

CITY OF EVERMAN, TEXAS

RESOLUTION NO. 2023-08-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, ESTABLISHING A CONCURRENT ENFORCEMENT JURISDICTION INTERLOCAL AGREEMENT WITH THE CITY OF FORT WORTH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"), authorizes political subdivisions to contract with each other to facilitate the governmental functions and services of said political subdivisions; and

WHEREAS, the City of Everman ("Everman") and City of Fort Worth ("Fort Worth") are local governments with the authority to enter into interlocal agreements pursuant to the Act; and

WHEREAS, Fort Worth has within its territorial jurisdiction certain roadways and areas that are contiguous with the territorial limits of Everman, such areas and roadways being more fully described in Exhibit A to the Interlocal Agreement (ILA) described herein; and

WHEREAS, police officers' authority to make warrantless arrests is limited to their geographical jurisdiction under common law and the Code of Criminal Procedure, Chapter 14; and

WHEREAS, Code of Criminal Procedure Article 14.03(g) was amended in 2005 to expand a municipal officer's authority to make stops and arrests for traffic violations beyond the city limits of the boundaries of any county in which the municipality is located, and

WHEREAS, Everman and Fort Worth wish to allow the Everman Police Department to have concurrent jurisdiction for the purpose of enforcing state laws under the Transportation Code, Code of Criminal Procedure, Penal Code and Health and Safety Code in the area described in the ILA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, THAT:

SECTION 1. The City Manager is hereby authorized to sign on behalf of the City the Interlocal Agreement with the City of Fort Worth relating to concurrent enforcement jurisdiction, the terms of which shall be substantially as set forth in the agreement attached hereto and incorporated herein as Exhibit "A".

SECTION 2. This resolution shall be effective immediately upon its approval.

PASSED AND APPROVED this the 18th day of July 2023.

APPROVED:

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

_____, **Asst. City Attorney**

8/9/23/cgm/4889-8974-6038, v. 1

EXHIBIT A

[Interlocal Agreement for Concurrent Enforcement Jurisdiction]

4889-8974-6038, v. 1