

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: City Treasurer and Police - Transfer unclaimed funds in the amount of \$153,522.90 from the Trust and Agency Fund to reimburse Police asset forfeiture funds.**

**RECOMMENDATION**

The City Treasurer and the Interim Chief of Police recommend that City Council transfer unclaimed funds in the amount of \$153,522.90 from the Trust and Agency Fund to reimburse the State Unappropriated Asset Forfeiture account (project 2905010) for a capital outlay in connection with the construction of the structure to house the Police Mobile Command Vehicle (FEAP 464).

**FUNDING**

Funds are available in the City of Torrance Trust and Agency Fund.

**BACKGROUND**

Since the acquisition of the City's Mobile Command Vehicle (MCV) and its tow vehicle in June 2001, the Police Department has recognized the need to house and protect the vehicles from the elements in order to maximize their useful life. The Department also has specialty vehicles that need to be housed and protected; these include a SWAT rescue van and vehicle, and several signage and traffic radar trailers. After exploring many options, the Department was unable to find a suitable protected environment for the vehicles. Ultimately, the Department developed plans for the construction of a detached structure that would house the Mobile Command Vehicle and other specialty vehicles in close proximity to the Police facility. The plans include a security wall that allows for containment of the structure and additional vehicle parking.

Construction funding was identified from various sources, one of which was unclaimed money on deposit in the Trust and Agency Fund. Public notice requirements prevented the Department from accessing the unclaimed money in time to fund the construction contract; therefore, asset forfeiture funds were used with the proviso that they would be reimbursed from the Trust and Agency Fund.

**ANALYSIS**

The Police Department maintains a Property Room whereby it receives, stores, and disposes of all property the Department takes into custody. One type of property is money seized

in connection with a criminal investigation or turned over to the Department as found property or for safekeeping. Money that is not immediately released is deposited with the City Treasurer in the Trust and Agency Fund. The Department has identified \$153,522.90 deposited between 1990 and 1998 that remains unclaimed.

California Government Code section 50050 states, in part:

*"Except as otherwise provided by law, money, excluding restitution to victims, that is not the property of a local agency that remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the local agency after notice if not claimed or if no verified complaint is filed and served. At any time after the expiration of the three-year period the treasurer of the local agency may cause a notice to be published once a week for two successive weeks in a newspaper of general circulation published in the local agency."*

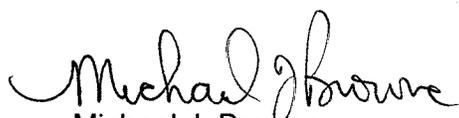
The funds in question have been in the possession of the Department well in excess of three years. Attempts to locate an owner have proven fruitless. Public notices were published in a newspaper of general circulation on July 16 and 23, 2006, and no legitimate claim of ownership has been filed. As of August 31, 2006, the money became the property of the City. Pursuant to Government Code section 50053, this legislative action is needed to transfer the money to the State Unappropriated Asset Forfeiture account (project 2905010).

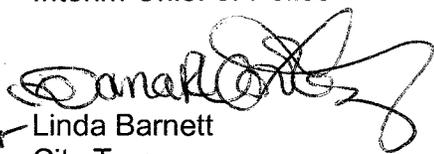
Respectfully submitted,

MICHAEL J. BROWNE  
INTERM CHIEF OF POLICE

By   
Lieutenant Geoffrey Rizzo  
Services Division Commander

CONCUR:

  
Michael J. Browne  
Interim Chief of Police

For   
Linda Barnett  
City Treasurer

  
LeRoy J. Jackson  
City Manager

Attachment A: Proof of Publication

# Daily Breeze

5215 TORRANCE BLVD \* TORRANCE CALIFORNIA 90503-4077  
(310) 543-6635 \* (310) 540-5511 Ext. 396

**PROOF OF PUBLICATION**  
(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published \_\_\_\_\_

in the City of Torrance  
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of \_\_\_\_\_

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

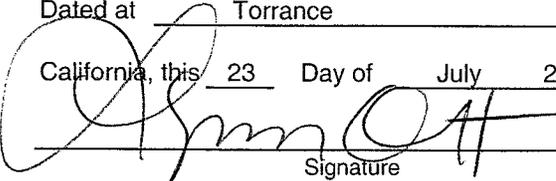
July 16, 23,

all in the year 2006

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Torrance

California, this 23 Day of July 2006

  
Signature

This space is for the County Clerk's Filing Stamp

FILED  
2006 JUL 28 PM 1:22  
CITY OF TORRANCE

Proof of Publication of

DB

**DB 7-64**

NOTICE IS HEREBY GIVEN that the City of Torrance Police Department has been in possession of \$153,522.90 for three years and has declared the funds unclaimed. Per Government Code '50050 through '50056, these unclaimed fund become the property of the City of Torrance on August 31, 2006 unless a claim is served on the City of Torrance Treasurer as provided for in Government Code '50052.

Pub.: July 16, 23, 2006.