

Council Meeting
February 7, 2006

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

Members of the Council:

SUBJECT: Recommendation to approve the Transfer of Funds

Expenditure: None

RECOMMENDATION

The City Treasurer and Chief of Police recommend that the City Council approve the transfer of \$250,400 from the Trust and Agency Fund to reimburse the General Fund for a capital outlay in connection with the purchase of a Public Safety Information System.

FUNDING

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

BACKGROUND

The Police Department has purchased and is in the process of implementing a new Public Safety Information System (FEAP 535), to include Computer Aided Dispatch and Records Management System (CAD/RMS). Funding for the purchase was provided from various budgetary sources, one of which was unclaimed money on deposit in the Trust and Agency Fund. Public notice requirements would not have enabled the Department to avail itself of this source in time to complete the purchase. Hence, funds were provided via the General Fund in anticipation of reimbursement 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 that is seized in connection with a criminal investigation or turned over to the Department as found property. Money that is not immediately released is deposited with the City Treasurer in the Trust and Agency Fund. The Department currently has \$250,400 that was seized in a criminal investigation and has been on deposit since February 1999.

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 November 6 and 13, 2005, and no claim of ownership has been filed. As of December 22, 2005, 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 General Fund.

Respectfully submitted,

JAMES D. HERREN
Chief of Police



By Lieutenant Geoffrey Rizzo
Services Division Commander

CONCUR:



Attestation of Police

James D. Herren
Chief of Police



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

Nov. 6, 13,

all in the year 2005

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

Dated at Torrance

California, this 13 Day of Nov. 2005

[Handwritten Signature]
Signature

This space is for the County Clerk's Filing Stamp

REC'D CITY CLERK

2005 NOV 17 PM 1:05

CITY OF TORRANCE

Proof of Publication of

DB

**DB 11-48
PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the City of Torrance Police Department has been in possession of \$250,400.00 for three years and has declared the funds unclaimed. Per Government Code '50050 through '50056, these unclaimed funds become the property of the City of Torrance on December 22, 2005, unless a claim is served on the City of Torrance Treasurer as provided for in Government Code '50052.

Pub.: November 6, 13, 2005.