Condensed Title:

A Resolution Setting the Public Hearing for the September 30, 2013 Special Commission Meeting, adopting the tentative budget for the Fiscal Year 2013/14 Police Confiscation Trust Fund in the amount of \$724,000 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 2012 Community Satisfaction Survey conducted by Kerr & Downs Research, the top areas the City should focus resources to improve public safety are as follows: (1) Reduce homelessness (58%); (2) Increase the visibility of Police in neighborhoods (47%); (3) Enforcing Traffic laws (40%); and (4) Improving communications between residents and police (40%).

Issue:

Shall the Mayor and City Commission set the public hearing for September 30, 2013 Special Commission Meeting adopting a tentative budget for the Fiscal Year 2013/14 Police Confiscation Trust Fund?

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 tentative Budget for the Fiscal Year 2013/14 Police Confiscation Trust Fund in the amount of \$724,000.

Advisory Board Recommendation:

N/A

Financial Information:

Source of		Amount	Account
Funds:	1		Confiscation Funds:
(AW)	2	\$235,000	607-8000-351210 State funds-Confiscation
	3	\$489,000	603-8000-351211 Federal-Justice funds
	4		
OBPI	Total	\$724,000	

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Mauvett Rattigan, Miami Beach Police Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
COC 5		ab 1/2
Raymond Martinez, Chief		1



AGENDA ITEM <u>R7H</u> DATE <u>9-11-13</u>



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: Jimmy L. Morales, City Manager Achl.

DATE: September 11, 2013

SUBJECT: A RESOLUTION SETTING A PUBLIC HEARING FOR THE SEPTEMBER 30, 2013 SPECIAL CITY COMMISSION MEETING, ADOPTING THE TENTATIVE BUDGET FOR THE POLICE CONFISCATION TRUST FUND FOR EIGCAL YEAR

POLICE CONFISCATION TRUST FUND FOR FISCAL YEAR 2013/14 IN THE AMOUNT OF \$724,000 TO BE FUNDED FROM STATE CONFISCATED FUNDS IN THE AMOUNT OF \$235,000 AND FEDERAL JUSTICE CONFISCATED FUNDS IN THE AMOUNT OF \$489,000. 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

Set the Public Hearing and 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 10, 2013 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 2013/14 was presented. A summary of the FY 2013/14 Confiscation Budget is as follows, and is attached as Exhibit "A":

Federal Funds - \$489,000

- Specialized Technology Rapid ID Fingerprint System and Ocean Tower Systems (video enhancement)
- Sniper Rifle & Night Scope for SWAT Team
- Golf Carts
- Fixed License Plate Reader (location to be determined)
- Organizational Development Travel
- Special Travel due to off-site tests/evaluations of equipment
- Training
- Laptops
- Reimbursement for purchase of Bullet Proof Vest Purchases per the labor contract with the Fraternal Order of Police (FOP)
- Graffiti eradication through Teen Job Corps
- Police training equipment
- Lifescan Device (fingerprint and background check)

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 2013/14 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 - \$235,000

- 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
- Scooters
- Scholarship Program
- AR Rifle Grant Match
- 15% of State Funds collected in FY 2011/12 to be used for drug abuse treatment, drug and crime prevention education and non-profit community-based programs.

Future Costs Related to Purchases

The purchase of the laptops, golf carts and scooters are all one-time expenditures in FY 2013/14. There are replacement costs associated with the purchases items outlined as part of the FY 2013/14 Confiscation Budget. These costs include \$42,000 for the replacement of fourteen (14) laptops, which will need to be replaced in three (3) years. In addition, there are recurring operating costs for the golf carts and scooters for approximately \$3,200 per year per, which includes fuel and preventive maintenance costs.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Budget for the Fiscal Year 2013/14 Police Confiscation Trust Fund and appropriate funds in the amount of \$724,000 to be funded from the proceeds of State and Federal Confiscation Funds as listed in Exhibit "A".

JLM/RM/MOVDM/MR

RESOL	.UTION	NO.	

A RESOLUTION ADOPTING AND APPROPRIATING FUNDS FOR THE POLICE CONFISCATION TRUST FUND TENTATIVE BUDGET FOR FISCAL YEAR 2013/14 IN THE AMOUNT OF \$724,000, TO BE FUNDED FROM STATE CONFISCATED FUNDS IN THE AMOUNT OF \$235,000 AND FEDERAL JUSTICE CONFISCATED FUNDS IN THE AMOUNT OF \$489,000, FOR THE APPROPRIATION AND EXPENDITURE OF THOSE ITEMS SET FORTH IN EXHIBIT "A," WHICH SHALL BE FUNDED THROUGH THE POLICE CONFISCATION TRUST, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON MONDAY, SEPTEMBER 30, 2013 AT 5:03 P.M.

