

Condensed Title:

A Resolution Adopting The Police Confiscation Trust Fund Final Budget For Fiscal Year (FY) 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.

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 adopt the Fiscal Year 2013/14 Police Confiscation Trust Fund final budget?

Item Summary/Recommendation:

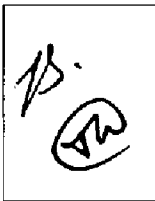
The Chief of Police has reviewed and identified the needs for the appropriation and has established that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

The Administration recommends that the Mayor and City Commission adopt the Fiscal Year 2013/14 Police Confiscation Trust Fund Final Budget in the amount of \$724,000.

Advisory Board Recommendation:

N/A

Financial Information:


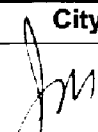
Source of Funds:		Amount	Account
 OBPI	1		Confiscation Funds:
	2	\$235,000	607-8000-351210 State funds-Confiscation
	3	\$489,000	603-8000-351211 Federal-Justice funds
	4		
	Total	\$724,000	

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Mauvett Rattigan, Miami Beach Police Department

Sign-Offs:

Department Director	Assistant City Manager	City Manager
 Raymond Martinez, Chief		





COMMISSION MEMORANDUM

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

FROM: Jimmy L. Morales, City Manager

DATE: September 30, 2013

SUBJECT: **A RESOLUTION ADOPTING THE POLICE CONFISCATION TRUST FUND FINAL BUDGET FOR FISCAL YEAR (FY) 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.**

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 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".

Ray *DMR*
JLM/RM/MO/DM/MR

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE POLICE CONFISCATION TRUST FUND FINAL 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.

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, that the Mayor and City Commission adopt the Police Confiscation Trust Fund final 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.

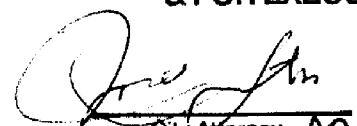
PASSED and ADOPTED this _____ day of September, 2013.

ATTEST BY:

MAYOR MATTI HERRERA BOWER

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney AB
Date 9/28/13

"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
2) TRAINING SUPPLEMENT TO LETTF	\$ 40,000
Laptop Computers	\$ 85,000
Sniper Rifles & Night Scopes for SWAT Team	\$ 60,000
Rapid ID Fingerprint System	\$ 20,000
Golf carts	\$ 27,000
Computer Tower Ocean Systems (video enhancement)	\$ 9,000
Bulletproof Vest Reimbursement (per FOP contract)	\$ 35,000
Fixed LPR (location to be determined)	\$ 85,000
Graffiti eradication through Teen Job Corp.	\$ 25,000
Lifescan Device (for backgrounds process)	\$ 13,000
Police Training Equipment (Gym)	\$ 40,000
TOTAL OF FEDERAL CONFISCATION FUNDS-Justice:	<u>489,000</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
CRIME PREVENTION INITIATIVES & SCHOOL LIAISON PROJECTS	\$ 30,000
CRIME SCENE LATENT PRINT EXAMINER SALARY	\$ 72,000
SCHOLARSHIP PROGRAM	\$ 5,000
SCOOTERS	\$ 20,000
AR Rifle Program/initiative- City's match for reimbursement of rifles at \$500.	\$ 15,000
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

SUB-TOTAL OF STATE FUNDS	<u>\$ 190,000</u>
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GRANT MATCH:

GRANT SALARY MATCH - Victims Advocate - portion not covered by State Grant (VOCA)	\$ 45,000
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SUB-TOTAL OF STATE FUNDS (Grant Match)	<u>\$ 45,000</u>
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TOTAL OF STATE FUNDS:	<u><u>\$ 235,000</u></u>
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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

9/10/13
Date

MIAMIBEACH

CITY OF MIAMI BEACH

NOTICE OF A SPECIAL CITY COMMISSION MEETING AND PUBLIC HEARINGS

NOTICE IS HEREBY given that a Special Commission Meeting regarding the Second Public Hearings to consider the adoption of the Millage Rate and Budget for FY 2013/2014 will be held by the City Commission of the City of Miami Beach, Florida, on **Monday, September 30, 2013**, commencing at **5:00 p.m.**, in the Commission Chambers, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida to consider the following:

5:01 p.m.

A Resolution Adopting: 1) The Final Ad Valorem Millage Of 5.8909 Mills For General Operating Purposes, Which Is Six And Eight-Tenth Percent (6.8%) More Than The "Rolled-Back" Rate Of 5.5158 Mills; And 2) The Debt Service Millage Rate Of 0.2529 Mills for Fiscal Year (FY) 2013/14.

5:01 p.m.

A Resolution Adopting Final Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year (FY) 2013/14.

5:02 p.m.

A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Of 1.2687 Mills For Fiscal Year (FY) 2013/14 For The Normandy Shores Local Government District, Which Is Nineteen Percent (19.0%) More Than The "Rolled-Back" Rate Of 1.0664 Mills.

5:02 p.m.

A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Operating Budget For Fiscal Year (FY) 2013/14.

5:03 p.m.

A Resolution Adopting The Final Capital Improvement Plan For Fiscal Years (FY) 2013/14-2017/18 And Adopting The Final Capital Budget For FY 2013/14.

