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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 8(I)(2)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	March 3, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving retroactively request to expend $2,402,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund; and authorizing the County Mayor to use such funds for expenditures incurred as of October 1, 2014 Resolution No. R-215-15

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

DATE: March 3, 2015

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

FROM: Carlos A. Gimenez
Mayor

SUBJECT: Resolution Retroactively Authorizing 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) retroactively approve the attached Resolution supporting the County Mayor or County Mayor's designee action to expend $2,402,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund in accordance with the Report of Proposed Expenditures from the Law Enforcement Trust Fund (attached).

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 of the Miami-Dade Police Department.

Delegation of Authority
The County Mayor or County Mayor's designee is seeking the authority to expend $2,402,000.00 from the Miami-Dade Police 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 submitted to the Miami-Dade Police Department Law Enforcement Trust Fund Committee Chairperson. The 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).

The retroactive approval is necessary due to the high priority of these law enforcement initiatives and the necessity to have funding available for these critical operations. The proposed expenditures will be effective with the start of the fiscal year, October 1, 2014 through completion of the project. These expenditures include: 1) Youth Safety Initiative - $250,000.00; 2) Targeted Crimes Initiative - $700,000.00; 3) Violent Crimes and Special Investigations Initiative - $950,000.00; 4) Real-Time Crime Center - $500,000.00; and 5) Do the Right Thing Program of Miami-Dade - $2,000.00. These funds will support long-term, ongoing protracted or complex investigations and other allowable law enforcement operations in compliance with the Miami-Dade Police Department's policies, statutory requirements, and federal guidelines.

Russell Benford
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: March 3, 2015

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

SUBJECT: Agenda Item No. 8(I)(2)

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 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. 8(I)(2)
3-3-15

RESOLUTION NO. R-215-15

RESOLUTION APPROVING RETROACTIVELY REQUEST TO EXPEND $2,402,000.00 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 INCURRED AS OF OCTOBER 1, 2014

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 retroactively approves, pursuant to Florida Statutes Section 932.7055, the request of the County Mayor or County Mayor's designee to expend retroactively $2,402,000.00 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 incurred as of October 1, 2014.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**absent**
Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2015. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Ben Simon

Memorandum

Date: November 6, 2014

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

Attn: Russell Benford
Deputy Mayor

From: J.D. Patterson, 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 submitted to the Miami-Dade Police Department Law Enforcement Trust Fund Committee Chairperson. The 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).

Retroactive approval is requested for the proposed expenditures due to the high priority of these law enforcement initiatives and the necessity to have funding available for these critical operations. The proposed expenditures will be effective with the start of the fiscal year, October 1, 2014, through completion of the project.

PROPOSED ASSET SHARING EXPENDITURES (Trust Fund)

1. **Youth Safety Initiative** **$ 250,000**
   This Trust Fund project will support recommendations from the Joint Roundtable on Youth Safety to increase police visibility for in and out-of-school safety, especially at areas in the community which are known to be frequented by at risk youth. The project will provide the resources to allocate and deploy personnel based on strategies developed by the Joint Roundtable, such as truancy sweeps, traffic enforcement, and during early release dates, and transportation route safety. Other recommended strategies which will be supported by this project may also include park and talk, roll calls at schools, classroom presentations, quadrant patrols, training, and adopt-a-school. Funds will be provided from State Asset Sharing (Crime Prevention).

2. **Targeted Crimes Initiative** **$ 700,000**
This Trust Fund project will support an initiative aimed at combating targeted crimes, particularly in our neighborhoods. This initiative will be developed using a data driven process, including crime analysis, crime trends, intelligence, and other factors which serve to identify "hot spots" of violent crimes. These violent crimes may include, but not be limited to, murders, violent assaults, robberies, burglaries, and thefts. Personnel will be deployed using this data driven process. The project will provide the resources to allocate and deploy personnel and will also support related investigative expenses. This project is a proactive response to serious crimes which provides for the public safety of our citizens and visitors. Funds will be provided from Treasury Asset Sharing.

3. **Violent Crimes and Special Investigations** **$950,000**
This Trust Fund Project will support an initiative aimed at combating violent crimes and other special investigations. A high priority will be investigations concerning gun violence. The project will enhance these protracted, complex investigations by providing the resources to allocate and deploy personnel based on identified crimes, crime data, and other intelligence information. This initiative will support increased personnel and related investigative expenses. These crimes include, but may not be limited to, homicides, robberies, special victims, economic, narcotics, and others. In addition, the project will enhance related investigative support via forensic services and crime scene investigations. Funds will be provided from State Asset Sharing (Complex Investigations).

4. **Real-Time Crime Center** **$500,000**
This Trust Fund project will support the implementation of a comprehensive Real-Time Crime Center which will integrate existing and new data. The purpose of this Real-Time Crime Center is to use information more effectively to solve crimes and deploy personnel more efficiently. It will provide detectives and officers in the field with timely analytical support. Funds will be provided from Justice Asset Sharing.

5. **Do The Right Thing Program of Miami-Dade** **$ 2,000**
This Trust Fund project will provide support to a local program, Do The Right Thing, in recognition of children and their positive actions and behavior. This program, developed by the Miami Police Department, serves children countywide. Funds will be provided form State Asset Sharing (Crime Prevention).

FINANCIAL SUMMARY

PROPOSED JUSTICE ASSET SHARING EXPENDITURES	$ 500,000
PROPOSED STATE ASSET SHARING EXPENDITURES	$ 1,202,000
PROPOSED TREASURY ASSET SHARING EXPENDITURES	$ 700,000
Total Recommended Amount	**$ 2,402,000**

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.

L.D. Patterson
Director

11-6-14
Date