it includes salary, equipment, and operational costs.

V. PAYMENT FOR SERVICES

DPS will submit to SAPD a monthly invoice, in the amount of \$9,336.77 . SAPD will remit payment to DPS no later than 30 calendar days after SAPD's receipt of the invoice.

VI. TERM OF CONTRACT

The Contract is effective on April 28, 2025, upon signing by both parties and terminates on April 27, 2029, or upon written request of either party with 30 calendar days' written notice, whichever occurs earlier. This contract may only be amended by mutual written agreement of the parties.

VII. NOTICE

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

If to DPS: Brady Mills, Chief, Crime Laboratory Division, 5800 Guadalupe, Austin TX 78752, Email: brady.mills@dps.texas.gov. Phone 512-424-7151.

If to SAPD: San Antonio Police Department, Attn: Chief of Police, 315 S. Santa Rosa, San Antonio TX 78207.

VIII. 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.

San Antonio Police Department Authorized Representative
<i>Deputy City Manager Maria Villagomez</i>
Signature of Authorized Representative
Date:

Department of Public Safety of the State of Texas Authorized Representative	DS  OGC Reviewed
<i>Chief, Crime Lab Division Brady Mills</i>	
DocuSigned by: <i>Brady Mills</i> E3D5417C68AD48D	
Signature of Authorized Representative	
Date: 04/02/2025	

EXHIBIT A					
		Year 1	Year 2	Year 3	Year 4
SALARY AND BENEFITS					
Forensic Scientist _ salary	/mo.	\$ 6,526.52	\$ 6,526.52	\$ 6,526.52	\$ 6,526.52
<i>SALARY SUBTOTAL</i>	/yr.	\$ 78,318.24	\$ 78,318.24	\$ 78,318.24	\$ 78,318.24
Benefits @ 32% of salary	/yr.	\$ 25,061.84	\$ 25,061.84	\$ 25,061.84	\$ 25,061.84
SALARY AND BENEFITS TOTAL	/yr.	\$ 103,380.08	\$ 103,380.08	\$ 103,380.08	\$ 103,380.08
OPERATING					
Operating and equipment	/yr.	\$ 4,465.00	\$ 4,465.00	\$ 4,465.00	\$ 4,465.00
Training and certification	/yr.	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
<i>OPERATING SUBTOTAL</i>	<i>/yr.</i>	<i>\$ 5,965.00</i>	<i>\$ 5,965.00</i>	<i>\$ 5,965.00</i>	<i>\$ 5,965.00</i>
Administrative fees (2.5%)	/yr.	\$ 2,696.13	\$ 2,696.13	\$ 2,696.13	\$ 2,696.13
OPERATING TOTAL	/yr.	\$ 8,661.13	\$ 8,661.13	\$ 8,661.13	\$ 8,661.13
ANNUAL TOTAL		\$ 112,041.20	\$ 112,041.20	\$ 112,041.20	\$ 112,041.20
CONTRACT TOTAL					\$ 448,164.81

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

ORDINANCE

APPROVING AN INTERLOCAL COOPERATION CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS) TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT (SAPD) WITH A TECHNICAL SUPERVISOR FOR OFFICER/OPERATOR TRAINING, EXPERT TESTIMONY, AND MAINTENANCE OF INTOXILYZER INSTRUMENTS FOR TOTAL COST OF \$112,041.20 PER YEAR WITH A MAXIMUM OF \$448,165.00 OVER A FOUR-YEAR TERM.

* * * * *

WHEREAS, the City entered into a Interagency Cooperative Contract with the Department of Public Safety on April 28, 2021 to provide the San Antonio Police Department with a temporarily assigned DPS Technical Supervisor providing officer/operator training, expert testimony, and service of intoxilyzer machines; and

WHEREAS, City Council approved the initial Interagency Cooperative Contract previously; and

WHEREAS, City staff now recommends continuation of the Interagency Cooperative Agreement with the Department of Public Safety to provide needed public safety services; and

WHEREAS, said agreement provides for a new four-year term, beginning April 28, 2025 through April 27, 2029; and

WHEREAS, the estimated annual cost first of this agreement is \$112,041.20; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee is hereby authorized to execute continuation of an Interagency Cooperative Agreement with DPS for a period beginning April 28, 2025 to April 27, 2029. A copy of the Interagency Cooperative Contract in final form is attached as Exhibit 1.

