

**RESOLUTION NO. 2013-28362**

**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.**

**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**, funds in the amount of \$10,000 are available in the Police Confiscation Trust Fund.

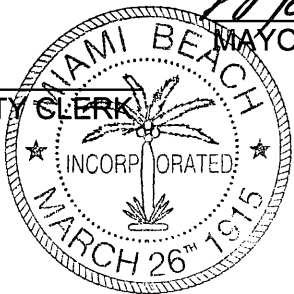
	<b>CURRENT BUDGET</b>	<b>INCREASE</b>	<b>AMENDED BUDGET</b>
STATE-	\$ 1,124,300	\$ 10,000	\$1,134,300
FEDERAL-	\$ 312,800	\$ _____	\$ 312,800
TOTAL-	\$ 1,437,100	\$ 10,000	\$1,447,100

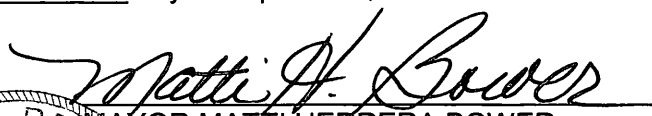
**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, adopting and appropriating the Fourth Amendment to the Police Confiscation Trust Fund budget for fiscal year 2012/2013 in the amount of \$10,000, to be funded from the proceeds of State confiscated funds for the appropriation and expenditure of those items set forth in Exhibit "A," which shall be funded through the Police Confiscation Trust Fund.

**PASSED and ADOPTED** this 30 day of September, 2013.

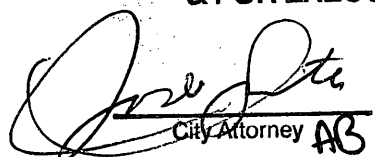
**ATTEST BY:**

  
 \_\_\_\_\_  
 RAFAEL E. GRANADO, CITY CLERK



  
 \_\_\_\_\_  
 MAYOR MATTI HERRERA BOWER

**APPROVED AS TO  
 FORM & LANGUAGE  
 & FOR EXECUTION**

  
 \_\_\_\_\_  
 City Attorney **AB**      9/20/13  
 Date

**"EXHIBIT A"**  
**MIAMI BEACH CONFISCATED TRUST FUND BUDGET**  
**FOURTH AMENDMENT - FISCAL YEAR 2012/13**

**STATE CONFISCATION FUNDS**

**AMOUNT**

**Cost connected with the prosecution and processing of State Forfeiture Cases**

**\$ 10,000**

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.



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Raymond Martinez, Chief of Police  
Miami Beach Police Department

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Date

**Condensed Title:**

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.

**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 and appropriate the fourth amendment to the Police Confiscation Trust Fund Budget for Fiscal Year 2012/13?

**Item Summary/Recommendation:**

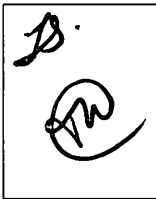
The Chief of Police has reviewed and identified the needs for the appropriation and has established that the expenditures of forfeiture funds are in compliance with Section 932.7055, Florida State Statutes and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.

The Administration recommends that the Mayor and City Commission adopt the fourth amendment to the Police Confiscation Trust Fund Budget for Fiscal Year 2012/13 for the payment of Legal and Administrative Fees in the amount of \$10,000.

**Advisory Board Recommendation:**

N/A

**Financial Information:**


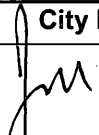
Source of Funds:		Amount	Account
 OBPI	1		Confiscation Funds:
	2	\$10,000	607-8000-351210 State Funds- Confiscation
	3		
	4		
	<b>Total</b>	<b>\$10,000</b>	

**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](http://www.miamibeachfl.gov)

## 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 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.**

### 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, Raymond Martinez, 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 involved in the transaction of these funds.

There are legal and administrative costs incurred in the City Attorney's Office in claiming and obtaining these funds. The Confiscation Fund will pay an additional \$10,000 for administrative fees associated with claiming and obtaining State-related confiscated funds, including advertising and court reporting costs.

### CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Fourth Amendment to the Operating Budget for the Police Confiscation Trust Fund for Fiscal Year 2012/13, in the amount of \$10,000 to be funded from the proceeds of State Confiscation Funds as listed in Exhibit "A".

*JLM* *RM* *MO* *DM* *MR*  
JLM/RM/MO/DM/MR

# MIAMI BEACH

## 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 Concurrence 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.**  
A 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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