

RESOLUTION NO. 2019-2502

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING FISCAL YEAR 2018/2019 POLICE FORFEITURE FUND EXPENDITURES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 881(e)(3) of Title 21, United States Code and Section 932.7055, Florida Statutes define the purpose and procedures for appropriation of funds from the Town of Surfside (the “Town”) Police Forfeiture Fund; and

**WHEREAS**, forfeiture funds may be used for law enforcement purposes only including supporting community policing activities, law enforcement training, law enforcement operations, law enforcement equipment, crime awareness programs, and community-based initiatives (collectively, the “Forfeiture Initiatives”); and

**WHEREAS**, forfeiture funds assist the Town’s Police Department in conducting promotional activities and crime prevention programs, and distributing crime prevention material and miscellaneous supplies for children, residents and businesses throughout the year, including: the Citizens Police Academy; school career days; Teen Summer Camp; Holiday Toy Drive; residential and commercial security surveys; victim awareness seminars; and Bike with the Chief and Do the Right Thing of Miami youth program; and

**WHEREAS**, forfeiture funds assist the Town’s Police Department in supporting the patrol mobile laptop program which allows officers to electronically complete their reports, arrest affidavits and conduct criminal and driver license checks; and

**WHEREAS**, forfeiture funds also assist the Town’s Police Department in purchasing special police equipment throughout the fiscal year such as weapons, weapon accessories, field

force equipment, electronic control weapons, ammunition, simunition, body armor, telecommunication, electronic surveillance, office supplies, fitness and training; and

**WHEREAS**, the Town’s Chief of Police has determined that the appropriation and expenditure of forfeiture funds is necessary to support the Forfeiture Initiatives and in support of the expenditures has executed the Certification attached hereto as Attachment “A”; and

**WHEREAS**, the Town Commission wishes to approve the use of \$110,500 of forfeiture funds to support the Forfeiture Initiatives as set forth in Attachment “A”; and

**WHEREAS**, forfeiture funds are available in the State of Florida Forfeiture Account within the Town’s Police Forfeiture Fund; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

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

**Section 1. Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Approval of Police Forfeiture Fund Expenditures.** That, based on the Certificate of the Chief of Police set forth in Attachment “A” hereto, the Town Commission hereby approves the Police Forfeiture Fund expenditures for Fiscal Year 2018/2019 in the amount of \$110,500.00 to support Forfeiture Initiatives, all as set forth in Attachment “A.”

**Section 3. Authorization.** That the Town Commission hereby authorizes the Town Manager and Chief of Police to execute any purchase order or required documentation for the expenditures described in this Resolution, subject to approval by the Town Attorney as to form

and legality, and to take any action which is reasonably necessary to implement the purpose of this Resolution.

**Section 4. Effective Date.** That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** on this 8<sup>th</sup> day of January, 2019.

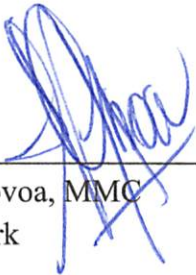
Motion By: Vice Mayor Gieichinsky

Second By: Commissioner Karukin

**FINAL VOTE ON ADOPTION:**

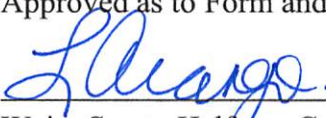
Commissioner Barry Cohen	<u>Absent</u>
Commissioner Michael Karukin	<u>yes</u>
Commissioner Tina Paul	<u>yes</u>
Vice Mayor Daniel Gielchinsky	<u>yes</u>
Mayor Daniel Dietch	<u>yes</u>

Attest:

  
\_\_\_\_\_  
Sandra Novoa, MMC  
Town Clerk

  
\_\_\_\_\_  
Daniel Dietch, Mayor

Approved as to Form and Legal Sufficiency:

  
\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney

**ATTACHMENT A**

**CERTIFICATE OF CHIEF OF POLICE**

**I, JULIO YERO, Chief of Police of the Town of Surfside, do hereby certify the following expenditures for \$110,500.00 from the State of Florida Forfeiture Account within the Town of Surfside Police Forfeiture Fund, for the 2018/2019 Fiscal Year budget complies with provisions Section 881(e)(3) of Title 21, United States Code and §932.7055, Fla. Stat.:**

(1) \$12,000.00 for promotional activities; crime prevention initiatives, programs, and training; and distribution of crime prevention material and miscellaneous supplies for children, residents and businesses throughout the year. The training, programs, and materials include the Citizens Police Academy, school career days, Teen Summer Camp, Holiday Toy Drive, residential and commercial security surveys, victim awareness seminars, Bike with the Chief, and Do The Right Thing of Miami youth program,. The sum also includes the expense for the annual mandated federal audit.

(2) \$58,500.00 for patrol mobile program that includes laptop program lease, software and the air cards;

(3) \$40,000.00 for special law enforcement equipment (weapons, weapon accessories, field force equipment, electronic control weapons, ammunition, simunition, body armor, telecommunication, electronic surveillance, office supplies, fitness, and training).

**Dated:** \_\_\_\_\_

\_\_\_\_\_  
**JULIO YERO**  
**Chief of Police**