



**MEMORANDUM**

Agenda Item No. 14(A)(4)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 19, 2011

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution authorizing the County  
Mayor to expend funds from the  
Miami-Dade Police Department  
Law Enforcement Trust Fund in  
the amount of \$900,000

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.

R. A. Cuevas, Jr.  
County Attorney


RAC/up

# Memorandum



**DATE:** December 19, 2011

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**FROM:** Carlos A. Gimenez  
Mayor 

**SUBJECT:** Authorization of Proposed Expenditures for the Law Enforcement Trust Fund

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## Recommendation

It is recommended that the Board approve the attached resolution supporting the County Mayor and/or County Mayor's Designee action to expend \$900,000 from the Miami-Dade Police Department (MDPD) Law Enforcement Trust Fund (LETF) in accordance with the Report of Proposed Expenditures of the Law Enforcement Trust Fund (attached).

## Scope

The MDPD LETF impacts countywide services.

## Fiscal Impact/Funding Source

Miami-Dade County would not incur any costs. The LETF funds are awarded to MDPD as a result of successful forfeiture litigation in State court and participation in the Federal Asset Sharing Programs.

## Track Record/Monitor

The LETF project requests are reviewed by MDPD personnel in the Fiscal Administration Bureau to ensure compliance with LETF requirements.

## Background

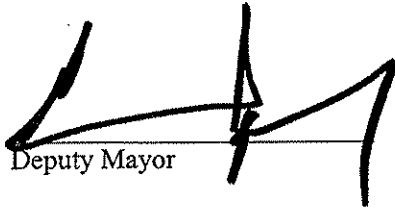
The Law Enforcement Trust Fund (LETF) for Miami-Dade County was established by the Board of County Commissioners and must be used for law enforcement purposes which are not budgeted. Allowable purposes may include: to defray costs of protracted or complex investigations; to provide additional technical equipment or expertise; to provide matching funds to obtain federal grants; or for other law enforcement purposes. The funds are administered in compliance with MDPD policies, statutory requirements, and federal guidelines.

The LETF contains funds awarded to the Department as a result of successful forfeiture litigation in State court and participation in the Federal Asset Sharing Programs. Specifically, the LETF is funded by three different sources: the State LETF fund, governed by Florida Statutes Sections 932.701 through 932.706; and two federal funds from the U.S. Department of Justice and the U.S. Treasury, governed by the federal guidelines from the U.S. Department of Treasury Executive Office for Asset Forfeiture.

The allocation of LETF funds adheres to a process as part of the MDPD standard operating procedures. Department entities submit LETF project requests to the MDPD LETF Committee Chairperson. The requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with LETF requirements. The LETF Committee reviews those requests which meet program requirements and recommends selected projects for funding. The recommendations are reviewed by the Police Legal Bureau for legal sufficiency and a report is prepared by the Fiscal Administration Bureau. The revenue and expenditures are documented in the County budget ordinance and are routinely reported in the Department's fiscal reports. The package is certified by the Director prior to the report being presented to the Board for approval per Florida Statute Section 932.7055 (5) (b).

Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
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The proposed asset sharing expenditures for FY2011/2012, or until completion of the project, include:  
residential burglary initiative in the amount of \$850,000 aimed at combating the rise in residential burglaries  
throughout Miami-Dade County; and professional compliance investigations in the amount of \$50,000 to support  
long-term, ongoing proactive investigations.



Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 19, 2011

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 14(A)(4)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 14(A)(4)  
12-19-11

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

RESOLUTION AUTHORIZING THE COUNTY MAYOR AND/OR COUNTY MAYOR'S DESIGNEE TO EXPEND FUNDS FROM THE MIAMI-DADE POLICE DEPARTMENT LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF \$900,000

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying Report of Proposed Expenditures, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board grants, pursuant to Florida Statutes section 932.7055, the request of the county Mayor or County Mayor's designee to expend \$900,000 from the Miami-Dade Police Department Law Enforcement Trust Fund for the purposes described in the accompanying Report of Proposed Expenditures.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 19<sup>th</sup> day of December, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency.



Ben Simon

By: \_\_\_\_\_  
Deputy Clerk

# Memorandum



**Date:** September 16, 2011

**To:** Carlos A. Gimenez, Mayor  
Miami-Dade County

**Attn:** Genaro "Chip" Iglesias  
Deputy Mayor/Chief of Staff

**From:** James K. Loftis, Director  
Miami-Dade Police Department

**Subject:** Report of Proposed Expenditures for the Law Enforcement Trust Fund

The Law Enforcement Trust Fund (LETF) for Miami-Dade County was established by the Board of County Commissioners and must be used for law enforcement purposes which are not budgeted. Allowable purposes may include: to defray costs of protracted or complex investigations; to provide additional technical equipment or expertise; to provide matching funds to obtain federal grants; or for other law enforcement purposes. The funds are administered in compliance with Miami-Dade Police Department (MDPD) policies, statutory requirements, and federal guidelines.

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The following are the proposed asset sharing expenditures for FY2011/2012 or until completion of the project.

## PROPOSED ASSET SHARING EXPENDITURES (LETF)

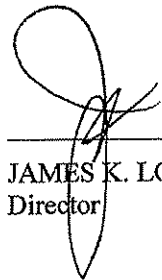
- Residential Burglary Initiative** **\$850,000**  
This LETF project will support an initiative aimed at combating the rise in residential burglaries throughout Miami-Dade County. These crimes are a great concern for the entire community. The project will provide the resources to allocate and deploy personnel based on identified crime trends, neighborhoods, other intelligence information, and other factors. This initiative will support increased personnel for these targeted enforcement operations and the use of innovative strategies to reduce residential burglaries. The overall project will be closely monitored by the Department's executive team, including the Director, Assistant Directors, and Chief Financial Officer. Funds will be provided from Justice Asset Sharing Funds.
- Professional Compliance Bureau Investigations** **\$50,000**  
This LETF project will support long-term, on-going proactive investigations. Funds will be provided by Treasury Asset Sharing Funds.

Carlos A. Gimenez, Mayor  
September 16, 2011  
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**FINANCIAL SUMMARY**

PROPOSED JUSTICE ASSET SHARING EXPENDITURES	\$ 850,000
PROPOSED STATE ASSET SHARING EXPENDITURES	\$ 0
PROPOSED TREASURY ASSET SHARING EXPENDITURES	\$ 50,000
<b>Total Recommended Amount</b>	<b>\$ 900,000</b>

As the Director of the Miami-Dade Police Department, I do hereby certify that the aforementioned request for expenditures from the Law Enforcement Trust Fund complies with the provision of Section 932.7055, Florida Statutes and applicable guidelines related to equitable sharing of federal assets.



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JAMES K. LOFTUS  
Director

9/27/11  
DATE