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TO: Each Member, Commissioners Court  
FROM: Debbie Kaminski, Purchasing Agent  
DATE: February 26, 2019  
SUBJECT: Purchasing Manual

Requesting the following change to the County Purchasing Manual, effective March 5, 2019:

Addition of Annex C: Requirements of Fort Bend County Commissioners Court for Participation in the Texas Law Enforcement Support Office (Formerly 1033 Program)

# ANNEX C

## ***Requirements of Fort Bend County Commissioners Court for Participation in the Texas Law Enforcement Support Office (Formerly 1033 Program)***

***Approved: 5 March 2019***

The Law Enforcement Support Office, LESO (formerly 1033 Program) allows local law enforcement agencies to receive Department of Defense (DOD) excess property. In Texas, the program is administered by a Department of Public Safety ([www.dps.texas.gov/LawEnforcementSupport](http://www.dps.texas.gov/LawEnforcementSupport)). The State Operating Plan outlines the responsibilities of the local law enforcement agency as well as the State's role in the administration of the program. Many of the items available are considered a controlled item and have additional requirements.

The Fort Bend County Commissioners Court wants to ensure that the procurement of excess property through the LESO program does not result in unbudgeted expenses for the County after securing through the LESO program. The local Law Enforcement Agency (LEA) is authorized to obtain only that property that can be supported and maintained by the current department/office budget with no additional funds from the general fund.

### Annual Participation Application:

A county LEA must submit an application to the Texas Department of Public Safety before September 1<sup>st</sup> each year for participation in the program. The application requires the signature of the Authorized Official of the County, therefore the application must be authorized by Commissioners Court before signature by the County Judge and submission to the State.

- Local law enforcement agency will submit the application in the AgendaQuick system with sufficient lead time to allow approval prior to sending the application to Texas Department of Public Safety.
- The submission must include the application and any required guidelines, policies and/or protocols for compliance with 10 U.S. Code 2576a, as certified by the local law enforcement official in the application.

### Minimum Requirements for Procurement

Following are the minimum requirements for securing any and all items through the LESO program:

- The Budget Officer will be consulted before the property is acquired to confirm that the office has the appropriate budget to support the property.

- Local law enforcement will submit a copy of the annual inventory due to LESO program before November 15<sup>th</sup> of each year to be recorded in the Commissioners Court records by submitting an agenda request.

#### Additional Requirements for Procurement of Controlled LESO Items and Motorized Vehicles

In addition to the above, any asset defined as a controlled item in the federal guidelines for the DOD, LESO program

[http://www.dla.mil/Portals/104/Documents/DispositionServices/LESO/DISP\\_ControlledPropertyDefinition\\_11012017.pdf](http://www.dla.mil/Portals/104/Documents/DispositionServices/LESO/DISP_ControlledPropertyDefinition_11012017.pdf)

Or, a request for **any motorized vehicle** whether a controlled item or not, will require the approval of Commissioners Court.

LEA must submit to Commissioners Court through AgendaQuick when sending to the State Coordinator at DPS. If in the judgement of members of the Commissioners Court the assets does not meet a need in the county or the item is not acceptable, the request may be denied. Any member of Commissioners Court may request additional information as needed to make an informed decision.

The following must be included with the LEA's initial request to Commissioners Court (see Check List attached):

- The complete packet of information prepared for submission to the Texas State LESO program accompanied by the Justification Letter and appropriate forms specific for each type of requests,
- List of any accessories, equipment, upgrades, or retrofitting that may be required during the life span of the asset,
- Identification of staff necessary for the utilization of the asset as well as any training requirements or special licensing required for operation of the asset including the cost associated with personnel or licensing,
- Itemized list of fees for transport, repairs or any other services necessary to ensure the asset is fully functional and has been funded within the local law enforcement's annual budget,
- Insurance Verification from Risk Management
- Vehicle Maintenance input on any repairs and maintenance needed for the proposed vehicle.

The LEA understands that the County Auditor will perform an annual audit of any acquisition secured under the program guidelines to determine the equipment is utilized as intended. The audit will include assessment of the equipment as well as review of the documentation maintained for the asset under the File Management and Property Accounting guidelines of the DPS, State LESO program.

**Fort Bend County Commissioners Court Texas Department of Public Safety LESO Program  
Procurement of Controlled Asset or Motorized Vehicle Checklist must be completed:**

The following special equipment is being requested:

\_\_\_ Weapons \_\_\_ Aircraft \_\_\_ Armored Vehicle \_\_\_ Non militarized motorized vehicle

\_\_\_ The appropriate Justification Letter on agency letterhead is included in this procurement request.

\_\_\_ All forms required by the Texas DPS to make the above request are included.

\_\_\_ The Budget Office has reviewed the request – recommendation enclosed.

\_\_\_ Risk Management has been consulted and a quote for insurance is included.

\_\_\_ Vehicle Maintenance has been contact and \_\_\_ will be able to perform repairs or \_\_\_ will not be able to make repairs.

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Local Law Enforcement Official