



STAFF REPORT

DATE: April 18, 2017
TO: Ronald L. Olson, City Manager
FROM: Jonathan Locke, Executive Director of Finance
SUBJECT: State Seizure Fund budget amendment

BACKGROUND AND FINDINGS:

Chapter 59 of the Code of Criminal Procedure authorizes the state to share forfeited property and cash seized during criminal investigations with the participating law enforcement agency. Shared funds are kept in separate accounts that are monitored, regulated, and controlled by the Chief Law Enforcement Officer. Shared funds allow local law enforcement to fund programs that expand crime fighting resources and enhance the enforcement abilities of the department above what is routinely accessible through the normal budget process. The governing body is required to be notified of budgeted expenditures from these accounts, but the municipality may not use expenditures to offset or decrease salaries, expenses, or allowances already budgeted as the result of the availability of these funds.

Typically, seizure funds are utilized to acquire equipment that enhances the policing operation of a department, increasing their ability to safely conduct investigations and ensure convictions. Expenditures are normally for a one-time procurement of equipment or temporary support of new, unbudgeted police operations. The Police Department has utilized these funds for programs such as police canines and specialized training, the purchase of surveillance equipment, crime scene equipment, advanced computer technology, and to pay off third-party liens on vehicles acquired through the seizure process.

THE ALTERNATIVES CONSIDERED:

1. Reprogram funding from the department's operational accounts. Due to recent budget cuts, there is no excess funding available.
2. Utilize funding available within the State Seizure account via a budget amendment.
3. Delay purchases until FY 2018.

Which alternative is recommended? Why?

Alternative 2 is recommended. Funding is currently available but unbudgeted within the State Seizure Fund.

CONFORMITY TO CITY POLICY:

City Charter Section 56. After the conclusion of public hearing, the Council may insert new items or may increase or decrease the items of the Budget, except items in proposed expenditures

fixed by law. Before inserting any additional item or increasing any item of appropriation, it must cause to be published a notice setting forth the nature of the proposed increases and fixing a place and time, not less than five days after publication, at which the Council will hold a public hearing thereon.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The total expenditure in FY 2017 is \$114,458. Future year costs include a subscription cost of \$6,400 for the DVR examiner and the cell phone extraction device.

Is this a one-time or recurring expenditure?

This is a one-time expenditure with the exception of the \$6,400 annual subscription cost.

Is this expenditure budgeted?

No.

If not, where will the money come from?

There is currently \$181,812 of unappropriated funding available within the State Seizure Fund which is restricted for law enforcement use.

Is there a sufficient amount in the budgeted line-item for this expenditure?

No.

RECOMMENDATION:

Staff recommends that the City Council approve this ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services to provide funding for the purchase of equipment for the Police Department.

DEPARTMENTAL CLEARANCES:

City Manager

ATTACHED SUPPORTING DOCUMENTS:

Ordinance