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 2013/2014 in the amount of \$724,000.00 shall be funded from State Confiscated Funds in the amount of \$235,000.00, and Federal Justice Confiscated Funds in the amount of \$489,000.00, as reflected in the attached Exhibit "A": and

WHEREAS, funds in the amount of \$724,000.00 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 tentative budget for fiscal year 2013/14 in the amount of \$724,000, to be funded from State confiscated funds in the amount of \$235,000 and Federal Justice confiscated funds in the amount of \$489,000, for the appropriation and expenditure of those items set forth in Exhibit "A," which shall be funded through the Police Confiscation Trust, subject to a second Public Hearing scheduled on Monday, September 30, 2013 at 5:03 p.m.

PASSED and ADOPTED this	day of September, 2013.	
ATTEST BY:		
	MAYOR MATTI HERRERA BOWER	APPROVED AS TO

RAFAEL E. GRANADO, CITY CLERK

"EXHIBIT A" MIAMI BEACH CONFISCATED TRUST FUND BUDGET FISCAL YEAR 2013/14

FEDERAL CONFISCATION FUNDS-Justice:

ORGANIZATIONAL TRAINING:-

1) ORGANIZATIONAL DEVELOPMENT TRAVEL & OFF-SITE TESTING	\$ 50,000	603-4750-000363
2) TRAINING SUPPLEMENT TO LETTF	\$ 40,000	603-4750-000367
Laptop Computers	\$ 85,000	603-4750-000672
Sniper Rifle & Night Scope for SWAT Team	\$ 60,000	603-4750-000672
Rapid ID Fingerprint System	\$ 20,000	603-4750-000672
Golf carts	\$ 27,000	603-4750-000672
Computer Tower Ocean Systems (video enhancement)	\$ 9,000	603-4750-000672
Bulletproof Vest Reimbursement (per FOP contract)	\$ 35,000	603-4750-000343
Fixed LPR (location to be determined)	\$ 85,000	603-4750-000672
Graffiti eradication through Teen Job Corp.	\$ 25,000	603-4750-000343
Lifescan Device (for backgrounds process)	\$ 13,000	603-4750-000672
Police Training Equipment (Gym)	\$ 40,000	603-4750-000672
TOTAL OF FEDERAL CONFISCATION FUNDS-Justice:	489,000	<u>-</u>

"EXHIBIT A CONTINUED" MIAMI BEACH CONFISCATED TRUST FUND BUDGET FISCAL YEAR 2013/14

STATE FUNDS:

COST CONNECTED WITH THE PROSECUTION AND PROCESSING OF STATE FORFEITURE CASES	\$	20,000	607-4700-000464
CRIME PREVENTION INITIATIVES & SCHOOL LIAISON PROJECTS	\$	30,000	607-4717-000343
CRIME SCENE LATENT PRINT EXAMINER SALARY	\$	72,000	607-4719-000312
SCHOLARSHIP PROGRAM	\$	5,000	607-4719-000353
SCOOTERS	\$	20,000	607-4719-000672
AR Rifle Program/initiative- City's match for reimbursement of rifles at \$500.	\$	15,000	607-4719-000343
15% of State Funds collected in FY12 to be used for drug abuse treatment, drug and crime prevention education and non-profit community based programs.	\$	28,000	607-4719-000353
SUB-TOTAL OF STATE FUNDS	\$	190,000	-
SUB-TOTAL OF STATE FUNDS GRANT MATCH:	\$	190,000	- -
GRANT MATCH: GRANT SALARY MATCH - Victims Advocate - portion not covered by State Grant			-
GRANT MATCH:	\$		- - 607-4719-000111
GRANT MATCH: GRANT SALARY MATCH - Victims Advocate - portion not covered by State Grant			- - 607-4719-000111 -

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 2013/2014 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

MIAMIBEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS

NUTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miansi Beach, Florida, in tions, 3rd Floor, City Half, 1700 Convention Center Drive, Marri-Beach, Florida, on Wednesday, Se 2010 to consider the following:

A Resolution Adopting: 1) The Tentative Ad Visionem Millage Of 8 8909 hittle For General Operating Pusposes, West-I is Six And Eight-Tenth Percent (8.8%) More Than The "Polled-Back" Rate Of 5.5158 Miller, And 2) The Debt Service Millage Rate Of 0.2529 Miller Further Setting The Second Public Hearing To Consider The Millage Rate For Fiscal Year (Fr) 2013/14. On Monday, September 30. 2013 At 5:01 p.m

Mil am.

A Resolution Adopting "lentitive Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taines, Enterprise, And Internal S Funds For Riscal Year 2013/14 Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5(9) p.m.

A Fasolution Of the Board Of Cirictors of the Normandy Shores Local Government Neighborhood Improvement District Adapting. The Tentative Ad Valorem Millage Of 1,2897 Mills For Fiscal Year (Pt) 2013/14 For The Momandy Shores Local Government District, Which is Mineteen Percent (19 0%) More Team The "Rolled-Back" Rate Of 1,0664 Mills Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5 502 p.m.

