



Travis County Commissioners Court Agenda Request

Meeting Date: 9/24/2013

Prepared By/Phone Number:

BRYON CURTIS EXT:46372

Elected/Appointed Official/Dept. Head:

CONSTABLE ADAN BALLSTEROS EXT:44510

Commissioners Court Sponsor:

AGENDA LANGUAGE:

**APPROVE DESIGNATED ACCOUNT FOR SIEZED FUNDS OF
CONSTABLE PCT.2 TO BE USED FOR LAW ENFORCEMENT
EQUIPMENT AND SUPPLIES.**

**LAW ENFORCEMENT EQUIPMENT AND SUPPLIES CONSISTS OF
FIREARMS, AMMUNITION, EQUIPMENT TRAILERS, AND VEHICLE
EQUIPMENT.**

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

**NEED APPROVAL TO USE SIEZED FUNDS TO PURCHASE LAW
ENFORCEMENT EQUIPMENT AND SUPPLIES.**

STAFF RECOMMENDATIONS:

**CONSTABLE PCT.2 RECOMMENDS THAT SIEZED FUNDS BE
ALLOCATED ONLY FOR THE PURCHASE OF FOR LAW
ENFORCEMENT EQUIPMENT AND SUPPLIES.**

**LAW ENFORCEMENT EQUIPMENT AND SUPPLIES CONSISTS OF
FIREARMS, AMMUNITION, EQUIPMENT TRAILERS, AND VEHICLE
EQUIPMENT.**

**ISSUES AND OPPORTUNITIES: WE WOULD LIKE APPROVAL TO
USE SIEZED FUNDS TO PURCHASE FOR LAW ENFORCEMENT
EQUIPMENT AND SUPPLIES.**

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

LAW ENFORCEMENT EQUIPMENT AND SUPPLIES CONSISTS OF FIREARMS, AMMUNITION, EQUIPMENT TRAILERS, AND VEHICLE EQUIPMENT.

NO COUNTY FUNDS WILL BE USED IN ANY OF THESE PURCHASES. ALL FUNDS FROM CRIMINAL SEIZURES WILL BE PLACED INTO THE ACCOUNT DESIGNATED FOR SEIZED FUNDS. THIS WILL THEN BE USED ONLY FOR LAW ENFORCEMENT EQUIPMENT AND SUPPLIES.

LAW ENFORCEMENT EQUIPMENT AND SUPPLIES CONSISTS OF FIREARMS, AMMUNITION, EQUIPMENT TRAILERS, AND VEHICLE EQUIPMENT.

FISCAL IMPACT AND SOURCE OF FUNDING: NONE.

REQUIRED AUTHORIZATIONS: COMM. COURT APPROVAL IS NEEDED TO DESIGNATE THE FUNDS FOR USAGE.

CN2 CONTACTS:

ADAN BALLESTEROS EXT:44510

GEORGE MORALES EXT:44511

BRYON CURTIS EXT:46372

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

Bryon E Curtis

From: Bryon E Curtis
Sent: Friday, September 13, 2013 4:17 PM
To: Joe Alvarado
Subject: RE: 2013 State FORFEITED Reporting Form

I am on It.

----- Original message -----

From: Joe Alvarado <Joe.Alvarado@co.travis.tx.us>
Date:
To: Bryon E Curtis <Bryon.Curtis@co.travis.tx.us>
Cc: Erik Salazar <Erik.Salazar@co.travis.tx.us>
Subject: FW: 2013 State FORFEITED Reporting Form

I just heard from the Auditor and they will be conducting a Forfeited Funds Audit in the near future. Please do not forget to get that Budget Request into commissioners court and on their next available agenda.

From: David Jungerman
Sent: Friday, September 13, 2013 3:40 PM
To: Joe Alvarado
Cc: Lisa Denton
Subject: RE: 2013 State FORFEITED Reporting Form

Presumably, we will need to get in and get the audit done by the end of the month so we can sign the report to the state. Thanks for the update.

From: Joe Alvarado
Sent: Thursday, September 12, 2013 3:06 PM
To: David Jungerman
Cc: Issac Flynn
Subject: 2013 State FORFEITED Reporting Form

David,

The certification section of the Stat Forfeited Reporting form changed in FY13. The new form eliminated the County Judge, Mayor or City Manager signature and now request a signature from the Auditor, Treasurer or Accounting Professional, see samples attachments. The signature affirms that an audit has been conducted as required by Article 59.06 of the Code of Criminal Procedure. I included the statute below. According to correspondence that I received from the office of the Attorney General, the report is due 30 days after the end of the fiscal year. In the past, we filled out the forms, had them signed by the elected officials

and by the County Judge prior to submission. We did not wait for an Audit. How should we proceed this year and should the reports be signed by the Auditor or should they be signed by me or by one of my staff members?

