



# City of Maricopa

## Legislation Text

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**File #:** MOU 13-06, **Version:** 1

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The Mayor and City Council shall discuss and possibly take action to approve a Memorandum of Understanding through the Arizona Public Safety Procurement Program to participate in the Law Enforcement Equipment 1033 program. In addition, approval provides the Police Chief the authority to sign all necessary documents and submit an annual application for continued participation. Discussion and Action.

The Law Enforcement Equipment 1033 program permits the Secretary of Defense to transfer without charge, excess U.S. Department of Defense (DoD) personal property (supplies and equipment) to state and local law enforcement agencies. The 1033 program has allowed law enforcement agencies to acquire vehicles, weapons, computer equipment, fingerprint equipment, radios, first aid equipment, photographic equipment and more.

### Rules and Restrictions:

1. The requesting agency must be a government agency that has a primary function of enforcing laws and with officers who are compensated and have powers of arrest and apprehension.
2. The property is drawn from existing DoD stocks.
3. The receiving agency is responsible for all costs associated with the property after it is transferred, as well as for all shipping or federal repossession costs.
4. The recipient must accept the property on an as-is, where-is basis.
5. All property is transferred on a first-come, first-served basis.
6. Property may not be sold, leased, rented, exchanged, bartered, used to secure a loan, used to supplement the agency's budget or stockpiled for future use.

The process begins when an agency completes an application for participation in the 1033 program. Upon approval, the Maricopa Police Department would be provided a unique number identifying those authorized to screen and receive property and access to all Defense Reutilization and Marketing Offices. Under executive order 12372, Intergovernmental Review of Federal Programs, the State of Arizona does have a designated State Point of Contact which means the application will be processed through the designated contact.

In spring of 2009, Detective Matt Van Camp with the Payson Police Department was appointed by the Governors Office as the State Coordinate for the 1033 Program. Since that time, Law Enforcement agencies in Arizona have obtained over \$22 million in new and used surplus property from the Department of Defense. The Payson Police Department has been absorbing the cost of administering the program since 2009. In July 2010, a \$250 yearly membership fee was instituted to offset the cost of the Payson Police Department. This fee is due on October 1<sup>st</sup> annually.

An application for the 1033 program is updated and submitted on an annual basis and if the Police Chief changes.

This item will be presented by Steve Stahl, Police Chief and Mary Witkofski, Grants Manager.

Staff recommends Mayor and Council approve the Memorandum of Understanding through the Arizona Public Safety Procurement Program to participate in the Law Enforcement Equipment 1033 program. In addition, approval provides the Police Chief the authority to sign all necessary documents and submit an annual application for continued participation.