

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: EL PASO POLICE DEPARTMENT

AGENDA DATE: December 4, 2007

CONTACT PERSON/PHONE: Assistant Chief Paul Cross/564-7323

DISTRICT(S) AFFECTED: N/A

SUBJECT:

The City of El Paso shall submit to arbitration as provided by Paragraph 4 of the Interlocal Governmental Agreement regarding the booking, processing and housing of City prisoners in the El Paso County Detention Facilities.

BACKGROUND / DISCUSSION:

The City of El Paso and the County of El Paso entered into an Interlocal Governmental Agreement ("Agreement") in or about 2003 regarding the booking, processing and housing of City prisoners in the El Paso County Detention facilities. Pursuant to said Agreement, the County of El Paso must submit a fee schedule to the City relating to the actual costs associated with the operation of the County detention facilities in regard to the booking, processing and housing of City prisoners. The fee schedule is to be submitted sixty (60) days before the beginning of the City's fiscal year. In accordance with the terms of the Agreement, the City gave written notice to the County that it disputed the new fee schedule. The parties, however, have not been able to agree to changes to the new fee schedule within thirty (30) days of the City's written dispute. Accordingly, the City of El Paso has determined that it is necessary to invoke the arbitration clause of the Agreement.

PRIOR COUNCIL ACTION:

City Council authorized the Mayor on September 16, 2003 to sign an Interlocal Governmental Agreement between the City of El Paso and the County of El Paso for booking, processing and housing of prisoners from 9/16/03 through 8/31/07.

AMOUNT AND SOURCE OF FUNDING:

\$1,890,000 is budgeted in the Police Department's FY 2008 General Fund budget under Fund 01101, Department ID 21010061 Account 504414 in FY 2008.

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____

FINANCE: (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

CITY CLERK DEPT.
07 NOV 26 PM 12:01

RESOLUTION

WHEREAS, the City of El Paso and the County of El Paso entered into an Interlocal Governmental Agreement in or about 2003 regarding the booking, processing and housing of City prisoners at the El Paso County Detention facilities; and

WHEREAS, said Interlocal Governmental Agreement mandates that the County of El Paso shall submit a fee schedule to the City of El Paso relating to the actual costs associated with the operation of the County detention facilities in regard to the booking, processing and housing of City prisoners; and

WHEREAS, the City of El Paso has disputed the new fee schedule relating to the booking, processing and housing of City prisoners, effective September 1, 2007, that was submitted by the County of El Paso in accordance with the terms of the Interlocal Governmental Agreement; and

WHEREAS, the parties have not been able to agree upon changes to the new fee schedule within thirty (30) days of the City of El Paso's written dispute of said fees; and

WHEREAS, the City of El Paso has determined that it is necessary to invoke the arbitration clause pursuant to the terms of the Interlocal Governmental Agreement on said fees; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso shall submit to arbitration as provided by Paragraph 4 of the Interlocal Governmental Agreement regarding the booking, processing and housing of City prisoners in the El Paso County Detention Facilities.

ADOPTED on this the 4th day of December 2007.

CITY OF EL PASO

ATTEST:

JOHN F. COOK
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Jennifer F. Callan
Assistant City Attorney

CITY CLERK DEPT.
07 NOV 26 PM 12:01