



**Agenda Item Number: 2008-8-9A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** August 26, 2008

**Department:** Sheriff **Staff Contact:** Darren White, Sheriff

John Dantis, Deputy County Manager for Public Safety

**TITLE:** Transfer of funds-Sale of seized vehicles

**ACTION:** Motion to allocate funds from the sale of 16 seized vehicles to the Sheriff's Department Forfeiture Fund.

### **SUMMARY:**

The Sheriff's Department has identified 16 vehicles that should be disposed at auction. Since these vehicles were the result of narcotics forfeitures, the Sheriff's Department requests that the funds from the sale of these vehicles be allocated to the Sheriff's Criminal Investigations program (Attachment 1). According to the Sheriff, recent state judiciary rulings regarding double jeopardy issues have made it increasingly more difficult to fund the narcotics unit through forfeitures. The vehicles were seized as the result of operations funded by the state narcotics fund. The funds derived from the auction of the seized vehicles will provide funds for the Criminal Investigations program to use for narcotics related investigations.

Purchasing Procedure 1-95 states: "All monies generated by the disposition of surplus property will be allocated to "Youth Related Human Services Groups". If this request is approved, the proceeds from the upcoming October vehicle sale, approximately \$15,000 will be transferred to the Sheriff's Criminal Investigations program budget.

### **ATTACHMENTS:**

1. Letter from Sheriff requesting funds
2. Bernalillo County Purchasing Procedure 1-95

### **FISCAL IMPACT**

Approximately \$15,000 in General fund revenue from the sale of 16 seized vehicles from the August and October auctions will be transferred to the Sheriff's budget for Criminal Investigations.

### **STAFF ANALYSIS SUMMARY**

#### **COUNTY MANAGER**

The Sheriff's Department requests Board approval to use vehicle auction funds from forfeitures to their Criminal Investigation budget. As this program has seen a drop in recent years, I recommend Board approval. TL 8/20/08

## **DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY**

It is appropriate to allow the transfer of revenue received from the sale of seized vehicles to the Bernalillo County Sheriff's Office budget to augment existing budget. I recommend approval of this item. JDantis 07/30/08

### **LEGAL**

The proposed action is within the Board's authority and is consistent with applicable law. JSL 7/30/08

### **FINANCE**

- Budget** Approval of this agenda item will allow the County to auction the specified vehicles. The general fund revenue that was budgeted in FY09 does not include the estimated proceeds from the sale of these vehicles. If the department chooses to budget this revenue a financial resolution will need to be completed and approved by the Commission at a later date, since it's not included now. Jennifer N. Gallegos, Financial Administrator III, 07/24/2009
- Purchasing** Department is required to follow the New Mexico State Statute 13-6-2, for disposal of property. Agenda request is in accordance to Purchasing Procedure 1-95. Mary Rios, Senior Buyer 7/25/2008
- Contracts** A contracts comment is not required on this agenda item. Mary Rios Senior Buyer 7/25/2008
- Risk Management** No comment required. (DLB) for David A. Baca, Risk Management Director 8/19/08