59.06(g)(1) All law enforcement agencies and attorneys representing the state who receive proceeds or property under this chapter shall account for the seizure, forfeiture, receipt, and specific expenditure of all the proceeds and property in an audit, which is to be performed annually by the commissioners court or governing body of a municipality, as appropriate. The annual period of the audit for a law enforcement agency is the fiscal year of the appropriate county or municipality and the annual period for an attorney representing the state is the state fiscal year. The audit must be completed on a form provided by the attorney general and must include a detailed report and explanation of all expenditures, including salaries and overtime pay, officer training, investigative equipment and supplies, and other items. Certified copies of the audit shall be delivered by the law enforcement agency or attorney representing the state to the attorney general not later than the 60th day after the date on which the annual period that is the subject of the audit ends.



Travis County Commissioners Court Agenda Request

Meeting Date: 9/24/2013

Prepared By/Phone Number:

BRYON CURTIS EXT:46372

Elected/Appointed Official/Dept. Head:

CONSTABLE ADAN BALLSTEROS EXT:44510

Commissioners Court Sponsor:

AGENDA LANGUAGE:

APPROVE SALE OF SIEZED TRUCK AND TRAILER USED IN THE SMUGGLING OF 300+ LBS OF MARIJUANA. WE WOULD ALSO LIKE TO ALLOCATE ANY FUNDS FROM THE SALE OF THIS VEHICLE TO BE PLACED INTO OUR DESIGNATED ACCOUNT FOR SIEZED FUNDS.

TRUCK IS A FORD F250 LARIAT SUPER DUTY TURBO DIESEL. THE TRUCK IS A 2003 AND IT IS SILVER IN COLOR WITH 129,000 MILES ON THE ODOMETER.

THE TRAILER IS A GOOSE NECK TRAILER. WHITE IN COLOR AND IS A CIRCLE J CRUSIER MODEL TRAILER. 2003 YEAR MODEL TRAILER DUAL AXLE WITH A TACK ROOM ATTACHED.

LP FOR THE TRUCK IS AW6-4144.

LP FOR THE TRAILER IS DPR-Y30.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

NEED APPROVAL TO SELL A TRUCK AND TRAILER THAT WAS SIEZED BY CONSTABLE PCT.2. TRUCK AND TRAILER WERE USED TO SMUGGLE 300+ LBS OF MARIJUANA.

STAFF RECOMMENDATIONS:

CONSTABLE PCT.2 RECOMMENDS THAT BOTH TRUCK AND TRAILER BE SOLD TO THE HIGHEST BIDDER AT AUCTION.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

CONSTABLE 2 ALSO RECOMMENDS THAT ALL PROCEEDS BE PLACED IN CN2'S SIEZED FUNDS ACCOUNT.

ISSUES AND OPPORTUNITIES: WE WOULD LIKE APPROVAL TO SELL BOTH TRUCK AND TRAILER TO THE HIGHEST BIDDER AT AUCTION. NO COUNTY FUNDS WILL BE USED IN THIS SALE. ALL FUNDS FROM THE PROCEEDS OF THIS SALE WILL BE PLACED INTO THE ACCOUNT DESIGNATED FOR SIEZED FUNDS. THE TRUCK IS LEGAL PROPERTY OF CONSTABLE PCT.2.

FISCAL IMPACT AND SOURCE OF FUNDING: TRUCK AND TRAILER WILL BE SOLD AT AUCTION TO THE HIGHEST BIDDER. ANY SELLER FEES WILL BE COVERED BY THE SALE OF BOTH ITEMS. NO FUNDS WILL BE USED FROM OUR BUDGET FOR THE SALE OF THESE ITEMS.

REQUIRED AUTHORIZATIONS: COMM. COURT APPROVAL IS NEEDED TO MOVE FORWARD WITH THE SALE OF TRUCK AND TRAILER.

**CN2 CONTACTS:
ADAN BALLESTEROS EXT:44510
GEORGE MORALES EXT:44511
BRYON CURTIS EXT:46372**

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.