MEMORANDUM

Agenda Item No. 14(A)(3)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving the County Mayor request to expend $456,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund; and authorizing the County Mayor to use such funds for expenditures as described herein

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

Abigail Price-Williams
County Attorney

APW/cp

Memorandum

MIAMI-DADE COUNTY

DATE: September 7, 2016

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

FROM: Carlos A. Gimenez
Mayor

SUBJECT: Resolution Approving the Expenditures of Funds from the Miami-Dade Police Department Law Enforcement Trust Fund

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Recommendation
It is recommended that the Board of County Commissioners (Board) approve the County Mayor or County Mayor's designee expenditures of $456,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund in accordance with the Report of Proposed Expenditures from the Law Enforcement Trust Fund (Report). It is further recommended that the Board authorize the County Mayor or County Mayor's designee to use such funds as described in the Report retroactively to July 1, 2016.

Scope
The Miami-Dade Police Department Law Enforcement Trust Fund impacts countywide services.

Fiscal Impact/Funding Source
Miami-Dade County will not incur any costs. The Law Enforcement Trust Fund monies are awarded to the Miami-Dade Police Department as a result of forfeiture litigation in State court and participation in federal asset sharing programs.

Track Record/Monitor
The Law Enforcement Trust Fund project requests are reviewed by Gustavo Knoepffler, Chief Financial Officer in the Miami-Dade Police Department.

Delegation of Authority
The County Mayor or County Mayor's designee is seeking authority to expend $456,000.00 from the Miami-Dade Police Law Enforcement Trust Fund in accordance with the Report of Proposed Expenditures from the Law Enforcement Trust Fund.

Background
On December 2, 1980, the Law Enforcement Trust Fund for Miami-Dade County was established by the Board through Resolution R-1633-80. The Law Enforcement Trust Fund 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's policies, statutory requirements, and federal guidelines.

The Law Enforcement Trust Fund is comprised of three different funding sources: the State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; U.S. Department of Justice

Asset Sharing Program; and U.S. Treasury Asset Sharing Program. The Law Enforcement Trust Fund monies awarded to the Miami-Dade Police Department are a result of forfeiture litigation in State court and federal asset sharing programs. Federal assets are shared among participating law enforcement agencies based on the agencies' direct participation in task force investigations that result in the forfeiture of federally seized assets. The Department's partnerships with federal agencies and the related task forces have been the subject of recent resolutions approved by the Board.

Law Enforcement Trust Fund project requests are reviewed by the Miami-Dade Police Department Law Enforcement Trust Fund Committee. The Committee approved requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with Law Enforcement Trust Fund requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the Law Enforcement Trust Fund. The revenues and expenditures are documented in the County budget ordinance, the federal equitable sharing and certification report, and an annual audit to the County's Finance Department.

The package is certified by the Director of the Miami-Dade Police Department prior to the Report being presented to the Board for approval per Florida Statutes Section 932.7055(5) (b).

The expenditures in the amount of $456,000.00 will be retroactive to July 1, 2016, through the completion of the projects. These expenditures include:

1. Specialized details conducted by MDPD sworn personnel-$300,000;
2. Procurement of necessary equipment-$76,000; and
3. Support of the Crime Stoppers of Miami-Dade, Inc., and their work to solve crimes through anonymous tips and payment of rewards- $80,000
    - Crime Stoppers receives reimbursement funding via the Attorney General; however, at this time, due to the large volume of tips and payment of rewards, Crime Stoppers requires additional support until the receipt of reimbursement funds.

These allowable law enforcement expenditures will be in compliance with the Miami-Dade Police Department's policies, statutory requirements, and federal guidelines.

Russel Benford
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 14(A)(3)

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**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor'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)(3)
9-7-16

RESOLUTION NO. _____

RESOLUTION APPROVING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE REQUEST TO EXPEND $456,000.00 FROM THE MIAMI-DADE POLICE DEPARTMENT LAW ENFORCEMENT TRUST FUND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO USE SUCH FUNDS FOR EXPENDITURES AS DESCRIBED HEREIN

WHEREAS, the 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 approves, pursuant to Section 932.7055, Florida Statutes, the request of the County Mayor or County Mayor's designee to expend $456,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund for the purposes described in the accompanying Report of Proposed Expenditures (the "Report"), and authorizes the County Mayor or County Mayor's designee to use such funds for the expenditures described in the Report, and that such expenditures will be retroactive to July 1, 2016, through completion of the project.

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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of September, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MP

Matthew Papkin

Memorandum

MIAMI-DADE COUNTY

Date: July 28, 2016

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

Attn: Russell Benford
Deputy Mayor

From: Juan J. Perez, Director
Miami-Dade Police Department

Subject: Report of Proposed Expenditures from the Law Enforcement Trust Fund

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The Law Enforcement Trust Fund (Trust Fund) 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 policies, statutory requirements, and federal guidelines.

The Law Enforcement Trust Fund is comprised of three different funding sources: the State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; U.S. Department of Justice Asset Sharing Program; and U.S. Treasury Asset Sharing Program. The Law Enforcement Trust Fund monies awarded to the Miami-Dade Police Department are a result of forfeiture litigation in State court and federal asset sharing programs.

Law Enforcement Trust Fund project requests are reviewed by the Miami-Dade Police Department Law Enforcement Trust Fund Committee. The Committee approved requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with Law Enforcement Trust Fund requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the Law Enforcement Trust Fund. The revenues and expenditures are documented in the County budget ordinance, the federal equitable sharing and certification report, and an annual audit to the County's Finance Department. The package is certified by the Director prior to the Report being presented to the Board for approval per Florida Statutes Section 932.7055 (5) (b).

Approval is requested for the expenditures retroactive to July 1, 2016, through completion of the project. Funds will support specialized details conducted by MDPD sworn personnel and procurement of necessary equipment. In addition, funds will support the Miami-Dade Crime Stoppers, and their work to solve crimes through anonymous tips and payment of rewards.

FINANCIAL SUMMARY

PROPOSED STATE ASSET SHARING EXPENDITURES	$ 380,000
PROPOSED JUSTICE ASSET SHARING EXPENDITURES	$ 76,000
Total Recommended Amount	**$ 456,000**

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 Florida Statutes Section 932.7055 and applicable guidelines related to equitable sharing of federal assets.

Juan J. Perez
Director

8/5/2016
Date

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Miami-Dade Police Department

Attachment to the Report of Proposed Expenditures from the Law Enforcement Trust Fund

Project Number	Project Name	Allocation	Funding Category	Description
1	Specialized Details	$300,000	State Other Operating	Specialized details
2	Specialized Equipment	$76,000	Justice	Specialized equipment
3	Miami-Dade Crime Stoppers	$80,000	State Crime Prevention	Solving crimes through anonymous tips and payment of rewards

Total Recommended Amount	**$456,000**
State Asset Sharing	**$380,000**
Justice Asset Sharing	**$76,000**