

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2735.21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES TO MAKE A \$5,000 CONTRIBUTION TO THE UNITED WAY OF MIAMI-DADE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to make a \$5,000 contribution to The United Way of Miami-Dade to create economic opportunities to families and individuals in need by providing financial, health and emergency response services to residents of Miami-Dade County; and

WHEREAS, the United Way of Miami-Dade is an organization committed to making sure all children have access to a quality education, individuals and families have the proper skill sets to land and keep good jobs, and that everyone have access to affordable, quality health care; and

WHEREAS, the Town's LETF account includes assets forfeited to the Town by authority of the Florida Contraband Forfeiture Act and by the Federal Asset Forfeiture Statutes; and

WHEREAS, the Town Council desires to utilize LETF funds to pay for this contribution; and

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

WHEREAS, the Chief of Police has recommended that the \$5,000 cost be taken from the Town's LETF for "***other law enforcement purposes***" specifically authorized by law; and

WHEREAS, the Chief of Police certifies that this expenditure complies with § 932.7055, Florida Statutes, and / or the Federal Seizure 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. \$5,000 Contribution to the United-Way of Miami-Dade is Authorized. That the contribution of \$5,000 to the United Way of Miami-Dade in two installments paid out over two fiscal years, and the use of LETF funds to make the contribution are 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 **Town Administration.**

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

Mayor Glenn Singer

Aye

Vice Mayor Judy Lusskin Aye
Councilmember Bernard Einstein Aye
Councilmember Jaime Mendal Aye
Councilmember Kenneth Bernstein Aye

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida,
this 20th day April, 2021.



MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
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 Rodolfo Herbello who deposes and says that:

"I, Rodolfo Herbello, Chief of Police, Town of Golden Beach, do hereby certify that:

1. *This request for expenditures specifically is authorized by law and will be used for an appropriate law enforcement purpose;*
 - a. *this request for a \$5,000.00 expenditure from the Town of Golden Beach's Forfeited Assets Fund to make a contribution to the United Way of Miami-Dade to create economic opportunities to families and individuals in need by providing financial, health and emergency response services to residents of Miami-Dade County, complies with the provisions of Florida State Statute 932.7055, known as the Law Enforcement Trust Fund (LETF), as amended or,*
 - b. *It complies with the requirements of the Federal Asset Forfeiture Statutes under the U.S. Department of Justice publication titled "Guide to Equitable Sharing for State and Local Law Enforcement Agencies" which specifically provides that the equitably shared forfeited asset funds resulting from the participation of a local agency in investigations with Federal law enforcement agencies may be utilized by the participating local agency to acquire law enforcement equipment or certain resources for use by law enforcement personnel that supports law enforcement activities.*
2. *The Town's Law Enforcement Trust Fund is not being used as a normal source of revenue for the Town's Police Department; and*
3. *The Town's Law Enforcement Trust Fund was not considered in the adoption and approval of the Police Department budget."*

Rodolfo Herbello
Chief of Police
Golden Beach Police Department

Subscribed and sworn to before me this 20th day of April, 2021 by Rodolfo Herbello who is personally known to me.

**NOTARY PUBLIC
STATE OF FLORIDA
AT LARGE**

