

RESOLUTION 2011 - 24

A RESOLUTION OF THE CITY OF LA FERIA, TEXAS TO AUTHORIZE: (1) A MULTI-YEAR INTERLOCAL AGREEMENT WITH CAMERON COUNTY AND THE TEXAS DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH THE TEXAS TRANSPORTATION CODE TO DENY REGISTRATION OR RE-REGISTRATON OF VEHICLES IF THE REGISTERED OWNER HAS A WARRANT FOR DELINQUENT CLASS C MISDEMEANOR TRAFFIC OFFENSES FOR FAILURE TO APPEAR OR RESOLVE CASES AS PROVIDED IN CHAPTER 702 – REFUSAL TO REGISTER VEHICLE; (2) VEHICLE REGISTRATION DENIAL FOR OFFENDERS WHO FAIL TO PAY DELINQUENT CIVIL VIOLATIONS AS PROVIDED IN THE TRANSPORTATION CODE, CHAPTER 707 – ENFORCEMENT; (3) PAYMENT TO CAMERON COUNTY AND/OR DEPARTMENT OF TRANSPORTATION APPROPRIATE FEES CHARGES TO RECOVER COSTS AS BILLED FOR SCOFFLAW REGISTRATION DENIAL SERVICES; AND (4) FUTURE AGREEMENTS WITH OTHER TEXAS COUNTIES FOR DENIAL OF VEHICLE REGISTRATION FOR ELIGIBLE CLASS C MISDEMEANOR AND CIVIL CASES AS AUTHORIZED IN THE TRANSPORTATION CODE.

WHEREAS, Texas Government Code, Chapter 791 authorizes local governments of the state to enter into contract for governmental function and services to increase their efficiency and effectiveness; and

WHEREAS, the City of La Feria herein referred to as (City) and Cameron County, hereafter referred to as (County) are local governments as defined in Texas Government Code, Section 791.003(4), have authority to enter into this agreement, and each will enter into this agreement by action of its governing body in the appropriate manner prescribed by law; and

WHEREAS, Texas Transportation Code, Section 702.003 allows a county tax assessor-collector, upon receipt of information from a municipality by and through the Texas Department of Transportation motor vehicle registration system, to assist a municipality in the enforcement of outstanding warrants of arrest for failure to appear or failure to pay a fine on a complaint that involves the violation of traffic offenses by refusing to register or re-register a motor vehicle; and

WHEREAS, Texas Transportation Code, Section 702.003 further allows a municipality to contract with the County to provide the necessary information to a county for the above determination by the county tax assessor-collector to deny motor vehicle registration or re-registration to certain persons; and

WHEREAS, Texas Transportation Code, Section 707.017 allows a county assessor-collector to refuse to register a motor vehicle alleged to have been involved in a violation of Chapter 707 of the Texas Transportation Code where the owner of the motor vehicle is delinquent in the payment of a civil penalty imposed under Chapter 707; and

WHEREAS, such a consolidated effort in the effectuation of Texas Transportation Code, Chapter 702 and 707, are in each party's best interest and that of the public and that this agreement will increase the effective and efficient functioning of each party; and

WHEREAS, both the City and County represent to one another that each respective party has the authority to enter into this agreement and perform the obligations and duties stated herein; and

WHEREAS, the County and the City specify that each party paying for the performance of said functions of government shall make those payments from current funds available to the paying party; and

WHEREAS, the City Commission of the City of La Feria finds that it is in the best interest of the City to authorize an interlocal agreement with Cameron County and the Texas Department of Transportation for a Scofflaw Program in accordance with Texas Transportation Code, Chapter 702, Refusal to Register Vehicle.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS THAT:

Section 1. That the City Manager is hereby authorized to enter into a multi-year interlocal agreement with Cameron County, the Texas Department of Transportation and/or other Texas counties as appropriate in accordance with the Texas Transportation Code Chapters 702 and 707 to deny vehicle registration for offenders who have failed to appear and resolve their Class C misdemeanor traffic citations and eligible civil violations.

Section 2. That the City Manager is hereby authorized to execute a multi-year interlocal agreement with Cameron County, the Texas Department of Transportation and other Texas counties as appropriate for scofflaw vehicle registration denial after approval as to form by the City Attorney.

Section 3. That the City Finance Director is hereby authorized to create, receive and deposit funds from the agreements into a Scofflaw Program Fund.

Section 4. That the City Finance Director is hereby authorized to pay Cameron County a fee of \$10 per case containing a matching license plate, from funds billed or escrowed in advance of billing, or otherwise specified in the contract, subject to annual appropriations from the Scofflaw Program Fund for Class C misdemeanor violations and civil violations.

Section 5. That the City Finance Director is hereby authorized to pay the Texas Department of Transportation a fee of \$23.00 per file submission plus \$.12 (twelve cents) for each transaction in the file, from funds billed or escrowed in advance of billing, or otherwise specified in the contract, subject to annual appropriations from the Scofflaw Program Fund for Class C misdemeanor violations and civil violations.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of La Feria, Texas, and it is accordingly so authorized.

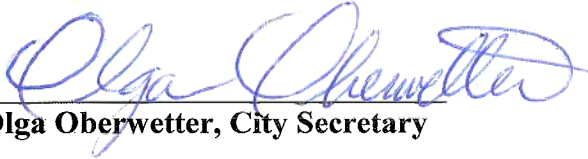
CONSIDERED AND ADOPTED this 12th day of July, 2011, at a regular meeting of the City Commission of the City of La Feria, Texas, at which a quorum was present and which was held in accordance with Texas Government Code, Chapter 551.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney