

AN ORDINANCE 2013 - 09 - 19 - 0657

AUTHORIZING THE EXTENSION, THROUGH MARCH 31, 2014, OF TWO CONTRABAND FORFEITURE INTERLOCAL AGREEMENTS WITH THE BEXAR COUNTY CRIMINAL DISTRICT ATTORNEY'S OFFICE.

WHEREAS, the City of San Antonio and the Bexar County Criminal District Attorney's Office entered into an agreement entitled "Interlocal Agreement - Contraband Forfeiture Agreement" (hereinafter Contract 1) pursuant to Ordinance No. 2006-08-31-0994, under which the Parties set forth their agreement regarding the handling and disposition of money and property forfeited pursuant to Chapter 59 of the Texas Code of Criminal Procedure; and

WHEREAS, the contract provided for a term beginning October 1, 2006, and ending September 30, 2009; and

WHEREAS, the Parties entered into the First Amendment to Interlocal Agreement for Contraband Forfeiture pursuant to Ordinance No. 2009-09-17-0753 to extend the term three years, until September 30, 2012; and

WHEREAS, the Parties entered into the Second Amendment to Interlocal Agreement for Contraband Forfeiture pursuant to Ordinance No. 2012-09-20-0749 to extend the term one year, until September 30, 2013; and

WHEREAS, the Parties now wish to amend the contract to extend the term for an additional six months; and

WHEREAS, the City of San Antonio and the Bexar County Criminal District Attorney's Office entered into an agreement entitled "Interlocal Agreement - Contraband Forfeiture Agreement for Gambling Paraphernalia, Devices, Equipment and Other Property (Gambling Property) and Proceeds and Cash (Proceeds), and Other Chapter 18 CCP Forfeitures" (hereinafter Contract 2) pursuant to Ordinance No. 2006-08-31-0994, under which the Parties set forth their agreement regarding the handling and disposition of Gambling Property and Proceeds, as defined therein, and forfeited pursuant to Section 18.18 or Chapter 59 of the Texas Code of Criminal Procedure; and

WHEREAS, the contract provided for a term beginning October 1, 2006, and ending September 30, 2009; and

WHEREAS, the Parties entered into the First Amendment to Interlocal Agreement for

Contraband Forfeiture pursuant to Ordinance No. 2009-09-17-0753 to extend the term three years, until September 30, 2012; and

WHEREAS, the Parties entered into the Second Amendment to Interlocal Agreement for Contraband Forfeiture pursuant to Ordinance No. 2012-09-20-0749 to extend the term one year, until September 30, 2013; and

WHEREAS, the Parties now wish to amend the contract to extend the term for an additional six months; **NOW THEREFORE:**

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

SECTION 1. The City Manager and her designee are hereby authorized to execute amendments to Contract 1 and Contract 2 to extend them through March 31, 2014. The terms and conditions of the amendments attached hereto as **Exhibit I** and **Exhibit II** are hereby approved.

SECTION 2. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 19th day of September, 2013.


M A Y O R
Julián Castro

ATTEST:

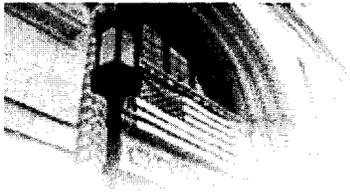
APPROVED AS TO FORM:



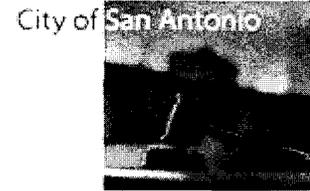
Leticia M. Vacek, City Clerk



Michael D. Bernard, City Attorney



Request for
COUNCIL
 ACTION



Agenda Voting Results - 21

Name:	4, 5, 6, 7, 8, 9, 10A, 10B, 11, 12, 14A, 14B, 15, 16, 17, 18, 19, 20, 21, 22A, 22B, 23A, 23B, 23C, 23D, 24A, 24B, 24C, 24D						
Date:	09/19/2013						
Time:	09:33:06 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the extension, through March 31, 2014, of two contraband forfeiture interlocal agreements with the Bexar County Criminal District Attorney's Office. [Erik J. Walsh, Deputy City Manager; William P. McManus, Police Chief]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

**THIRD AMENDMENT TO INTERLOCAL AGREEMENT
FOR CONTRABAND FORFEITURE**

STATE OF TEXAS §

COUNTY OF BEXAR §

This third amendment to the Interlocal Agreement for Contraband Forfeiture is entered into by and between the City of San Antonio ("City"), a home rule municipal corporation, acting by and through its Chief of Police ("Chief"), and the Bexar County Criminal District Attorney ("Prosecutor"), referred to collectively herein as the "Parties".

