



# City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: July 18, 2024

RE: Resolution Number 24-53: Approval of a budget amendment to the FY 2023-2024 transfer of forfeited funds in the amount of \$12,000.00 for the Marc Metro LLC and other drug prevention programs through the Eustis Police Department

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## **Introduction:**

Resolution Number 24-53 approves a budget amendment to the FY 2023-2024 Police Forfeiture budget in order to account for State and Federal receipt and expenditures of monies taken from forfeitures of contraband seized. The allocation of \$12,000 from Police Forfeited Funds will be donated to the Marc Metro LLC and other drug prevention programs through the Eustis Police Department. Marc Mero reaches out to students at a heart level and gives them tools and inspiration to face everyday challenges and view their life from a new perspective. Marc shares his captivating journey with audiences worldwide and inspires people to examine their life choices. Listeners feel a greater sense of appreciation toward their relationships and the “gift of time” – and are empowered to make a difference in their personal life, school, career, and community.

## **Recommended Action:**

The administration recommends approval of Resolution Number 24-53.

## **Background:**

The State of Florida created the Florida Contraband Forfeiture Act, as Florida Statutes 932.701 through 932.707, effective on July 1, 1980. There are a number of codified restrictions and limitations to the use of the forfeited assets per Florida Statutes. One particularly significant restriction is that funds acquired from forfeited property may not be used to supplant the budget of an agency.

Florida State Statute 932.7055 states “If the seizing agency is a county or municipal agency, the remaining proceeds shall be deposited in a special law enforcement trust fund established by the board of county commissioners or the governing body of the municipality. Such proceeds and interest earned therefrom shall be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators for use in law enforcement vehicles, and providing matching funds to obtain federal grants. The proceeds and

interest may not be used to meet normal operating expenses of the law enforcement agency.”

The State Statute also indicates “These funds may be expended upon request by the sheriff to the board of county commissioners or 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 sheriff’s office or police department by the board of county commissioners or the governing body of the municipality.”

On March 18<sup>th</sup>, 2010, the City Commission approved Resolution 10-17 which established a standard policy regarding the expenditure and disposition of the funds and property awarded to the City of Eustis pursuant to the Florida Contraband Forfeiture Act and the U.S. Department of Justice Asset Forfeiture Act and in accordance with current Florida State Statutes specifically related to Forfeiture Funds expenditure.

The approved resolution provides detailed guidelines for the use of monies within the Police Forfeited Funds account. The resolution further provides the Chief of Police for the City of Eustis can determine the needs for the use of funds.

A review of the current amount in the Police Forfeited Funds accounts shows an amount greater than the requested \$12,000.00. The appropriation of \$12,000.00 from the Police Forfeiture Fund into the Community Donations (account number 012-2180-521-30-58) of the Police Department will be completed for receipt and expense recording only and is not used to supplement the standard community donation budget. This transfer is authorized through the approval of Resolution Number 24-53. There are many authorized uses of these forfeited monies, to wit community engagement is one of the uses.

**Budget/ Staff Impact:**

The transfer of \$12,000.00 from the Police Forfeiture Fund account will provide drug prevention programs for the City of Eustis residents. By completing the transfer into the account listed above, the City of Eustis Police Department will have the necessary documentation and receipt of the expenditure of funds required by State Statute and Federal Rule.

**Reviewed By:**

Chief Craig A. Capri, Chief of Police

**Prepared By:**

Chief Craig A. Capri, Chief of Police