5:02 p.m.

A Fiscobilion Of The Bland Of Directors Of The Normandy Strongs Local Government Neighborhood Improvement District Adopting The Tentative Operating Budget For Facal Year (FT) 2015/14 Subject to A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:02 pm

A Resolution Adopting The Tentative Capital improvement Plan For Flacal Years (EV) 2033/14-2017/18 And Adopting The City Of Mamil Beach Tentative Capital Budget For (EV) 2013/14 Subject To A Second Public Heating Scheduled On Monday, September 30 2013 At 5:03 p.m.

Reft3 p.m.

A Resolution Adopting Fiscal Year (FY) 2013/14 Tentable Budgids For Special Reviews Funds For Reson Tax: The 7th Str Garage Opérations: The 5th And Aton Parking Garage Operations: An In Public Places (APP), Tourism And Hospitality Scholarship Program, Green/Sustainability Funds, Waste Houler Additional Services And Public Benefit Contribution Funds, Education Compact Funds, Red Light Carriera Funds, And Emergency 811 Funds Subject To A Second Public Rearing Scheduled On Monday, September 20. 2012 At 5:03 p.m.

MAR D.M.

atronsing The Testable Appropriation Of \$1,200,000 From Flacat Year 2013/14 People's Transportation Plan Funds And \$87,000 From Fiscal Year 2010/14 South Beach Consumency Adaptation Funds, to Fund the Tentative Operating Budget For The South Beach Local in Mamil Beach: And Further The Tentative Appropriation Of \$301,000 From Fiscal Year 2013/14 People's Transportation Plan Funds For Administrative And Technical Operating Expenditures, As Part Of The Five Percent (5%) Allowable For Administrative Amilitance And Technical Assistance Subject To A Second Fubic Hearing Scheduled On Monday, September 30. 2013 At 5:03 p.m.

Stort pure.

A Resolution Authorizing The Adoption of the Marni Beach Cultural Arts Council's Fiscal New 2013/14 Tentative Budget in The Amount Of \$1,470,000 Subject To A Second Public Hearing Scheduled On Monday, September 30, 2013 At 5:03 p.m.

SOB p.m.

A Resolution Adopting And Appropriating Funds For The Ferce! Year 2013/14 Police Special Revenue Account Te In The Amount Of \$75,000 For The Purchase Of Those Barris Set Forth in Exhibit "A" and Such Account Funded By Unitialimed Exidence Currently Med in The Police Special Revenue Account Subject to A Second Public Hearing Scheduled On Monday, September 30, 2013 M 503 p.m.

A Resolution Adopting And Appropriating Funds For The Police Continuation Tred Ford Testalive Businet For Fiscal that 2013/14 to The Amount Of \$724,000, To Se Parametrion State Configurate of Funds in The Amount Of \$235,000 And Federal Justice Configurate of Funds in The Amount Of \$235,000 And Federal Justice Configurate of International Configuration of Thisse Series Set Forth in Eartholf "A." Which Shall Be Funded Thisligh The Police Confide Section Trust Subject to A Second Public Hearing Scheduled On Monday, September 30, 2013 At 3:03 p.m.

A Pascalition Adopting And Appropriating Funds For The Fince Year 2013/2014 Police Teatring & School Permaters Fund Testative Budget in The Amount Of \$35,000 Subject to A Second Public Hearing Scheduled On Monday, September 30, 2010 At 5100 p.m.

inquiries may be directed to the Office of Euclast & Performance hyperwerness at (305/673-7510)

INTERESTED PARTIES are installed appear at the meeting, or being resided by an agent, or to express their views or he ingladdressed to the City Commission, allo the City Clerk, 1700 Convention Genter Drive. 1st Plans, City Matt, Malans Beach, Florida 33139. Copies of these items are available for public inspection during normal business from the City Clerk's Office, 1700 Convention Center. Onlies, 1st Floor, City Hall, Miarmi Beach, Florida 33139. This miseting or any of the Islams havelin may be continued, and under such nces additional legal notice will not be provided.

City of Marri Beach

risuant to Section 2000 105. Pile, Stat., the City hereby advises the public that if a person decides to appeal any d the City Commission with respect to any matter considered at its meeting onto bearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appear is to be based. This motion does not constitute consent by the City for the introduction or admission of otherwise inadmissible or inelevant evidence, now does it withorize challenges or appeals not coherwise allowed by law

To request this material in accessible format, and lawscace interpreters, information on access by neverts were decisibles and or any accommodation to review any document or participale in any City-appropriate proceeding, please contact us thre days in soverce at (\$35) 579-7411 (voice) or TTY users may also call the Florida Fellay Service at 711.

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