

## ACTION FORM BRYAN CITY COUNCIL

<b>DATE OF COUNCIL MEETING:</b> September 8, 2015		<b>DATE SUBMITTED:</b> August 21, 2015	
<b>DEPARTMENT OF ORIGIN:</b> Police Services		<b>SUBMITTED BY:</b> Chief Eric Buske	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>	<b>STRATEGIC INITIATIVE:</b>
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input checked="" type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input checked="" type="checkbox"/> QUALITY OF LIFE
<b>AGENDA ITEM DESCRIPTION:</b> Consider approving an extension of an existing Interlocal Cooperative Agreement to provide housing for prisoners from the City of Bryan in the Brazos County Jail, in an amount of forty-seven dollars and fifty cents (\$47.50) per City prisoner or arrestee per day housed and not to exceed \$96,000.00 for Fiscal Year 2016.			
<b>SUMMARY STATEMENT:</b> The Police Department is respectfully requesting City Council approval authorizing the extension of the Interlocal Cooperative Agreement Providing for the Housing of Prisoners from the City of Bryan, Texas in the Brazos County Jail.			
<p>This agreement was executed on August 7, 2014, commenced on October 1, 2014, and extends through September 30, 2015. As defined in the contract, it will renew annually for three (3) additional one (1) year periods unless either party issues notice of intent to terminate. The Brazos County Sheriff's Office and the Bryan Police Department desire to renew the agreement by which the Brazos County Sheriff's Office will house within the Brazos County Jail and provide care for prisoners of the City of Bryan according to the terms and conditions as set forth in the Interlocal Cooperative Agreement.</p>			
<p>In extending the agreement, the City of Bryan agrees to pay the sum of forty-seven dollars and fifty cents (\$47.50) per City prisoner or arrestee housed in the Brazos County Jail per day. This is the same price per prisoner per day as the Fiscal Year 2015 agreement. The annual cost associated with the housing of City of Bryan prisoners within the Brazos County Jail is approximately \$80,000 to \$96,000, depending on the number of arrested individuals and the number of days housed in jail. The City of Bryan allocated ninety-six thousand dollars (\$96,000.00) for the housing of City prisoners in the proposed Fiscal Year 2016 budget.</p>			
<b>STAFF ANALYSIS AND RECOMMENDATION:</b> Staff recommends approving an extension to the Interlocal Cooperative Agreement and continuing to house City of Bryan prisoners and arrestees within the Brazos County Jail. Brazos County Jail facilities are adequate to serve the law enforcement agencies of Brazos County and the City of Bryan. Under the terms of the agreement, the Brazos County Sheriff's Office assumes responsibility for the housing of City prisoners and relieves the City of Bryan of that liability. The cost associated with the housing of prisoners is less of a financial burden to the City of Bryan than the cost associated with staffing, managing, and operating a jail facility.			
<b>OPTIONS (In Suggested Order of Staff Preference):</b>			
<ol style="list-style-type: none"> <li>1. Approve the proposed resolution and extend the Interlocal Cooperative Agreement for the Housing of Prisoners.</li> <li>2. Do not approve the proposed resolution and the Interlocal Cooperative Agreement extension and provide</li> </ol>			

additional direction to staff.

**ATTACHMENTS:**

1. Proposed resolution (Contained as part of this document)
2. Existing Interlocal Cooperative Agreement Providing for the Housing of Prisoners from the City of Bryan, Texas in Brazos County Jail (Attached pdf)

**FUNDING SOURCE:** 001-0501-400-50-10 Brazos County Jail Support (Police Department – General Fund as budgeted in the proposed FY16 Budget)

**APPROVALS:** Hugh R. Walker, 08/27/2015

**APPROVED FOR SUBMITTAL: CITY MANAGER** Kean Register, 8/27/2015

**APPROVED FOR SUBMITTAL: CITY ATTORNEY** Janis K. Hampton, 8/29/2015

Revised 05/2013

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AUTHORIZING RENEWAL OF AN INTERLOCAL AGREEMENT FOR FISCAL YEAR 2016 BETWEEN THE CITY OF BRYAN AND BRAZOS COUNTY FOR THE HOUSING OF CITY OF BRYAN PRISONERS; APPROVING FISCAL YEAR 2016 FUNDING IN THE NOT TO EXCEED AMOUNT OF \$96,000.00 FOR HOUSING OF CITY OF BRYAN PRISONERS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, this agreement between the City of Bryan, a political subdivision of the State of Texas, and Brazos County, a political subdivision of the State of Texas, is made pursuant to the provisions of the Interlocal Cooperation Act V.T.C.A., Government Code Chapter 791; and

**WHEREAS**, it has been found and determined by the Commissioners Court of Brazos County, Texas, and by the City Council of the City of Bryan, Texas, that utilizing one jail facility to serve the law enforcement agencies of the City of Bryan and Brazos County shall result in increased efficiency and economy to the citizens of Brazos County; and

**WHEREAS**, the Brazos County jail and its attendant facilities are adequate to serve the law enforcement agencies of both the City of Bryan and Brazos County; and

**WHEREAS**, Brazos County and the City of Bryan have entered into an agreement by which Brazos County will house in its county jail and offer care for prisoners of the City of Bryan; and

**WHEREAS**, the Fiscal Year 2016 cost to the City of Bryan will not exceed \$96,000.00 for the housing of City of Bryan prisoners; and

**WHEREAS**, the City of Bryan desires to approve and adopt the existing agreement with Brazos County for Fiscal Year 2016.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Bryan, Texas, that:

1.

Funding for Fiscal Year 2016 in an amount not to exceed \$96,000.00 for the housing of City of Bryan prisoners is approved.

2.

The Interlocal Agreement renewal between the City of Bryan and Brazos County for the housing of City of Bryan prisoners is adopted for twelve (12) months beginning October 1, 2015, through September 30, 2016, both dates inclusive. A copy of the Agreement is attached hereto as Exhibit "A" and is incorporated herein by this reference for all purposes.

3.

This resolution is immediately effective upon passage and adoption.

ADOPTED BY VOTE OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, this 8<sup>th</sup> day of September, 2015.

**ATTEST:**

**CITY OF BRYAN:**

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Mary Lynne Stratta, City Secretary

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Jason P. Bienski, Mayor

**APPROVED AS TO FORM:**

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Janis K. Hampton, City Attorney