

MEMORANDUM

Agenda Item No. 8(I)(1)

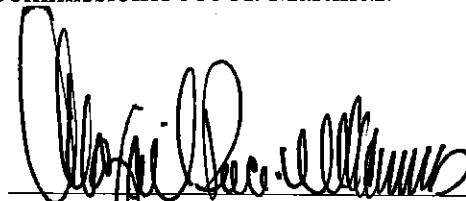
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 23, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution retroactively approving the request of the County Mayor to expend \$1,180,000.00 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 Joe A. Martinez.



Abigail Price-Williams
County Attorney

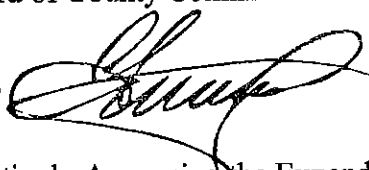
APW/uw

Memorandum



DATE: July 23, 2019

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

FROM: Carlos A. Gimenez 
Mayor

SUBJECT: Resolution Retroactively Approving the Expenditures of Funds from the Miami-Dade
Police Department Law Enforcement Trust Fund in the Amount of \$1,180,000.00

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the County Mayor or County Mayor's designee expenditures of \$1,180,000.00 from the Miami-Dade Police Department's (MDPD) Law Enforcement Trust Fund (LETF) 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 to be retroactive beginning October 1, 2018, through the completion of the projects. This start date allows for combating targeted crimes in response to identified community needs.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Source

Miami-Dade County will not incur any costs. LETF monies are awarded to the MDPD as a result of forfeiture litigation in State court and participation in federal asset sharing programs.

Track Record/Monitor

The LETF project is reviewed by Assistant Director Gustavo Knoepffler, of the MDPD's Departmental Services.

Delegation of Authority

The County Mayor or County Mayor's designee is seeking authority to expend \$1,180,000.00 from the LETF in accordance with the Report of Proposed Expenditures from the LETF.

Background

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

The LETF is comprised of three different funding sources: (1) the State civil forfeitures, governed by Sections 932.701-932.706 of the Florida Statutes; (2) U.S. Department of Justice Asset Sharing Program; and (3) U.S. Treasury Asset Sharing Program. The LETF monies awarded to the MDPD 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.

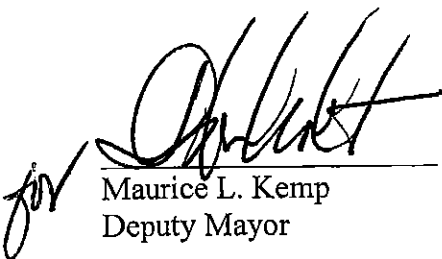
The Department's partnerships with federal agencies and the related task forces have been the subject of many resolutions approved by the Board. Also, these funds are exempt from the Inspector General Contract Fee and the User Access Program, as these fees and assessments are not allowable under the Florida Forfeiture Contraband Act. Furthermore, State and federal funds are excluded from all administrative fees.

LETF project requests are reviewed by the MDPD's LETF Committee. The Committee approved requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with LETF requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the LETF. 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 MDPD prior to the Report being presented to the Board for approval, per Section 932.7055(5)(b) of the Florida Statutes.

The following projects may be funded or reimbursed with LETF funds, as long as such expenditures were incurred after October 1, 2018.

- 1) Rapid Deployment Force Initiative - \$150,000.00
- 2) Narcotics Investigative Initiative - \$100,000.00
- 3) Police Operations Investigative Initiative - \$75,000.00
- 4) Technical Investigations Initiative - \$100,000.00
- 5) Domestic Crimes Initiative - \$50,000.00
- 6) Economic Crimes Investigative Initiative - \$50,000.00
- 7) Robbery Bureau Initiative - \$50,000.00
- 8) Special Investigations Initiative - \$200,000.00
- 9) Targeted Crimes Initiative - \$200,000.00
- 10) Youth Safety Initiative - \$180,000.00
- 11) Crime Prevention Initiative - \$25,000.00

These funds will support long-term, ongoing protracted or complex investigations and other allowable law enforcement expenditures in compliance with the MDPD's policies, statutory requirements, and federal guidelines.

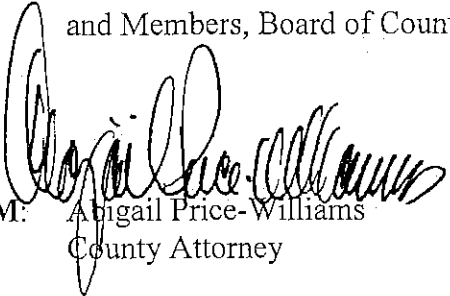

Maurice L. Kemp
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 23, 2019

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(I)(1)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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. 8(I)(1)
7-23-19

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY APPROVING THE REQUEST OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPEND \$1,180,000.00 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, this Board desires to accomplish the purposes outlined in the accompanying memorandum, 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 retroactively approves, pursuant to section 932.7055, Florida Statutes, the request of the County Mayor or County Mayor's designee to expend \$1,180,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund for the purposes described in the accompanying Report of Proposed Expenditures (the "Report") which is attached hereto as Exhibit "A" and incorporated herein by reference. This Board also authorizes the County or County Mayor's designee to use such funds described in the Report, and that the identified projects may be funded or reimbursed with funds from the Law Enforcement Trust Fund, as long as such expenditures were incurred on or after October 1, 2018.

