

RESOLUTION NO. R021226-03

A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE LA VERNIA POLICE DEPARTMENT AND THE 287(g) TASK FORCE MODEL

WHEREAS, Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g), authorizes the Secretary of the Department of Homeland Security, through U.S. Immigration and Customs Enforcement (ICE), to enter into written agreements with state and local law enforcement agencies for the delegation of certain federal immigration enforcement functions; and

WHEREAS, the La Vernia Police Department has been offered the opportunity to enter into a Memorandum of Agreement (MOA) **Exhibit A** with ICE under the 287(g) Task Force Model, allowing designated and properly trained law enforcement personnel to perform limited immigration enforcement functions under the supervision and direction of ICE; and

WHEREAS, the purpose of the MOA is to enhance cooperation between federal and local law enforcement agencies in enforcing immigration laws, while maintaining compliance with federal civil rights laws, due process standards, and applicable policies and procedures; and

WHEREAS, under the terms of the MOA, participating La Vernia Police Department personnel must be nominated, trained, certified, and authorized by ICE prior to exercising any immigration enforcement authority, and such authority is subject to ICE supervision and revocation; and

WHEREAS, the MOA clearly outlines the scope of authority, training requirements, supervision, reporting obligations, complaint procedures, liability provisions, cost responsibilities, and termination conditions governing participation in the 287(g) Program; and

WHEREAS, participation in the 287(g) Program does not diminish the La Vernia Police Department's existing law enforcement authority, nor does it require the violation of state or local laws, policies, or standards; and

WHEREAS, the city of La Vernia body finds that entering into this MOA serves the public interest by promoting intergovernmental cooperation, enhancing public safety, and ensuring lawful and orderly enforcement of immigration laws within the jurisdiction;

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

SECTION 1. The City Council of the City of La Vernia hereby authorizes the City Administrator to execute an agreement.

SECTION 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 12th day of February 2026.

CITY OF LA VERNIA, TEXAS

Martin Poore, Mayor

ATTEST:

Madison Farrow, City Secretary

APPROVED AS TO FORM:

City Attorney

Exhibit A