

RESOLUTION 12-13204

A RESOLUTION AMENDING THE FISCAL YEAR 2012-13 BUDGET, ADOPTED BY ORDINANCE 12-13175, 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, City Council wishes to amend the Budget as adopted by Ordinance 12-13175 to appropriate Forfeiture Funds in the amount of \$162,000; 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 2012-13 Budget, as adopted by Ordinance 12-13175, is hereby amended to appropriate forfeiture funds by increasing \$12,000, in Fund 690, and \$150,000 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 5TH DAY OF DECEMBER, 2012.

John F. Sorey III, Mayor

Attest:

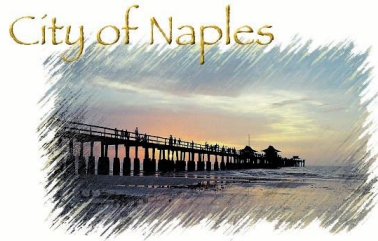
Approved as to form and legality:

Patricia L. Rambosk, City Clerk

Robert D. Pritt, City Attorney

M:\REF\COUNCIL\RES\2012\12-13204

Date filed with City Clerk: _____



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Regular Meeting Date: December 5, 2012

| | |
|----------------------------|---|
| Agenda Section: Consent | Prepared By: Thomas Weschler, Chief of Police Department: Naples Police Department |
| Agenda Item: 9 | Legislative <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> |

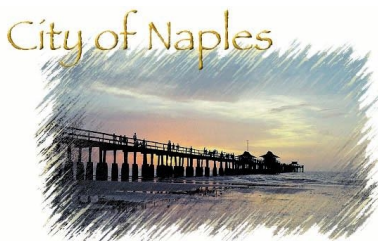
SUBJECT:
Resolution to amend the FY 2012-13 budget adopted by Ordinance 12-13175, to increase fund 690 by \$150,000, and to authorize the expenditure of these funds from the State and Federal Law Enforcement Fund in accordance with all city policies, state and federal guidelines.

SUMMARY:
City Council is asked to consider a Resolution amending the FY 2012-13 budget adopted by Ordinance 12-13175 to increase Forfeiture Funds; \$12,000 in funds from the State Confiscation Trust Fund and \$150,000 in funds from the Federal Law Enforcement Fund.

BACKGROUND:
The Naples Police Department receives funds through federal asset forfeiture (Federal Equitable Sharing Act) and the Florida Contraband Forfeiture Act. These acts were created as a tool for law enforcement to seize monies, property, and assets acquired through felonious criminal action.

The use of funds obtained under the Florida Contraband Forfeiture Act has restrictions and limitations on the use of assets. The forfeiture fund proceeds and interest earned may be used for crime prevention, drug abuse education programs, or for other law enforcement purposes, which include defraying the cost of protracted court proceedings and equipment. However, the proceeds and interest may not be used to meet normal operating expenses of the department. These funds may only be expended upon request of the chief of police to the governing body of the municipality with written certification that the request complies with the provisions of FSS: 932.7055. This memorandum is provided for your information and expenditures are in compliance with the Florida State Statutes.

| Account Number | Description | Transfer |
|-------------------|---|----------|
| 690-1101-521-5013 | Drug Abuse Education Programs, & associated expenses | |
| 690-1101-521-3210 | Legal Counsel | |
| 691-1101-521-5022 | Training, Travel, Prevention Programs, Printing | |
| 691-1101-521-5023 | Law Enforcement Equipment | |
| 691-1101-521-5024 | Covert Vehicle Rental, Investigative equipment, research, and informant funds | |
| 691-1101-521-6020 | Building Security Upgrades | |
| 691-1101-521-6040 | Capital Outlay, Equipment, Software | |
| 691-1101-521-6043 | Grants - Cash Match | |



NAPLES CITY COUNCIL AGENDA MEMORANDUM

Regular Meeting Date: December 5, 2012

Page Two

Agenda Item:

9

| FUNDING SOURCE: | <u>Current Balance</u> | <u>Transfer Amount</u> | <u>New Balance</u> |
|---------------------------------------|------------------------|------------------------|--------------------|
| Account 690 State Confiscation Fund: | \$12,046.04 | \$12,000 | \$24,046.04 |
| Account 691 Federal Confiscation Fund | \$159,086.20 | \$150,000 | \$259,086.20 |

RECOMMENDED ACTION:

Approve a Resolution amending the FY 2012-13 budget adopted by Ordinance 12-13175 to appropriate Forfeiture Funds; \$12,000 in funds from the State Confiscation Trust Fund and \$150,000 in funds from the Federal Confiscation Trust Fund.

Reviewed by Department Director
Thomas Weschler

Reviewed by Finance
Ann Marie Ricardi

Reviewed by City Manager
Bill Moss

City Council Action: