



Agenda Memorandum

Agenda Item – 6.A.

City Council Meeting
February 13, 2023



Strategic Priority 1: Preparedness and Resilience

Build a system of intentional support for residents, businesses and the environment that mitigates risks and proactively seeks out ways to ensure the community not only endures, but thrives.



Strategic Priority 2: Proactive Public Safety

Enhance public safety to emphasize both prevention and enforcement, engage the community through education and outreach and provide the resources necessary to ensure safety and well-being throughout Westminster.

Subject: Information Only - Transfer of Excess Property from the Department of Defense to the Westminster Police Department

Prepared By: Norman Haubert, Interim Police Chief

Recommended City Council Action:

This report is for City Council information only and requires no action by City Council.

Summary Statement:

In the National Defense Authorization Act (NDAA) for fiscal years 1990 and 1991, Congress authorized the transfer of excess Department of Defense (DoD) property to federal, state, and local law enforcement agencies. Congress later passed the NDAA for fiscal year 1997, which allows law enforcement agencies to acquire property for bona fide law enforcement purposes, particularly those associated with counter-drug and counter-terrorism activities.

- The transfer of property program has been named the 1033 Program.
- The Law Enforcement Support Office (LESO), located at the Defense Logistics Agency Disposition Services Headquarters in Battle Creek, Michigan, is responsible for the management of the LESO/1033 Program.
- Federal law requires annual notification to City Council of Westminster Police Department's participation in the 1033 Program.

Fiscal Impact:

\$0 in expenditures.

Source of Funds:

Not Applicable.

Policy Issue(s):

Not Applicable.

Alternative(s):

Not Applicable.

Background Information:

The Police Department (PD) is currently enrolled in the 1033 Program that originated from the NDAA of fiscal year 1997. LESO oversees this program that allows transfer of excess DoD property that might otherwise not be utilized by law enforcement agencies. To participate in the 1033 Program, the LESO requires PD to notify City Council on an annual basis regarding any controlled property PD may acquire. This memorandum serves the purpose of notify City Council of such.

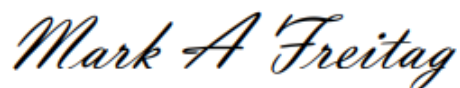
Some of the items the PD could request from the 1033 Program include: ammunition, armored and tactical vehicles, command and control vehicles, riot protection gear (batons/helmets/shields), breaching apparatus, night vision, robots, and small arms or personal weapons. All controlled property remains the property of and is accountable to the DoD. There is no assurance of specific property PD may receive as acquisition of all property is on a first come, first served basis with all participating law enforcement agencies in 49 states and four U.S. territories.

In addition to City Council notification, Federal law requires the PD to notify the public of participation in the 1033 Program. The PD plans to use the City of Westminster's public website to meet this requirement.

In the past, the department has utilized this program to acquire equipment, such as: a tactical robot, night-vision, small arms, cold weather gear, clothing and items of similar function. Currently, the only item the PD has in-service is a Packbot Robot.

Participation in the 1033 Program supports the City's Strategic Priority for Preparedness and Resilience by giving the PD additional tools to use to mitigate risk. It also applies to the City's Strategic Priority for Proactive Public Safety by providing additional resources to ensure public safety.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mark A. Freitag". The ink is dark and the signature is fluid.

Mark A. Freitag
City Manager