



MEMORANDUM

Date: April 20, 2016
To: Joseph F. Lo Bello, Town Manager
From: Matthew A. Pazanski, Finance Director 
Re: Florida 1033 Program—Transfer of Property from Department of Defense

Background

The Florida Department of Management Services, Law Enforcement Support Office facilitates a law enforcement support program that originated from Section 1033 of the National Defense Authorization Act of Fiscal Year 1997. The program known as “1033” allows the transfer of excess Department of Defense (DoD) assets, which might otherwise be destroyed, to law enforcement agencies across the United States and its territories. The Florida 1033 Program enables Florida’s Law Enforcement Agencies (LEA) to participate in this program and acquire suitable DoD excess equipment to support law enforcement activities under the Federal Guidelines 10.U.S.C. 2576a.

- Nationwide there are over 8,000 law enforcement agencies enrolled in the 1033 program.
- Florida has recycled more than \$200 million back into our state by participation.
- Florida has over 200 participating LEAs:

Property Available through the 1033 Program

- Office Furniture
- Household Goods (community activity needs)
- Exercise Equipment
- Generators
- Tents (temporary storage or site shelter)
- Law Enforcement Essentials-Handcuffs, Riot shields, holsters, sites, binoculars, cameras
- ATV’s, Boats
- Cranes, backhoes, bulldozers
- Portable Fuel Tankers (Emergency Capacity)
- Pick-up Trucks and SUVs
- Tactical Vehicles-Humvee (Emergency, Flooding needs)
- Weapons, Rifles, sites and accessories – Additional Request Forms, etc.
- 70,000 items

Discussion

The process to obtain assets through the program is based in part on justification and need and entails being diligent and attentive to the assets being made available. For instance: once an asset has been listed on the Reuse, Transfer and Donation (RTD) web page, an agency must immediately request a hold or order the asset as all items are “first come, first serve”. Other considerations to the acquisition of assets are: request and award, condition of asset(s), pricing, location/transportation, ownership/asset management.

- Request and Award: Justification is the key for all requests. Detailed reason/justification must show how it supports “Law Enforcement Operations.” Some items are allocated based on Counter Terrorism and Counter Drug use, equitable distribution, and items already requisitioned to the LEA. NOTE: Approval by the State Coordinator and LESO does not guarantee the property will be given to the LEA. The External Business System (EBS) program updates every four hours and based on priority codes and time, program provides an approval or rejection.
- 

- Condition of Asset(s): Assets are given a “Federal Condition Code” to identify the general condition of the asset, the LEA is responsible to “trust, but verify” that coding. Some assets are brand new, some are scrap the agency is to use the asset coding as a gauge and verify its condition. All improvements and repair costs are the responsibility of the LEA receiving the asset.
- Pricing/Acquisition Information: Assets are offered through the program at fractions of their original acquisition costs. The examples below are meant to be a pricing guide and not a guarantee for agencies screening products on the RTD web page and are based off the original acquisition price for those items.

<u>Category</u>	<u>Service Fee</u>	<u>Category</u>	<u>Service Fee</u>
Flyable Aircraft	\$3,000	Weapon Sight Over \$500	5%
Non-Flyable Aircraft	\$1,000	Forklifts, ATVs, UTVs, Motorcycles	7.5%
MRAP Mine-(Resistant Ambush Protected)	\$2,000	Generators, Trailers, Mobile Lights	5%
Other Wheeled Armor Vehicles	\$1,000	Tires, Wheels, Maintenance Items	2.5%
HMMWV(Humvee)	\$500	Tents, Enclosures	5%
Multi Fuel Motorcycle	\$500	Weapon Parts (other than sights)	2.5%
Items Under \$500	10%	Aircraft Parts	1%
Boats (Under \$5000)	10%	Boats (Over \$5000)	5-7.5%

- Location/Transportation: Assets are located throughout the United States at various DoD and military base locations. Once an LEA is awarded the property they are responsible for all logistical and transportation concerns including:
 - Contacting the site where the asset is held and make arrangements for pick up or shipment.
 - Pick up the property or arrange for its shipment within 14 DAYS.
 - LEAs must pay for all costs associated with packing and shipping the property.
- Ownership/Asset Management - Property Accounting: Codes for Demilitarized (Demil) assets are provided to identify the end ownership of an asset. Controlled property remains a DoD asset.
 - LEA must have 100% accountability of all controlled property, including photos.
 - All controlled property (DEMIL A-Q) must be inventoried annually.
 - DEMIL A (ownership transfers to LEA) records must be maintained for 2 years.
 - All disposals must be submitted to and approved by the State Coordinator.

Town Staff has identified a list of items to potentially be obtained through the program:

Portable emergency generator(s), 4”-6” Water/Trash pump, wheeled or tracked Bobcat skid steer loader, trailer mounted or small (6 CY) water jet flusher, Backhoe, and a Humvee to name a few.

Recommendation

Staff has identified several potential uses of the program and recommends the Council consider approving participation. Based on the forgoing explanation of the program procedures and logistical concerns, Staff requests the approval of up to \$10,000 from contingency to have available to spend as necessary to secure asset(s) that meet our needs.

Proposed Motion: Staff requests the Council consider a motion to approve up to \$10,000 from contingency to secure assets through the Florida 1033 Program.