



## AGENDA MEMORANDUM

Future Item for the City Council Meeting of 10/09/2012

Action Item for the City Council Meeting of 10/16/2012

**DATE:** September 19, 2012

**TO:** Ronald L. Olson, City Manager

**FROM:** R. Jay Reining, Interim Director, Municipal Court  
[jayr@cctexas.com](mailto:jayr@cctexas.com)  
(361) 826-2540

**Interlocal Cooperation Agreement with the Texas Department of Public Safety  
relating to the Failure To Appear Program**

**CAPTION:**

Resolution authorizing the City Manager to execute an Interlocal Cooperation Agreement with the Texas Department of Public Safety relating to the Failure To Appear Program

**PURPOSE:**

Adopt an interlocal agreement required by the Texas Department of Public Safety (TDPS) to allow the City to continue its participation in the TDPS' Failure to Appear (FTA) Program authorized by Chapter, Texas Transportation Code. The FTA program withholds renewal of driver's licenses persons who fail to appear for a complaint or citation or fail to pay or satisfy a judgment ordering payment of a fine and costs in the manner ordered by courts.

**BACKGROUND AND FINDINGS:**

The interlocal agreement primarily deals with the procedures for providing information to and the compensation of TDPS' vendor, OmniBase Services of Texas by the Municipal Court. The City has been participating in the FTA or OmniBase program since it was first authorized. The FTA program is an important tool to get defendant's to appear and resolve their cases. The Municipal Court has seen a noticeable increase in defendant's trying to resolve their cases so they can renew their driver's licenses. Most employers involved in the Eagle Ford Shale development are requiring new and existing employees to provide proof of valid driver's licenses.

If the City has the interlocal agreement with TDPS, we can charge each defendant who fails to appear or fails to pay or satisfy a judgment a fee of \$30.00 (called the FTA fee), if we refer their complaint to Omnibase so TPDS will place a hold on the renewal of their driver's license. The City is required to send the State 2/3 (\$20.00) of the \$30.00 fee. Under the interlocal agreement, we are required to pay Omnibase a service fee of \$6.00. The City gets to keep the remaining \$4.00 for its general fund. In FY 2012, we collected a total of \$55,202 in FTA fees, sent the State \$36,801, paid Omnibase

\$11,040, and kept \$7,360 in revenue to the General Fund.

**ALTERNATIVES:**

The alternative to executing the interlocal agreement is to forego participation in the FTA program.

**OTHER CONSIDERATIONS:**

Not applicable.

**CONFORMITY TO CITY POLICY:**

Not applicable.

**EMERGENCY / NON-EMERGENCY:**

This is a routine, non-controversial item.

**DEPARTMENTAL CLEARANCES:**

Not applicable.

**FINANCIAL IMPACT:**

Operating       Revenue       Capital      x Not applicable

<b>Fiscal Year: 2012-2013</b>	<b>Project to Date Expenditures  (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**RECOMMENDATION:**

City Council should adopt the resolution authorizing the City Manager to execute the interlocal agreement with TDPS.

**LIST OF SUPPORTING DOCUMENTS:**

Resolution  
Interlocal Cooperation Agreement