

RESOLUTION 11-12982

A RESOLUTION AMENDING THE FISCAL YEAR 2011-12 BUDGET, ADOPTED BY ORDINANCE 11-12953, TO APPROPRIATE FORFEITURE FUNDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Naples receives funds through federal asset forfeiture (Federal Equitable Sharing Program) and the Florida Contraband Forfeiture Act; and

WHEREAS, these funds may be utilized for a variety of law enforcement purposes including crime prevention, equipment, training and matching funds to obtain federal grants; and

WHEREAS, the Chief of the City of Naples Police Department certifies that these requests comply with Chapter 932, Florida Statutes; and

WHEREAS, the Council wishes to amend the budget as adopted by Ordinance 11-12953 to appropriate Forfeiture Funds in the amount of \$157,357; and

WHEREAS, the funds will be expended for valid law enforcement purposes (see attached staff report for a breakdown of maximum expenditures), which are not met by the normal operating budget of the City of Naples Police Department;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the City's fiscal year 2011-12 budget, as adopted by Ordinance 11-12953, is hereby amended to appropriate forfeiture funds by increasing \$17,879 in Fund 690, and \$139,478 in Fund 691.

Section 2. In accordance with Chapter 932, Florida Statutes, authorization is granted to expend these funds in accordance with all City policies.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 2ND DAY OF NOVEMBER, 2011.

Bill Barnett, Mayor

Attest:

Approved as to form and legality:

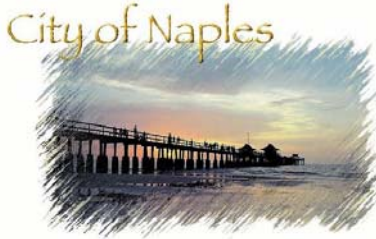
Tara A. Norman, City Clerk

Robert D. Pritt, City Attorney

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Date filed with City Clerk: _____

NAPLES CITY COUNCIL AGENDA MEMORANDUM



Regular Meeting Date: November 2, 2011

Agenda Section: Regular	Prepared By: Thomas Weschler, Director Date: October 14, 2011	Department: Naples Police
Agenda Item: 12	Legislative <input checked="" type="checkbox"/>	Quasi-Judicial <input type="checkbox"/>

SUBJECT:
Resolution to amend the FY 2011-12 budget adopted by Ordinance 11-12953 by increasing Fund 690 by \$17,879 and Fund 691 by \$139,478 for a total of \$157,357 to authorize expenditure of funds from the Federal and State Confiscation Trust Fund Accounts in accordance with City Policies.

SUMMARY:
City Council is asked to consider a resolution amending the FY 2011-12 Budget for appropriating \$17,879 in funds from the State Confiscation Trust Fund and \$139,478 in funds from the Federal Confiscation Trust Fund.

BACKGROUND:
The Naples Police Department receives funds through Federal asset forfeiture (Federal Equitable Sharing Program) and the Florida Contraband Forfeiture Act.

Forfeiture funds are not budgeted funds. State forfeiture funds are governed by F.S. 932.7055. According to statutes, proceeds and interest may not be used to meet "normal operating expenses" of the law enforcement agency. Forfeiture funds may be expended upon request by the Chief of Police to the governing body of the municipality, accompanied by a written certification that the request complies with the provisions of this subsection, and only upon appropriation to the Police Department by the governing body of the municipality.

This memorandum certifies that a request for expenditures complies with the provisions of the Florida State Statute. Federal confiscation funds have no such requirement; however, as a matter of good management and accounting practices, planned expenditures under federal funds are included in this submission.

The following is an accounting of State and Federal fund expenditures planned for purchase of goods and services during FY 2011-12:

Account Number	Account Description	Amount
690-1101-521-5013	Drug Abuse Education Program Miscellaneous Expenses	4,000 1,879
690-1101-521-3210	Legal Council	12,000
691-1101-521-5022	Travel/Training/ Prevention/Printing	15,000
691-1101-521-5023	L.E. Specialty Equipment	10,000
691-1101-521-5024	Other L.E.O. Investigation Funds	49,478
691-1101-521-6020	Building	10,000
691-1101-521-6040	Capital Outlay/ Equipment/Machinery	45,000
691-1101-521-6043	Grants	10,000
	Total Increases	157,357



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FUNDING SOURCE:

Current Account balances are:	690 (STATE FUND)	\$ 17,879.
	691 (FEDERAL FUND)	\$139,478.
	TOTAL	\$157,357.

RECOMMENDED ACTION:

Adopt a Resolution to amend the FY 2011-12 budget adopted by Ordinance 11-12953 and authorize expenditure of funds from the Federal and State Confiscation Trust Fund Accounts in accordance with City Policies.

Reviewed by Department Director Thomas Weschler	Reviewed by Finance N/A	Reviewed by City Manager A. William Moss
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City Council Action: