

776 N.E. 125 Street, North Miami, Florida 33161

To: The Honorable Mayor and City Council

From: Leonard Burgess, Chief of Police



Date: February 23, 2016

RE: FORFEITURE APPROPRIATION REQUEST OF LAW ENFORCEMENT TRUST FUNDS AND FEDERAL EQUITABLE SHARING FUNDS (JUSTICE AND TREASURY)

---

**RECOMMENDATION**

That the City Council appropriate and authorize expenditures in the amount of \$266,000 from the Law Enforcement Trust Fund and Federal Equitable Sharing Funds (Justice and Treasury).

**BACKGROUND**

The Police Department is requesting an appropriation approval of \$266,000 of which \$25,000 would come from the Law Enforcement Trust Fund; \$15,000 from Federal Equitable Sharing Funds (Justice); and \$226,000 from Federal Equitable Sharing Fund (Treasury). Attached is the budget with a description of expenditure requests from each of the three funds. As the Chief of Police, I certify that the expenditure of 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.

**ATTACHMENTS**

Budget  
Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING AND APPROPRIATING FUNDS IN THE AMOUNT OF TWO HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$266,000.00) TO BE FUNDED IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FROM THE LAW ENFORCEMENT TRUST FUND, FIFTEEN THOUSAND DOLLARS (\$15,000.00) FROM FEDERAL EQUITABLE SHARING FUND (JUSTICE) AND TWO HUNDRED TWENTY-SIX THOUSAND DOLLARS (\$226,000.00) FROM FEDERAL EQUITABLE SHARING FUND (TREASURY), AND PROVIDING FOR THE APPROPRIATION AND EXPEDITURE OF THOSE ITEMS AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, Section 932.7055 of the Florida Statutes sets forth the purpose and procedures to be utilized for the appropriation and expenditures of the law enforcement trust fund; and

**WHEREAS**, the Guide to Equitable Sharing for State and Local Law Enforcement Agencies sets forth the criteria for the expenditure of Federal Equitable Sharing Funds; and

**WHEREAS**, the proceeds and interest earned from the Law Enforcement 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**, Federal Equitable Shared Funds may be used for law enforcement purposes including investigations, training, equipment, travel and transportation, awards and memorials; and

**WHEREAS**, the Chief of Police of the City of North Miami has submitted a written certification which states that the request complies with the provisions of Section 932.7055 of the Florida Statutes and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies (written certification included in Council Report); and

**WHEREAS**, the Chief of Police is authorized to expend these funds upon request and approval by the Mayor and City Council; and

**WHEREAS**, the North Miami Police Department is seeking authorization from the Mayor and City Council to expend the total sum of Two Hundred Sixty-Six Thousand Dollars (\$266,000.00) as set forth in the budget attached as Exhibit “A” with Twenty-Five Thousand Dollars (\$25,000.00) to be funded from the Law Enforcement Trust Fund, Fifteen Thousand Dollars (\$15,000.00) funded from the Federal Equitable Sharing Fund (Justice) and Two Hundred Twenty-Six Thousand Dollars (\$226,000.00) from the Federal Equitable Sharing Fund (Treasury); and

**WHEREAS**, the Mayor and City Council of the City of North Miami are desirous of approving and adopting the appropriations and expenditures as requested by the North Miami Police Department.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.**      **Adoption of Representations.** The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

**Section 2.**      **Authorization.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the expenditure of Two Hundred Sixty-Six Thousand Dollars (\$266,000.00) from the law enforcement trust fund and federal equitable sharing funds and for the appropriation and expenditure of those items as set forth in Exhibit “A”.

**Section 3.**      **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
DR. SMITH JOSEPH  
MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

---

ROLAND C. GALDOS, ESQ.  
INTERIM CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Mayor Smith Joseph, D.O., Pharm. D.  
Vice Mayor Alix Desulme  
Councilman Scott Galvin  
Councilwoman Carol Keys, Esq.  
Councilman Philippe Bien-Aime

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

EXPENDITURE:	EXPLANATION:	FUNDING:		
		L.E.T.F.	JUSTICE	TREASURY
Community projects and events, necessary to promote positive police image, and for other law enforcement purposes.	Funds will be used for community events such as Families Against Crime Together (FACT) Festival; Code Compliance Workshops; Police Community Walk & Talk; Scholarship Fundraising Events; Police Athletic League; Monthly Community Bike Rides; etc.	10,000	15,000	15,000
Crime Prevention Awareness and Safe Neighborhoods	Funds will be used for National Night Out; MAGTAF Operations; Parole & Probation Sweeps; Crime Prevention Bulletins, Brochures, and Advertisements; Region 7 Gang Meetings; Wolf Pack Operations; Gun Buy Back Programs; Media/Public Service Announcements; D.U.I. Checkpoints, Citizens Mobile Patrol Program; Police Chaplaincy Program, etc.	10,000	N/A	30,000
Training	Funds will be used to train officers, investigators, and support personnel in any area necessary to perform official law enforcement duties and maintain certifications.	N/A	N/A	75,000
Investigations	Funds will be used to support investigations and operations such as M.A.G.T.A.F., Parole and Probation Sweeps, payments to informants, "buy", "flash" or reward money; purchase of evidence and contraband;	N/A	N/A	5,000
Law Enforcement Awards, Plaques, and Memorials	Funds will be used to purchase plaques for retiring employees; officer of the month; performance and meritorious achievements, etc.	N/A	N/A	6,000
Equipment and Operations:	Funds will be used to purchase, lease, maintenance, or operation of law enforcement equipment for use by law enforcement personnel that supports law enforcement activities. Such as less-lethal weapons; IT Hardware and Software; Message Traffic Boards; Radio Tower Fees; Specialized Equipment; etc.	N/A	N/A	40,000
Law enforcement Travel and Transportation	Funds will be used for costs associated with travel and transportation.	5,000	N/A	55,000
		<b>25,000</b>	<b>15,000</b>	<b>226,000</b>
		<b>TOTAL:</b>		<b>266,000</b>