5:03 p.m.

A Resolution Adopting Fiscal Year (FY) 2013/14 Final Budgets For Special Revenue Funds For Resort Tax; The 7th Street Parking Garage Operations; The 5th And Alton Parking Garage Operations; Art In Public Places (AIPP), Tourism And Hospitality Scholarship Program, Green/ Sustainability Funds, Waste Hauler Additional Services And Public Benefit Contribution Funds, Education Compact Funds, Red Light Camera Funds, And Emergency 911 Funds.

5:03 p.m.

A Resolution Adopting The Final Budget Of \$1,200,000 From Fiscal Year (FY) 2013/14 People's Transportation Plan (PTP) Funds And \$87,000 From (FY) 2013/14 South Beach Concurrency Mitigation Funds, To Fund The Final Operating Budget For The South Beach Local In Miami Beach; And Further Adopting The Final Budget Of \$301,000 From FY 2013/14 People's Transportation Plan Funds For Administrative And Technical Operating Expenditures, As Part Of The Five Percent (5%) Allowable For Administrative Assistance And Technical Assistance.

5:03 p.m.

A Resolution Authorizing The Adoption Of The Miami Beach Cultural Arts Council's Fiscal Year (FY) 2013/14 Final Budget In The Amount Of \$1,470,000.

5:03 p.m.

A Resolution Adopting The Fiscal Year (FY) 2013/14 Police Special Revenue Account Final Budget In The Amount Of \$75,000 For The Purchase Of Those Items Set Forth In Exhibit "A," And Such Account Funded By Unclaimed Evidence Currently Held In The Police Special Revenue Account.

5:03 p.m.

A Resolution Adopting The Police Confiscation Trust Fund Final Budget For Fiscal Year (FY) 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.

5:03 p.m.

A Resolution Adopting The Fiscal Year (FY) 2013/2014 Police Training & School Resources Fund Final Budget In The Amount Of \$35,000.

5:03 p.m.

Resolution Adopting The Second Amendment To The General Fund, Enterprise, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year (FY) 2012/13.

5:03 p.m.

A Resolution Adopting And Appropriating The Fourth Amendment To The Police Confiscation Trust Budget For Fiscal Year 2012/2013 In The Amount Of \$10,000, To Be Funded From The Proceeds Of State Confiscated Funds, For The Appropriation And Expenditure Of Those Items Set Forth In Exhibit "A," Which Shall Be Funded Through The Police Confiscation Trust Fund.

5:04 p.m.

1. Ordinance Amending Chapter 50 Of The City Of Miami Beach Code, Entitled "Fire Prevention And Protection," By Amending Section 50-4 Thereof, Entitled "Enforcement By Fire Inspectors; Notice Of Violation," To Add Citations And Implement New Fine Schedule Related To Fire Code Violations; By Amending Section 50-5 Thereof, Entitled "Annual Fire Prevention And Fire Safety Inspection Permit" To Include The Night Inspection Fee Previously Adopted Under Section 102.379 Of The City Code.

2. Ordinance Amending Chapter 102 Of The Code Of The City Of Miami Beach, Entitled "Taxation," By Deleting The Nightclub Fee Set Forth In Section 102.379, Entitled "Schedule Of Taxes, Effective October 1, 2009".

5:04 p.m.

Ordinance Amending Chapter 50 Of The Code Of The City Of Miami Beach, Entitled "Fire Prevention And Protection," By Creating Section 50-8 Thereof, To Be Entitled "Fire Alarms, Regulations, Penalties, Enforcement" To Establish Requirements And Fines For False Fire Alarms.

5:04 p.m.

An Ordinance Amending Appendix A, Entitled "Fee Schedule" For Subsection (A) Of Section 110-168, Entitled "Sanitary Sewer Service Charge," Of Chapter 110 Of The Miami Beach City Code, Entitled "Utilities," Article IV, Entitled "Fees, Charges, Rates And Billing Procedure"; Division 2 Thereof, Entitled "Rates, Fees And Charges," To Increase The Sanitary Sewer Service Charge Imposed By The City.

5:04 p.m.

Ordinance Amending Part I, Subpart B, Article IX, Related Special Acts, Of The Miami Beach City Code Entitled "Pension System For Disability And Retirement Of Members Of Police And Fire Departments"; Implementing Provisions Of The 2012-2015 Collective Bargaining Agreements Between The City And Fire Fighters Of Miami Beach, IAFF Local 1510, And Miami Beach Fraternal Order Of Police, William Nichols Lodge No. 8; Amending Section 62 Entitled "Definitions"; Amending Section 63 Entitled "Source Of Monies For Fund; Computation Of Liability; Use And Investment Of Fund"; Amending Section 65 Entitled "Computation Of Creditable Service; Service Record"; Amending Section 66 Entitled "Service And Disability Benefits Generally"; Amending Section 67 Entitled "Cost Of Living Adjustment"; Amending Section 79 Entitled "Deferred Retirement Option Plan"; Amending Section 82 Entitled "Military Service"; Creating A New Section 88 Entitled "Benefits For Members Hired-On Or After September 30, 2013.

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