SECTION 2. Funding in the amount of \$112,041.20 for this ordinance is available in Fund 11001000, Cost Center 1704020001 and General Ledger 5201040 as part of the Fiscal Year 2025 Adopted Budget approved by City Council.

SECTION 3. Additional funding is contingent upon City Council approval of the Fiscal Year 2026 and subsequent budgets that fall within the contract terms of this ordinance.

SECTION 4. Payment in the amount up to \$448,165.00 is authorized to Texas Department of Public Safety (DPS) and should be encumbered with a purchase order.

SECTION 5. 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 6. This Ordinance becomes effective immediately if passed and approved by eight (8) affirmative votes; otherwise this Ordinance shall take effect ten (10) days from the date of passage.

PASSED AND APPROVED this xxth day of May, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney



DPS Intoxilyzer Services Interlocal Cooperation Contract

City Council "A" Session

Presented by Chief of Police William McManus

May 1, 2025

Purpose

SAPD seeks to enter into a Interlocal Cooperation Contract (ICC) with the Texas Department of Public Safety (DPS) to provide the SAPD DWI Unit with the following:

1. One DPS Technical Supervisor to provide officer/operator training and administer certifications
2. Expert testimony as requested by the District Attorney
3. Service and monthly maintenance of intoxilyzer machines

Background



- DWI Unit administers breath tests to detect and measure blood alcohol limits
- Used when suspected driver does not refuse
- Breath tests must be administered by trained, certified SAPD DWI Unit officers
- Officers must be authorized and trained to operate DPS approved intoxilyzer
- Breath test results available immediately
- Allows officers and prosecutors to act in a timely way; avoids court back logs

Background

- April 28, 2021 - SAPD and DPS entered into a four (4) year Interlocal Cooperation Contract (ICC)
- ICC provides a DPS Technical Supervisor for
 - Officer/operator training,
 - Expert testimony, and
 - Service of intoxilyzer machines

Background

- During the 4-year ICC term, DPS:
 - Serviced four (4) intoxilyzer instruments
 - These were used by SAPD for daily testing
 - Certified numerous SAPD sworn operators.
- On April 27, 2025, the four-year ICC between SAPD and DPS expires.

Background

- April 2021, SAPD had five (5) new officers certified by the State to operate the intoxilyzer machines
- Gave SAPD 62 certified personnel
- Increased to 96 officers and 1 civilian
- SAPD has conducted the following intoxilyzer tests over the past four contracted years:

Complete SAPD Subject Tests Conducted					
Year**	2021	2022	2023	2024	2025 (Q1)
# of Tests	2,805	2,855	3,276	3,021	689

** Calendar Year

Expense

- City will pay DPS for one Technical Supervisor certified by the DPS's Scientific Director of the Alcohol Testing Program to:
 - Inspect, certify, calibrate, and maintain evidential breath alcohol testing instruments.
 - Supervise operation of the evidential breath testing instruments and associated equipment in consultation with SAPD.
 - Provide expert testimony concerning the evidential breath testing instruments and associated equipment and testing techniques under supervision of DPS technical supervisors.
 - Provide technical advice to prosecutors and law enforcement agencies.

Expense

- City will pay DPS \$112,041.20 per year
 - Over 4 years, amount paid will be a maximum of \$443,164.81
- Prior agreement totaled approximately \$100,000 per year
 - Maximum of \$400,000.00 over the four-year contract
- The SAPD FY25 budget can cover this expense
- This Contract will commence upon full execution and will terminate April 27, 2029



DPS Intoxilyzer Services Interlocal Cooperation Contract

City Council "A" Session

Presented by Chief of Police William McManus

May 1, 2025