



City of Eustis

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TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: May 16, 2024

SUBJECT: Resolution Number 24-25: Approval of a budget amendment to the FY 2023-2024 transfer of forfeited funds in the amount of \$10,000.00 for the Eustis Jr. Panthers

Introduction:

Resolution Number 24-25 approves a budget amendment to the FY 2023-2024 Police Forfeiture budget to account for State and Federal receipt and expenditures of monies taken from forfeitures of contraband seized. The allocation of \$10,000 from Police Forfeited Funds will be donated to the Eustis Jr. Panthers Football Program.

Recommended Action:

The administration recommends approval of Resolution Number 24-25.

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 18th, 2010 the City Commission of the City of Eustis, Florida 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 either to the Florida Contraband Forfeiture Act or the U.S. Department of Justice Asset Forfeiture Act and in accordance of 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 that 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 \$10,000.00 amount. The appropriation of \$10,000.00 from the Police Forfeiture Fund for the Eustis Junior Panthers program is an eligible use as community engagement.

Budget/ Staff Impact:

The transfer of \$10,000.00 from the Police Forfeiture Fund account will provide uniforms for the Eustis Jr. Panthers Football program. 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:

Elena Pasek, Police Support Coordinator

Prepared By:

Chief Craig A. Capri, Chief of Police