



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Anzollitto
- ☐ 2 = Woolard
- ☐ 3 = Tye
- ☐ 4 = Cisneros
- ☐ 5 = Handren
- ☒ X All

AGENDA DATE	<i>December 11, 2018</i>
DESCRIPTION	ACCEPTANCE OF STATE ASSET FORFEITURE REPORT FOR THE BOERNE POLICE DEPARTMENT.
STAFF'S RECOMMENDED ACTION (be specific)	Receive and accept the State Asset Forfeiture Report for the City of Boerne Police Department.
CONTACT PERSON	Jim Kohler, Police Chief
SUMMARY	<p>The Boerne Police Department has maintained a seized fund account that is regulated under Chapter 59, Texas Code of Criminal Procedure. Chapter 59, Forfeiture of Contraband, stipulates that these monies are to be used solely for salaries/ overtime, officer training, specialized investigative equipment and supplies, and items used by officers in direct law enforcement duties. These monies typically come from the sale of assets that are used by the criminals to carry out their illegal activity such as; vehicles.</p> <p>The law also stipulates that a budget must be prepared and presented to the governing body. This budget was presented to the council earlier this year. In addition, under Chapter 59 it clearly states that the governing body cannot use the monies to offset any decreases in the budget which is commonly referred to as supplanting.</p> <p>The Police Department must present to the governing body a detailed list of expenditures upon 60 days after the end of the fiscal year in order to conduct an audit. The information on the audit was provided by the Finance Department and will be electronically sent to the Texas Attorney General's Office.</p> <p>The seized funds guidelines recommend spending the monies within three years unless there is a large capital improvement that is needed.</p>
COST	N/A
SOURCE OF FUNDS	N/A
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.