WHEREAS, City and Prosecutor entered into an agreement entitled "Interlocal Agreement -Contraband Forfeiture Agreement" (hereafter "Original Contract") pursuant to Ordinance No. 2006-08-31-0994, under which the Parties set forth their agreement regarding the handling and disposition of money and property forfeited pursuant to Chapter 59 of the Texas Code of Criminal Procedure; and

WHEREAS, the Original Contract provided for a term beginning October 1, 2006, and ending September 30, 2009; and

WHEREAS, the Parties entered into the First Amendment to Interlocal Agreement for Contraband Forfeiture pursuant to Ordinance No. 2009-09-17-0753 to extend the term three years, until September 30, 2012; and

WHEREAS, the Parties entered into the Second Amendment to Interlocal Agreement for Contraband Forfeiture pursuant to Ordinance No. 2012-09-20-0749 to extend the term one year, until September 30, 2013; and

WHEREAS, the Parties now wish to amend the Original Contract to extend the term further;

NOW, IN ACCORDANCE THEREWITH, the Parties agree as follows:

I. AMENDMENTS

Section 2.01 of the Original Contract is hereby amended to read as follows:

2.01 The term of this contract will be for a period commencing October 1, 2006, and ending March 30, 2014.

II. PROVISIONS REMAIN IN EFFECT

All other terms, conditions, covenants and provisions of the Original Contract approved by Ordinance No. 2006-08-31-0994, not specifically mentioned herein and revised by this document, are hereby retained in their entirety, unchanged, and shall remain in full force in effect for the

duration of said Original Contract, and any renewals thereof.

III. ENTIRE AGREEMENT

This agreement, as amended, embodies the complete agreement of the parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein.

Executed by the Parties on the dates shown below.

BEXAR COUNTY
CRIMINAL DISTRICT ATTORNEY

CITY OF SAN ANTONIO

SUSAN D. REED
CRIMINAL DISTRICT ATTORNEY

WILLIAM MCMANUS
CHIEF OF POLICE

Date: _____

Date: _____

Approved as to Form

Michael D. Bernard
City Attorney

**THIRD AMENDMENT TO INTERLOCAL AGREEMENT
FOR CONTRABAND FORFEITURE
-GAMBLING PROPERTY & PROCEEDS-**

STATE OF TEXAS §

COUNTY OF BEXAR §

This third amendment to the Interlocal Agreement for Contraband Forfeiture – Gambling Property & Proceeds is entered into by and between the City of San Antonio ("City"), a home rule municipal corporation, acting by and through its Chief of Police ("Chief"), and the Bexar County Criminal District Attorney ("Prosecutor"), referred to collectively herein as the "Parties".

WHEREAS, City and Prosecutor entered into an agreement entitled "Interlocal Agreement - Contraband Forfeiture Agreement for Gambling Paraphernalia, Devices, Equipment and Other Property (Gambling Property) and Proceeds and Cash (Proceeds), and Other Chapter 18 CCP Forfeitures" (hereafter "Original Contract") pursuant to Ordinance No. 2006-08-31-0994, under which the Parties set forth their agreement regarding the handling and disposition of Gambling Property and Proceeds, as defined therein, and forfeited pursuant to Section 18.18 or Chapter 59 of the Texas Code of Criminal Procedure; and

WHEREAS, the Original Contract provided for a term beginning October 1, 2006, and ending September 30, 2009; and

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WHEREAS, the Parties entered into the Second Amendment to Interlocal Agreement for Contraband Forfeiture pursuant to Ordinance No. 2012-09-20-0749 to extend the term one year, until September 30, 2013; and

WHEREAS, the Parties now wish to amend the Original Contract to extend the term further;

NOW, IN ACCORDANCE THEREWITH, the Parties agree as follows:

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II. PROVISIONS REMAIN IN EFFECT

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This agreement, as amended, embodies the complete agreement of the parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein.

Executed by the Parties on the dates shown below.

BEXAR COUNTY
CRIMINAL DISTRICT ATTORNEY

CITY OF SAN ANTONIO

SUSAN D. REED
CRIMINAL DISTRICT ATTORNEY

WILLIAM MCMANUS
CHIEF OF POLICE

Date: _____

Date: _____

Approved as to Form

Michael D. Bernard
City Attorney