



Legislation Text

File #: 18-0441, **Version:** 1

Consider and take action on a resolution authorizing an Interlocal Agreement with the Texas Department of Public Safety (DPS) for a technician to operate and maintain breath alcohol testing instruments for the City of League City in an amount not to exceed \$100,000 (Chief of Police)

Approval of this resolution will authorize an interlocal agreement with the Texas Department of Public Safety (DPS) for a technician to operate and maintain breath alcohol testing instruments for the City of League City in an amount not to exceed \$100,000. On April 25, 2017, City Council approved an Interlocal Agreement between the City of League City and DPS to secure funding for a Breath Alcohol Technical Supervisor (BATS) employed by DPS. Although the Interlocal Agreement is between the City of League City and DPS, additional entities share the cost of this program equally to include Friendswood, Webster, Seabrook, South Houston, Texas City, Pearland, and Galveston County.

Each entity pays an annual amount to League City, and then League City pays DPS for the services of BATS so that DPS has a single point of contact. Through the Interlocal Agreement, League City receives the benefit of a BATS who serves as an independent contractor rather than an employee of League City as it was prior to this Agreement being approved in 2017.

In June of 2018, DPS requested that the City execute a new Interlocal Agreement which contain the following changes from the previous Interlocal Agreement:

- The new agreement no longer automatically renews. It will be required to get Council approval for this agreement each year;
- The new agreement requires 120-day notice (instead of 30-day notice) for a termination for convenience; and,
- The new agreement allows a termination after a ten (10) day notice if there is a material breach of the agreement AND if there are no good-faith steps to cure the breach within the ten 10-day notice period.

Since the other entities listed above are indirectly impacted by this Agreement, the representatives of those Cities have been given the requested changes to review, and none of those cities have any objections. League City's Legal Department has no objections with the requested changes.

Attachments:

1. Data Sheet
2. Proposed Resolution
3. Exhibit A: Interlocal Agreement 2018
4. Data Sheet 17-0259
5. Data Sheet 17-0260
6. Resolution 2017-72 with Executed Agreement
7. Resolution 2017-73 with Executed Agreement

FUNDING

{x} Funds are available from Police Contractual Account #2100000-53490