



Legislation Details (With Text)

**File #:** Res. 2018-81R      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Individual Consideration

**File created:** 5/1/2018      **In control:** City Council

**On agenda:** 5/29/2018      **Final action:**

**Title:** Consider approval of Resolution 2018-81R, approving an Interlocal agreement regarding asset forfeitures within Comal County for the benefit of the Hays County Narcotics Task Force; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Interlocal Agreement with Comal County DA's office.pdf

Date	Ver.	Action By	Action	Result
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**AGENDA CAPTION:**

Consider approval of Resolution 2018-81R, approving an Interlocal agreement regarding asset forfeitures within Comal County for the benefit of the Hays County Narcotics Task Force; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.

**Meeting date:** May 29, 2018

**Department:** Police

**Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** N/A

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Community Partners

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu]

below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

**Background Information:**

On occasion, Officers of the City of San Marcos Police Department may conduct investigations which are prosecuted in Comal County. The most common example of such an investigation is a narcotics trafficking case with ties to multiple counties. In some of these cases, assets acquired through the commission of a felony may be forfeited to the state for use in furthering legitimate law enforcement purposes. When such forfeitures occur, these assets are shared by the investigating law enforcement agency and the prosecuting attorney's office according to terms spelled out in an interlocal agreement. The purpose of this agreement is to establish those terms between the City of San Marcos Police Department and the Comal County Sheriff's Department.

**Council Committee, Board/Commission Action:**

The City Council has previously approved similar agreements with other entities such as the Hays County District Attorney's Office.

**Alternatives:**

The only alternative in this instance is to decline participation in a sharing agreement with Comal County, an alternative which would be fiscally illogical.

**Recommendation:**

The staff recommendation is to approve the interlocal agreement.