

Condensed Title:

A Resolution adopting and appropriating funds for the Fiscal Year 2012/13 Police Confiscation Trust Fund Budget in the amount of \$1,202,100 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 2012/13 Police Confiscation Trust Fund Budget?

Item Summary/Recommendation:

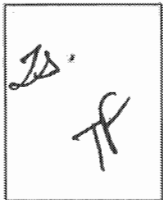
As part of the City's annual budget process, the Finance and Citywide Projects Committee (FCWPC) reviewed and approved the proposed Police Confiscation Trust Fund budget at their July 25, 2012 meeting. Florida Statute 932.7055 provides for expenditures of forfeiture funds for law enforcement purposes. As a matter of policy, confiscation funds are typically utilized for capital purchases or one-time, non-recurring expenses, including specialized equipment, grant matches and organizational training.

The Administration recommends that the Mayor and City Commission adopt the Budget for the Fiscal Year 2012/13 Police Confiscation Trust Fund and appropriate funds in the amount of \$1,202,100 to be funded from the proceeds of State and Federal Confiscation Funds as listed in Exhibit "A".

Advisory Board Recommendation:

N/A

Financial Information:


Source of Funds:		Amount	Account
 OBPI	1		Confiscation Funds:
	2	\$1,019,300	607-8000-351210 State funds-Confiscation
	3	\$182,800	603-8000-351211 Federal Justice funds
	4		
	Total	\$1,202,100	

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Mauvett Rattigan, Miami Beach Police Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Raymond Martinez, Chief		





MIAMI BEACH

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: Kathie G. Brooks, Interim City Manager

DATE: September 27, 2012

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 2012/13 IN THE AMOUNT OF \$1,202,100, TO BE FUNDED FROM STATE CONFISCATED FUNDS IN THE AMOUNT OF \$1,019,300 AND FEDERAL JUSTICE CONFISCATED FUNDS IN THE AMOUNT OF \$182,800, FOR THE APPROPRIATION AND EXPENDITURE OF THOSE ITEMS SET FORTH IN EXHIBIT "A," WHICH SHALL BE FUNDED THROUGH THE POLICE CONFISCATION TRUST FUND.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

As part of the City's annual budget process, the Finance and Citywide Projects Committee (FCWPC) reviewed and approved the proposed Police Confiscation Trust Fund budget at their July 25, 2012 meeting. Florida Statute 932.7055 provides for expenditures of forfeiture funds for law enforcement purposes. As a matter of policy, confiscation funds are typically utilized for capital purchases or one-time, non-recurring expenses, including specialized equipment, grant matches and organizational training.

The Miami Beach Chief of Police, Raymond Martinez, reviewed and identified the need for the appropriation of these funds and ensured 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. In addition, the City has complied with all statutory procedures involved in the transaction of these funds.

As part of the FCWPC meeting, a thorough review of the proposed expenditures for FY 2012/13 was presented. A summary of the FY 2012/13 Confiscation Budget is as follows, and is attached as Exhibit "A":

Federal Funds - \$182,800

- Traffic Signs cross walk (Pedestrian Traffic Sign Enhancement)
- Sniper Rifle & Night Scope for SWAT Team

- 50 Officer Mounted Video- Pilot Program Entertainment District first, then expanded in the future)
- Organizational Development Travel
- Special Travel due to off-site tests/evaluations of equipment
- Training
- Reimbursement for purchase of Bullet Proof Vests

As part of the collective bargaining agreement with the Fraternal Order of Police, the City has committed to reimburse officers for the purchase of bullet proof vests. In past years, along with a confiscation funds, the City offset the reimbursement through a grant from the Department of Justice's Bullet Proof Vest Partnership. Recently, the grant amended its requirements to include a mandatory "must wear" policy in place by applying agencies. Due to this new requirement, the City was unable to apply for the FY 2012/13 funding cycle, as this policy is currently not in place in the Miami Beach Police Department. As such, the reimbursement for this specialized equipment has been included in the expenditure of Federal forfeiture funds.

State Funds – \$1,019,300

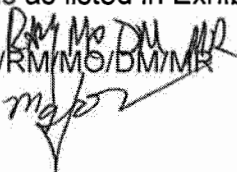
- Crime Prevention Initiatives & School Liaison Projects
- Costs connected with prosecution/processing of forfeitures
- Victim of Crimes Act (VOCA) Grant Match for Victim's Advocate Salary
- Contracting of Latent Print Examiner expertise
- Simulator Warranty (not covered by the grant)
- AR Rifle Grant Match
- Mobile Command Vehicle
- Traffic Signs cross walk (Pedestrian Traffic Sign Enhancement)
- Panasonic Tough Books for Motors, Canine and Marine Patrol Units
- Multiple Cartridge Tasers
- Shelving for Property & Evidence Unit- Moving portion of unit to 3rd floor
- Training Room for Advanced Defensive Tactics Training/ Citizens Police Academy

Future Costs Related to Purchases

The purchase of the Tough Books, the shelving for the Property & Evidence Unit and the Training Room for Advanced Defensive Tactics are all one-time expenditures in FY 2012/13. There are replacement costs associated with the purchases items outlined as part of the FY 2012/13 Confiscation Budget. These costs include \$57,000 for the replacement of nineteen (19) Tough Books, which will need to be replaced in three (3) years and \$44,000 for the replacement of forty-four (44) multiple cartridge tasers, which will also need to be replaced in three (3) years. In addition, there are recurring operating costs for Mobile Command Unit for approximately \$5,300 per year, which includes a 3-year warranty, fuel and preventive maintenance costs.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Budget for the Fiscal Year 2012/13 Police Confiscation Trust Fund and appropriate funds in the amount of \$1,202,100 to be funded from the proceeds of State and Federal Confiscation Funds as listed in Exhibit "A."

