

RESOLUTION NO. 13- 2154

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2012/2013 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$2,000.00 FROM THE FORFEITURE FUND TO PURCHASE BREECHING TOOLS AND LESS THAN LETHAL CHEMICAL AGENTS FOR THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 881(e)(3) of Title 21, United States Code and Florida Statutes Section 932.7055, define the purposes and procedures for the appropriation and expenditure of funds from the Police Confiscation Fund; and

WHEREAS, the Chief of Police of the Town of Surfside has determined that the appropriation and expenditure of funds is necessary as further described in the Commission Communication attached hereto as Exhibit "A"; and

WHEREAS, such funds are available in the Police Confiscation Fund State of Florida and Federal Asset Forfeiture Program; and

WHEREAS, all officers will be trained with the equipment, and use of the equipment must be approved by a supervisor, and the equipment will be safely secured in the garage.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. **Confiscation Fund Expenditures and Authorization.** Based on the attached Certificate of Chief of Police (see Exhibit "B"), the Town Commission hereby approves the Fiscal Year Police Confiscation Fund expenditure in the amount of \$2,000.00 from the Forfeiture Fund to Purchase breeching tools and less than lethal chemical agents for the Police Department.

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

PASSED and ADOPTED this 15th day of May, 2013.

Motion by Vice Mayor Karukin, second by Commissioner Olchyk.

FINAL VOTE ON ADOPTION

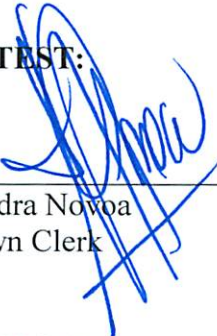
Commissioner Joseph Graubart
Commissioner Michelle Kligman
Commissioner Marta Olchyk
Vice Mayor Michael Karukin
Mayor Daniel Dietch

yes
Absent
yes
yes
yes



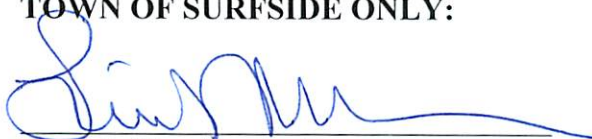
Daniel Dietch, Mayor

ATTEST:



Sandra Novoa
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney



Town of Surfside Commission Communication

Agenda Item #:

Agenda Date: May 15, 2013

Subject: Expenditure of Forfeiture Funds for the Purchase of Special Equipment

Background: On certain emergencies such as an active shooter event, the Police Department needs to have in place special equipment in order to respond effectively and safely. The special equipment required is breaching tools and less than lethal chemical agents. The specific breaching tools are a thundersledge, a hallagan tool, a tactical entry ram, and a padlockbuster. The chemical agents are a case of OC canister grenades. All officers will be trained with the equipment. Use of the equipment must be approved by a supervisor. The equipment will be safely secured in the garage.

Budget Impact: The cost for the police special equipment is \$2000 from the Forfeiture Fund. As of April 2013, there is an unexpended balance \$136,849 from FY 12/13 in this account. An additional \$13,100.77 was added to the account in April 2013 from closed 2011 investigations. The Surfside Police Department participates in a multi-agency money laundering narcotics task force that in 2013 has seized 18.7 kilos of cocaine, 1 kilo of heroin, 37 pounds of marijuana, 39 marijuana plants, 2 firearms, 4.9 million in currency, and made 15 arrests.

Staff Impact: N/A

Recommendation: Staff recommends that the Town Commission approved a resolution authorizing an expenditure of \$2000 from the Forfeiture Fund for police special equipment.



David Allen, Chief of Police



Michael Crotty, Town Manager

CERTIFICATE OF CHIEF OF POLICE

I, DAVID E. ALLEN, Chief of Police of the Town of Surfside, do hereby certify the expenditures for \$2,000.00 from the forfeiture fund to purchase breaching tools and less than lethal chemical agents for the Police Department from the Town of Surfside Confiscation Fund, for the 2012/2013 Fiscal Year budget complies with provisions Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055.

Dated: 5/8/2013



David E. Allen
Chief of Police