

COUNCIL MEETING
September 15, 2009

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

Members of the Council:

SUBJECT: Police and City Treasurer – Transfer of unclaimed funds in the amount of \$126,942.07 from the Trust and Agency Fund to support the resurfacing of the Parking Compound at the Police Department (FEAP 563)

RECOMMENDATION

The Chief of Police and City Treasurer recommend that City Council approve the transfer of \$126,942.07 from the Trust and Agency Fund to FEAP 563 to support the resurfacing of the parking compound at the Police Department.

Funding

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

BACKGROUND

In 2007, FEAP 563 was established to repair and slurry seal the parking compound at the Police Department. However, with the addition of the east parking compound and deterioration of the existing compound it has become apparent that the entire compound needs to be resurfaced rather than slurry sealed. Preliminary estimates to resurface the compound exceed current project funding. The Police Department has identified additional funding to complete the project via unclaimed Property Room money on deposit in the Trust and Agency Fund.

In addition, the Police Department has been working jointly with the Public Works Department, Engineering Division, in order to determine the method of repair and scope of the work. Once the project is approved, it is the Police Department's intent to have the Public Works Department work on the design and management of the project.

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 \$126,942.07 on deposit since March 2006 that has not been claimed.

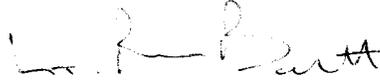
Government Code section 50050 states, in part:

“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 March 15 and 22, 2009, and no claim of ownership has been filed. As of April 30, 2009, the money became the property of the City. Pursuant to Government Code section 50053, this legislative action is needed to transfer the money to support the project.

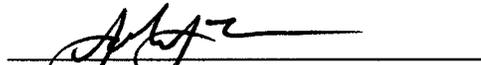
Respectfully submitted,

JOHN J. NEU
CHIEF OF POLICE



By Lt. Ross Bartlett
Services Division Commander

CONCUR:



John J. Neu
Chief of Police

Linda Barnett
City Treasurer

LeRoy J. Jackson
City Manager