Condensed Title:

A Resolution adopting and appropriating funds for the Fiscal Year 2009/10 Police Confiscation Trust Fund Budget in the amount of $221,000 to be funded from the proceeds of the State and Federal Confiscated Funds.

Key Intended Outcome Supported:

Increase Resident and Business ratings of Public Safety.

Supporting Data (Surveys, Environmental Scan, etc.): According to the Center For Research and Public Policy Residential and Business Satisfaction Survey of City of Miami Beach residents in 2009, indicated that their three top most important areas of for the City of Miami Beach to address in an effort to improve public safety throughout the City is Preventing Crime 44.9%, Enforcing Traffic Laws 36.1% and Increasing Visibility of Police in Neighborhoods 32.4%,

Issue:

Shall the Mayor and City Commission adopt and appropriate funds for the Fiscal Year 2009/10 Police Confiscation Trust Fund Budget?

Item Summary/Recommendation:

The Chief of Police has reviewed and identified the needs for the appropriation and has established that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

The Administration recommends that the Mayor and City Commission adopt the Budget for the Fiscal Year 2009/10 Police Confiscation Trust Fund Budget and appropriate funds in the amount of $221,000.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account
	1		Confiscation Funds:
	2	$ 40,000.00	607-8000-351210 State funds-Confiscation
	3	$ 181,000.00	603-8000-351211 Federal-Justice funds
	4		
OBPI	Total	$ 221,000.00	

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

William Gonzalez, Miami Beach Police Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
9/17/09		

MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 24, 2009

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AND APPROPRIATING FUNDS FOR THE POLICE CONFISCATION TRUST FUND BUDGET FOR FISCAL YEAR 2009/10 IN THE AMOUNT OF $221,000 TO BE FUNDED FROM THE PROCEEDS OF STATE CONFISCATED FUNDS ($40,000) AND FEDERAL-JUSTICE ($181,000)CONFISCATED FUNDS.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

Florida Statute 932.7055 provides for expenditures of forfeiture funds for law enforcement purposes.

The Miami Beach Chief of Police, Carlos Noriega, has reviewed and identified the need for the appropriation and has established that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies. These forfeiture funds have been deposited in the Police Confiscation Trust Fund. The City has complied with all statutory procedures invdved in the transaction of these funds.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Budget for the Fiscal Year 2009/10 Police Confiscation Trust Fund and appropriate funds in the amount of $221,000, to be funded from the proceeds of State and Federal Confiscation Funds as listed in Exhibit "A".

RAY

JMG/CN/RM/bg

RESOLUTION No._____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AND APPROPRIATING FUNDS FOR THE POLICE CONFISCATION TRUST FUND BUDGET FOR FISCAL YEAR 2009/10 IN THE AMOUNT OF $221,000 TO BE FUNDED FROM STATE CONFISCATED FUNDS ($40,000) AND FEDERAL-JUSTICE ($181,000) CONFISCATED FUNDS.

WHEREAS, Section 932.7055, Florida Statutes, addresses the purpose and procedures to be utilized for the appropriation and expenditures of the Police Confiscation Trust Fund; and

WHEREAS, the Chief of Police of the City of Miami Beach has determined that the need for appropriation and expenditures exist and the appropriation and expenditure of forfeiture funds is in compliance with Section 932.7055, Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies; and

WHEREAS, funds in the amount of $221,000 are available in the Police Confiscation Trust Fund.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission for the City of Miami Beach hereby adopt and appropriate the Fiscal Year 2009/10 Police Confiscation Trust Fund Budget in the amount of $221,000, to be funded from the proceeds of State and Federal Confiscated Funds as reflected in the attached Exhibit "A".

PASSED and ADOPTED this _____ day of September, 2009.

_____
Mayor

ATTEST BY:

_____
City Clerk

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney 9/17/09 Date

EXHIBIT "A"

MIAMI BEACH POLICE DEPARTMENT
CONFISCATION TRUST FUND BUDGET
FISCAL YEAR 2009/10

FEDERAL CONFISCATION FUNDS-Justice:
Expenditures pursuant to Guidelines as established in the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies such as specialized training, matching funds for existing grants, and other crime-fighting needs.

SUB-TOTAL OF FEDERAL CONFISCATION FUNDS-Justice	**$181,000**

STATE FUNDS:

Expenditures pursuant to Florida State Statute 932.7055 such as costs connected with the prosecution and processing of forfeiture cases as well as funding of cirme prevention initiatives.

SUB-TOTAL OF STATE FUNDS:	**$ 40,000**
TOTAL OF FEDERAL AND STATE FUNDS:	**$ 221,000**

AFFIDAVIT

I, Carlos Noriega, Chief of Police, City of Miami Beach, do hereby certify that the aforementioned proposed request for expenditures from the City of Miami Beach Police Confiscation Trust Fund, for the 2009/10 fiscal year providing funds for expenditures as indicated on Exhibit "A", complies with the provisions of Section 932.7055(4)(a), Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

Carlos Noriega
Chief of Police
Miami Beach Police Department

9/17/09
Date

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