



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 31

**Agenda Date:** December 1, 2022

**In Control:** City Council A Session

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**DEPARTMENT:** Police Department

**DEPARTMENT HEAD:** William McManus, Chief of Police

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Interlocal Cooperation Contract between Texas State University and the San Antonio Police Department

**SUMMARY:**

This ordinance authorizes the execution and approval of an Interlocal Cooperation Contract between the San Antonio Police Department and the Texas State University for the continued participation in the State of Texas' Tobacco Enforcement Program by conducting buy/stings to address and reduce the illegal sale or distribution of cigarettes, e-cigarettes, and tobacco products to persons who are younger than 21 years of age.

**BACKGROUND INFORMATION:**

Since 2011, as part of the State of Texas' Tobacco Enforcement Program ("TEP"), the Texas School Safety Center at Texas State University ("Texas State") contracts with counties and municipalities to enable local law enforcement agencies, like the San Antonio Police Department ("SAPD"), to enforce Subchapter H, Chapter 161, Texas Health and Safety Code in a manner that can reasonably be expected to reduce the extent to which cigarettes, e-cigarettes, and tobacco products are illegally sold or distributed to persons who are younger than 21 years of age. Texas

State relies on police departments, the local sheriffs, or constables to enforce this subchapter. Selected law enforcement agencies providing services under this Interlocal Cooperation Contract conduct on-site controlled buy/stings. The SAPD records and submits monthly activity reports to Texas State. Texas State reimburses the contracted law enforcement agencies for each completed buy/sting conducted for the program.

The most recent agreement between SAPD and the Texas State University was approved by City Council in December 2021, covering the period of January 13, 2022 to August 31, 2022. This agreement funded 835 separate buy/stings at a reimbursement rate of \$125 per sting and a total of 46 citations were issued by SAPD.

#### **ISSUE:**

This Interlocal Cooperation Contract between SAPD and Texas State University will allow a maximum of 900 separate buy/stings at a reimbursement rate of \$125 per sting. Total revenue is estimated at \$112,500. The department is paid monthly upon submission of a completed Monthly Summary and Invoice form, along with an attached Cigarette, E-Cigarette, and Tobacco Controlled Buy/Sting Report forms, as confirmation of service rendered. The term of this contract will be effective upon full execution and will terminate on August 31, 2023.

Approval of this contract will allow SAPD to participate in the State of Texas' Tobacco Enforcement Program by conducting controlled buy/stings to reduce children's access to tobacco.

#### **ALTERNATIVES:**

No other alternatives are available for SAPD to participate in the State of Texas' Tobacco Enforcement Program.

#### **FISCAL IMPACT:**

Under the terms of the agreement, Texas State will pay SAPD for the allowed maximum of 900 separate buy/stings at a reimbursement rate of \$125 per sting. Total revenue collected under this contract is estimated at \$112,500 for the term of the contract. Funds collected from this contract will be deposited in the Police Donation Fund in the Tobacco Prevention account.

#### **RECOMMENDATION:**

Staff recommends approval to execute a Interlocal Cooperation Contract between Texas State University and the SAPD.