KGB/RM/MO/DM/MR


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 2012/2013 IN THE AMOUNT OF \$1,202,100.00, TO BE FUNDED FROM STATE CONFISCATED FUNDS IN THE AMOUNT OF \$1,019,300.00 AND FEDERAL JUSTICE CONFISCATED FUNDS IN THE AMOUNT OF \$182,800.00, FOR THE APPROPRIATION AND EXPENDITURE OF THOSE ITEMS SET FORTH IN EXHIBIT "A," WHICH SHALL BE FUNDED THROUGH THE POLICE CONFISCATION TRUST FUND.

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

WHEREAS, the proceeds and interest earned from the Police Confiscation Trust Fund is authorized to be used for crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes; and

WHEREAS, the Chief of Police is authorized to expend these funds upon request to the City of Miami Beach Commission, and only upon appropriation to the Miami Beach Police Department by the City of Miami Beach Commission; and

WHEREAS, the Chief of Police of the City of Miami Beach has submitted a written certification which states that this request complies with the provisions of Section 932.7055 of the Florida Statutes (written certification attached as Exhibit B), and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies; and

WHEREAS, the Police Confiscation Trust Fund budget for fiscal year 2012/2013 in the amount of \$1,202,100.00 shall be funded from State Confiscated Funds in the amount of \$1,019,300.00, and Federal Justice Confiscated Funds in the amount of \$182,800.00, as reflected in the attached Exhibit "A"; and

WHEREAS, funds in the amount of \$1,202,100.00 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, adopting and appropriating funds for the Police Confiscation Trust Fund budget for fiscal year 2012/2013 in the amount of \$1,202,100.00, to be funded from State confiscated funds in the amount of \$1,019,300.00 and Federal Justice confiscated funds in the amount of \$182,800.00, for the appropriation and expenditure of those items set forth in Exhibit "A," which shall be funded through the Police Confiscation Trust Fund.

PASSED and ADOPTED this _____ day of September, 2012.

ATTEST BY:

RALPH E. GRANADO, CITY CLERK

MAYOR MATTI HERRERA BOWER

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

CITY ATTORNEY AB

9/18/12
DATE

"EXHIBIT A"
MIAMI BEACH CONFISCATED TRUST FUND BUDGET
FISCAL YEAR 2012/13

FEDERAL CONFISCATION FUNDS-Justice:

ORGANIZATIONAL TRAINING:

1) ORGANIZATIONAL DEVELOPMENT TRAINING	42,000		
2) SPECIAL TRAVEL DUE TO OFF-SITE TESTING AND EVALUATION	8,000		
3) TRAINING SUPPLEMENT TO LETF	<u>40,000</u>	\$	90,000
TRAFFIC SIGNS CROSS WALK (PEDESTRIAN TRAFFIC SIGN ENHANCEMENT)		\$	5,000
SNIPER RIFLE & NIGHT SCOPE FOR THE SWAT TEAM		\$	11,800
50 OFFICER MOUNTED VIDEO PILOT PROGRAM (ENTERTAINMENT DISTRICT FIRST, THEN EXPANDED IN THE FUTURE)		\$	51,000
BULLET PROOF VESTS		\$	25,000
TOTAL OF FEDERAL CONFISCATION FUNDS-Justice:			<u><u>182,800</u></u>

"EXHIBIT A CONTINUED"
MIAMI BEACH CONFISCATED TRUST FUND BUDGET
FISCAL YEAR 2012/13

STATE FUNDS:

COST CONNECTED WITH THE PROSECUTION AND PROCESSING OF STATE FORFEITURE CASES	\$ 20,000
CRIME PREVENTION INITIATIVES & SCHOOL LIAISON PROJECTS	\$ 30,000
CONTRACTING OF LATENT PRINT EXAMINER EXPERTISE	\$ 72,000
MOBILE COMMAND VEHICLE	\$ 500,000
PANASONIC TOUGH BOOKS FOR MOTORS & MARINE PATROL UNITS (ONE TIME EXPENSE IN FY13)	\$ 78,300
MULTIPLE CARTRIDGE TASER	\$ 44,000
TRAFFIC SIGNS CROSS WALK (PEDESTRIAN TRAFFIC SIGNS ENHANCEMENT)	\$ 5,000
SHELVING FOR PROPERTY & EVIDENCE UNIT - MOVING PORTION OF UNIT TO 3RD FLOOR (ONE TIME EXPENSE IN FY13)	\$ 200,000
TRAINING ROOM FOR ADVANCED DEFENSIVE TACTICAL TRAINING/CITIZENS POLICE ACADEMY (ONE-TIME EXPENSE IN FY13)	\$ 10,000
SUB-TOTAL OF STATE FUNDS	<u>\$ 959,300</u>
GRANT MATCH:	
VOCA SALARY MATCH - Victims Advocate	\$ 45,000
AR RIFLE PROGRAM/INITIATIVE-City's match for reimbursement of rifles at \$500.	\$ 15,000
SUB-TOTAL OF STATE FUNDS (Grant Match)	<u>\$ 60,000</u>
TOTAL OF STATE FUNDS:	<u><u>\$ 1,019,300</u></u>

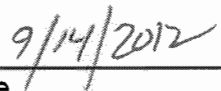
EXHIBIT "B"

CERTIFICATION

I, Raymond Martinez, 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 2012/2013 fiscal year providing funds for expenditures, 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.



Raymond Martinez, Chief of Police
Miami Beach Police Department



Date

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