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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

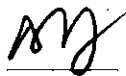
The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of July, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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.



Anita Viciano Zapata

Exhibit A


Memorandum



Date: June 10, 2019

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

Attn: Maurice L. Kemp
Deputy Mayor

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

Subject: Report of Proposed Expenditures from 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.

The LETF 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. LETF monies awarded to the MDPD are a result of forfeiture litigation in State court and federal asset sharing programs.

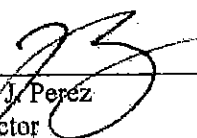
LETF project requests are reviewed by the MDPD's LETF Committee. The Committee approved requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with LETF requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the LETF. 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 this writer prior to the Report being presented to the Board for approval per Florida Statutes Section 932.7055 (5)(b).

The proposed expenditures will be retroactive to October 1, 2018, through completion of the initiatives. This start date allows for combating targeted crimes in response to identified community needs, especially at this time of year.

FINANCIAL SUMMARY

PROPOSED STATE ASSET SHARING EXPENDITURES	\$ 430,000.00
PROPOSED JUSTICE ASSET SHARING EXPENDITURES	\$ 650,000.00
PROPOSED TREASURY ASSET SHARING EXPENDITURES	\$ 100,000.00
Total Recommended Amount	\$1,180,000.00

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



Juan J. Perez
Director


Date

JJP/lf
Attachment



Miami-Dade Police Department

Report of Proposed Expenditures from the Law Enforcement Trust Fund (Project Detail)

Project Number	Project Name	Allocation	Function Category	Description
1	Rapid Deployment Force Initiative	\$150,000	State Complex Investigations	Trust Funds will support the participation of MDPD personnel in important details to address and respond to both pre-planned and spontaneous emergency situations.
2	Narcotics Investigative Initiative	\$100,000	Justice	Trust Funds will support initiatives aimed at combating narcotics crimes. The initiatives will enhance complex protracted investigations by providing the resources to allocate and deploy personnel based on crime data and other intelligence. Funds will also enhance investigative and related investigative expenses.
3	Police Operations Investigative Initiative	\$75,000	State Other Operating	Trust Funds will support protracted and complex operations for investigations to target government service areas such as, Stephen P. Clark Government Center and Jackson Memorial Hospital. Funds will be used to allocate and deploy personnel for these investigations.
4	Technical Investigations Initiative	\$100,000	Treasury	Trust Funds will support the Technical Operations Unit and Forensic Video Unit. These units within the Homeland Security Bureau provide technical expertise which is an essential element to obtaining key evidence for investigations. This evidence is critical for the successful prosecution of offenders. Trust Funds will be used to allocate and deploy personnel for these investigations.
5	Domestic Crimes Initiative	\$50,000	Justice	Trust Funds will support proactive domestic crimes investigations. Through the use of real-time criminal intelligence information specialized operations will be conducted to apprehend these violent subjects. Trust Funds will be used to allocate and deploy personnel for these investigations.
6	Economic Crimes Investigation Initiative	\$50,000	Justice	Trust Funds will support investigations to identify, arrest, and prosecute criminal enterprises involved in large-scale medical fraud cases. Trust Funds will be used to allocate and deploy personnel for these investigations.
7	Robbery Bureau Investigation Initiative	\$50,000	Justice	Trust Funds will support a firearms reduction initiative. Trust Funds will also be used to allocate and deploy personnel for these investigations.
8	Special Investigations Initiatives	\$200,000	Justice	Trust Funds will support initiatives to combat violent crimes and other special investigations. The initiatives will enhance complex, protracted investigations by providing the resources to allocate and deploy personnel based on crime data and other intelligence. Funds will also enhance investigative support and related investigative expenses.
9	Targeted Crimes Initiative	\$200,000	Justice	Trust Funds will support combating targeted crimes, especially in our communities and neighborhoods. Personnel will be deployed using a data driven process based on crime analysis, crime trends, intelligence, and other factors. The project will provide the resources to allocate and deploy personnel and support related investigative expenses.
10	Youth Safety Initiative	\$180,000	State Crime Prevention	Trust Funds will support police visibility to enhance in and out-of-school safety, especially in areas of the community that are frequented by at-risk youth. This initiative will provide resources to support strategies such as truancy sweeps, traffic enhancement, and directed patrols. Other recommended strategies may include park and talk, roll calls at schools, classroom presentations, and curfew violation sweeps.
11	Crime Prevention Initiative	\$25,000	State Crime Prevention	Trust Funds will support community crime prevention initiatives, such as Florida Sheriff's Youth Ranches, Do The Right Thing, 5000 Role Models, and Big Brothers Big Sisters of America.

Total Recommended Amount:	\$1,180,000
State Asset Sharing	\$430,000
Justice Asset Sharing	\$650,000
Treasury Asset Sharing	\$100,000