

AN ORDINANCE      2009-04-30-0330

**AMENDING CHAPTER 3, ARTICLE II, SECTION 3-19 OF THE CITY CODE OF SAN ANTONIO, TEXAS ENTITLED "AIRPORT POLICE", TO REVISE THE REPORTING STRUCTURE AND ADMINISTRATION OF AIRPORT POLICE OFFICERS AND OPERATIONS.**

\* \* \* \* \*

*WHEREAS*, this Ordinance authorizes revisions to Article II, Chapter 3 "Airports" of the City Code of San Antonio, Texas; and

*WHEREAS*, the changes to Article II, Division 1. provide for reporting flexibility and remove Code references to the Aviation Director; and

*WHEREAS*, the City Code revisions are being enacted to transition the Airport Police to the supervision and span of control of the City Manager or her designee, and to facilitate the appointment of a new Airport Police Chief, effective May 1, 2009; and

*WHEREAS*, Chief McManus will serve as the new Airport Police Chief, in addition to serving as the Police Chief; however, the Airport Police will remain a separate and distinct agency and their funding will continue to be budgeted with the Airport Department; and

*WHEREAS*, the Airport Police will also continue to be covered under the terms of the Meet and Confer Agreement and will not have any authority to bargain collectively with the City; and

*WHEREAS*, it is now necessary to adopt the revisions to the City Code to reflect the changes resulting from the transition; **NOW THEREFORE:**

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

*SECTION 1.* Chapter 3 entitled "Airports", Article II, Division 1, Section 3-19, of the City Code of San Antonio, Texas is hereby revised to read as follows:

Sec. 3-19. Airport police.

(a) The airport police shall have full police powers and authority to enforce all laws, ordinances, orders, rules and regulations; provided such powers and authority shall be confined to the limits of the city's municipal airports as provided by state law.

(b) The airport police are designated peace officers of the city, but shall not be members of or employed as officers of the police department nor considered to be city police officers. Also, the airport police shall not be entitled to nor enjoy the benefits of fire fighters and police officers pursuant to the provisions of the Texas Local Government Code Chapters 143 and 174.

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#24

(c) The city manager or the city manager's designee is hereby directed to administer all aspects of the airport police operations and to coordinate with all applicable city departments and state agencies in matters related to airport police commissioning, certification, duties, responsibilities, functions, training and operational procedures.

(d) The city manager or the city manager's designee is hereby directed to formulate and implement policies, functions, areas of responsibility and operational procedures relative to the airport police operations. Such policies, functions, areas of responsibility and operational procedures shall be concurred in by the chief of police, city attorney and director of personnel.

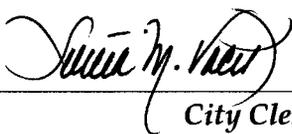
(e) It shall be unlawful and an offense for any person to willfully fail or refuse to comply with any lawful order or direction of any airport police officer.

**SECTION 2.** This ordinance shall take effect May 1, 2009.

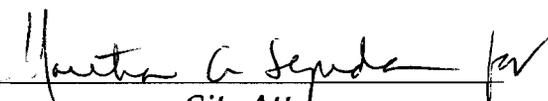
**PASSED AND APPROVED** this 30<sup>th</sup> day of April, 2009.

  
MAYOR  
**PHIL HARDBERGER**

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney

<b>Agenda Item:</b>	<b>24</b>						
<b>Date:</b>	04/30/2009						
<b>Time:</b>	04:52:28 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance amending Chapter 3, Article II, Section 3-19 of the City Code of San Antonio entitled "Airport Police", to revise the reporting structure and administration of airport police officers and operations. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4	x					
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				x
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9	x					
John G. Clamp	District 10		x				

**AFFIDAVIT OF PUBLICATION**

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, deposes and says that she is the Publisher of ***The Hart Beat***; that said newspaper is generally circulated in San Antonio, Bexar County, Texas; that the attached notice was published in said newspaper on the following date(s):

**May 8, 2009**

Subscribed and sworn to before me this 8th day of May, 2009, to certify which witness my hand and seal of office.



*Helen I. Lutz, Publisher*

**PUBLIC NOTICE**

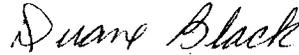
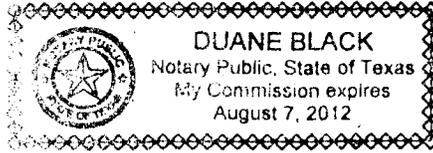
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**PASSED AND APPROVED**  
this 30th day of April, 2009.

**/S/ PHIL HARDBERGER**  
**MAYOR**

**ATTEST: LETICIA VACEK**  
**CITY CLERK**  
5/8



*Notary Public in and for the State of Texas*

**Duane Black**

*Name of Notary*

*My commission expires August 7, 2012*