



Legislation Details (With Text)

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Type: Legislative Matters **Status:** Passed
File created: 11/5/2019 **In control:** City Council
On agenda: 11/20/2019 **Final action:** 11/20/2019
Title: City Council consideration of Ordinance No. 3307, first reading of an ordinance amending Chapter 1.12 of the Corona Municipal Code to clarify the procedures by which the City can retain or dispose of certain unclaimed property.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Ordinance No. 3307 (Redline), 3. Ordinance No. 3307 (Clean)

Date	Ver.	Action By	Action	Result
11/20/2019	2	City Council	approved	Pass

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 11/20/2019

TO: Honorable Mayor and City Council Members

FROM: Police Department

SUBJECT:

City Council consideration of Ordinance No. 3307, first reading of an Ordinance of the City of Corona, California amending Chapter 1.12 of the Corona Municipal Code to clarify the procedures by which the City can retain or dispose of certain unclaimed property.

RECOMMENDED ACTION:

That the City Council introduce by title only and waive full reading of Ordinance 3307, first reading of an Ordinance amending Chapter 1.12 of the Corona Municipal Code to clarify the procedures by which the City can retain or dispose of certain unclaimed property.

ANALYSIS:

The Police Department receives excessive items of unclaimed property, which requires certain retention and disposition procedures as outlined in the Corona Municipal Code ("CMC") Chapter 1.12. Currently, CMC Chapter 1.12 restricts the disposition of such property to an auction procedure, thus limiting the potential for the Police Department to donate items or goods that can be utilized for homeless or other public purposes to a charitable, civic or non-profit organization. In most

circumstances the goods sought to be donated are bicycles, as the Police Department has sent an average of 36 bicycles per year to auction from 2014 to 2018. As can be seen in the attached redline version of the proposed ordinance, the proposed amendments to CMC Chapter 1.12 will now authorize the City to retain such property for the purpose of allowing the Police Department to donate unclaimed items to Council approved organizations pursuant to a mutually accepted agreement.

Additionally, the Police Department has experienced uncertainty with regards to the disposition and handling of found money versus money held as evidence or potential evidence for the court's use and retained in the City's official custody. While money held as evidence must be held for several years and disposed of pursuant to Government Code Section 50050 et seq., found money can be held and disposed of pursuant to CMC Chapter 1.12. As can be seen in the attached redline version of the proposed ordinance, the proposed amendments to CMC Chapter 1.12 clarify this distinction and provide that the Chief of Police is authorized to retain found money for the purpose of returning a portion of it to the person(s), organizations(s) and/or other entity(ies) responsible for turning it over to the City. Staff has done this on occasion and believes that it is in the public's interest to encourage the public to turn over found money to the Police Department by codifying this practice.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

There is no direct fiscal impact associated with the recommended action.

ENVIRONMENTAL ANALYSIS:

No environmental review is required because the proposed action is not a project under the California Environmental Quality Act.

PREPARED BY: BOB NEWMAN, POLICE LIEUTENANT

REVIEWED BY: JERRY RODRIGUEZ, POLICE CAPTAIN

REVIEWED BY: GEORGE JOHNSTONE, CHIEF OF POLICE

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: MITCHELL LANSDALL, INTERIM CITY MANAGER

Attachments:

1. Ordinance No. 3307 (Redline)
2. Ordinance No. 3307 (Clean)