

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2047.09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF THE FUNDS FROM THE TOWN'S LAW ENFORCEMENT TRUST FUND IN CONNECTION WITH CERTAIN PREVIOUSLY-APPROVED PURCHASES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach (the "Town"), pursuant to Resolutions No. 1935.09, 2006.09, 2017.09, 2018.09 and 2034.09, has recently approved the acquisition of several new or additional key resources for the Police Department as immediate needs (collectively, the "Equipment"), including \$44,140.00 for a report writing and records management system for police computers, \$27,391.84 for emergency equipment and decal markings for four (4) additional Ford Explorers, \$26,198.25 for two (2) new Mercury Marine 250 HP motors for the police patrol boat, \$9,787.00 for training and duty ammunition for patrol rifles, \$5,040.00 for patrol rifles and companion equipment, \$4,319.84 for electronic weapon locks for vehicles, \$4,290.00 for radio and siren consoles for Ford Explorers, and \$3,800.00 for additional police 2-way radios, for a total of \$124,966.93 in expenses; and

WHEREAS, the Town's Law Enforcement Trust Fund account (the "LETf") includes assets forfeited to the Town by authority of the Florida Contraband Forfeiture Act and/or by Federal Asset Forfeiture Statutes; and

WHEREAS, the Town Council desires to utilize LETf funds to purchase the Equipment; and

WHEREAS, the monies contained in the LETF are the result of seized assets from joint investigations between the Town Police Department and other law enforcement agencies – not from tax revenue; and

WHEREAS, the Chief of Police has recommended that the purchase of the Equipment be made from the Town's LETF for "Other Law Enforcement Purposes" and other purchases specifically authorized by law; and

WHEREAS, the Chief of Police certifies that this expenditure complies with § 932.7055, Florida Statutes, in that the funds will be used for an appropriate law enforcement purpose; and

WHEREAS, the Chief of Police certifies that the Town's LETF is not being used as a normal source of revenue for the Town Police Department; and

WHEREAS, the Chief of Police certifies that the Town's LETF was not considered in the adoption and approval of the Police Department budget; and

WHEREAS, the Town Council finds that it is in the best interest of the Town to proceed as indicated in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Use of LETF Authorized. That the use of LETF funds to purchase the Equipment is hereby authorized and approved.

Section 3. Implementation. That the Mayor and Town Manager are authorized to take any and all action which is necessary to implement this Resolution.

Section 4. Effective Date. That this Resolution shall be effective

immediately upon adoption.

Sponsored by the Town Administration.

The Motion to adopt the foregoing Resolution was offered by Vice Mayor Lusskin, seconded by Councilmember Rojas and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Judy Lusskin	<u>Aye</u>
Councilmember Ben Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Amy Rojas	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 27th day of October, 2009.



MAYOR GLENN SINGER

ATTEST:



ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY

AFFIDAVIT

STATE OF FLORIDA:

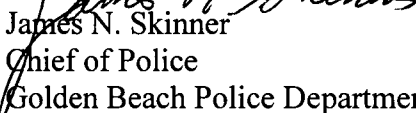
: SS

COUNTY OF MIAMI-DADE:

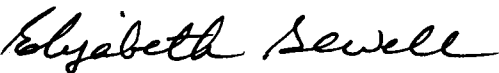
Before me this day personally appeared James N. Skinner who deposes and says that:

I, James N. Skinner, Chief of Police, Town of Golden Beach, do hereby certify that:

- 1) this request for a \$124,966.93 expenditure from the Town of Golden Beach's Law Enforcement Trust Fund (LETF) accounts is for appropriate law enforcement purposes.
- 2) the expenditures are for the purchase and installation of: a Report Writing and Records Management System (RMS) for Police Computers (\$44,140.00), Emergency Equipment & Decals markings for (4) additional Ford Explorers (\$27,391.84), Two (2) new Mercury Marine 250 HP additional motors for the Police Patrol Boat (\$26,198.25), Training and duty ammunition for patrol rifles (\$9,787.00), Patrol Rifles and companion equipment (\$5,040.00), Electronic Weapon Locks for Vehicles (\$4,319.84), additional Radio and siren Consoles for additional Ford Explorers (\$4,290.00), and additional Police 2-way radios (\$3,800.00).
- 3) these expenditures comply with the provisions of Florida State Statutes 932.7055, known as the Law Enforcement Trust Fund (LETF), as amended. They also comply with the requirements of the Federal Asset Forfeiture Statutes under which the Golden Beach Police Department seizes assets.
- 4) the Town's Law Enforcement Trust Fund is not being used as a normal source of revenue for the Town's Police Department; and
- 5) the Town's Law Enforcement Trust Fund was not considered in the adoption and approval of the Police Department budget.


James N. Skinner
Chief of Police
Golden Beach Police Department

Subscribed and sworn to before me this 10 day of NOVEMBER, 2009 by James N. Skinner who is personally known to me.


NOTARY PUBLIC
STATE OF FLORIDA
AT LARGE

