



CITY OF DURHAM | NORTH CAROLINA

**Date:** August 7, 2012

**To:** Thomas J. Bonfield, City Manager  
**From:** Jose L. Lopez, Sr., Chief of Police  
**Subject:** Request to Amend Grant Project Ordinance # 14295

**Executive Summary:**

Every year, the Police Department equitably shares in cash received from the U.S. Department of Justice Federal Asset Forfeitures and we set up an ordinance each year to receive the expected revenues. The Federal Asset Forfeiture revenues and all accrued interest must be used for law enforcement purposes only, to supplement, and not supplant, the Police Department's existing resources. The purpose of this agenda item and proposed grant project ordinance is to amend Grant Project Ordinance #14295 to reflect a larger amount of expected Asset Forfeiture revenues than originally estimated, which will allow for the expenditure of additional funds, \$285,000, in operating revenue for a total appropriation of \$630,000.

**Recommendation:**

The Administration recommends the City Council adopt the City of Durham and the U.S. Department of Justice, U.S. Marshal's Office, "FY 2012/2013 Federal Asset Forfeiture Funds," Grant Project Ordinance superseding Grant Project Ordinance # 14295.

**Background:**

The U.S. Department of Justice authorizes law enforcement agencies to receive cash from the Federal Asset Forfeiture Program. The revenue and any accrued interest received each year is recorded and monitored under a separate project ordinance. This agenda item amends ordinance #14295 for FY 2012/2013.

**Issues and Analysis:**

Project ordinances are adopted each year to receive and appropriate funds from the U.S. Department of Justice Federal Asset Forfeiture Program. If the funds received from U.S. Department of Justice Federal Asset Forfeiture Program exceed the executed project ordinance, the ordinance must be amended to reflect a new estimated amount, and to appropriate the additional funds to allow for the expenditure of those funds. The issue is to adopt a revised Grant Project Ordinance to reflect the new estimated funds to be received, and to appropriate these funds for expenditure.

**Alternatives:**

The project ordinance must be large enough to authorize expenditure of the actual funds received from the U.S. Department of Justice Federal Asset Forfeiture Program.

Amendments could be requested in smaller increments as money is received, but that would create undue additional work for City Council and staff. The figure proposed at this time should be more than sufficient to cover revenues in the current fiscal year.

**Financial Impact:**

The City of Durham will experience no financial impact to its general fund resulting from this amendment. Funds will not be obligated for expenditure unless they are actually received. The appropriation is as follows:

FY 2012/2013 Asset Forfeiture Funds	\$630,000
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**SDBE:**

The Purchasing Division of the Finance Department will follow all SDBE guidelines and appropriate procurement procedures in making all purchases related to this project.