

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2872.23

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE EXPENDITUE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES FOR COSTS ASSOCIATED WITH THE CONSTRUCTION AND UNIQUE EQUIPMENT OF THE NEW CIVIC CENTER BUILDING; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town is currently constructing a new Civic Center complex for the residents of Golden Beach which will house Police Administrative Personnel and a Landfall Team Bunker / Police Training Facility; and

WHEREAS, the Town has allocated \$1,700,000.00 of LETF monies for costs associated with the construction and equipment of this project; 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 by the Federal Asset Forfeiture Statutes; and

WHEREAS, the Town Council desires to utilize available LETF funds to pay for additional associated construction and equipment cost; 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 \$1,700,000 million cost be taken from the Town's LETF as 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. Use of LETF Authorized. That the use of LETF funds 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 Councilmember Lusskin, seconded by Councilmember Einstein and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Jaime Mendal	<u>Absent</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden
Beach, Florida, this 16th day of May, 2023.



MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 16, 2023

Item Number:

To: Honorable Mayor Glenn Singer &
Town Council Members

6

From: Alexander Diaz,
Town Manager

Subject: **Resolution No. 2872.23- Authorizing the Expenditure of \$1.7-million from the Law Enforcement Trust Fund (LETf) monies for Civic Center Construction and Unique Equipment**

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2872.23 as presented.

Request:

It is requested that the Town authorize the expenditure of Law Enforcement Trust Fund (LETf) monies as proposed in the FY 22-23 Budget, specifically associated with the construction and unique equipment for the new Town Civic Center.

Background:

As part of the Town's Civic Center Complex Master Plan, the Town has constructed Police Administrative offices, a landfall team police bunker and a police training facility.

The Town's Law Enforcement Trust Fund account contains monies forfeited in both State and Federal task force investigations that have included officers of the Golden Beach Police Department. State or federally seized LETf monies can be used to pay for this service.

This Item authorizes the use of LETf Funds to cover some of the costs of the construction of the Civic Center Building.

Financial Impact:

\$1.7-million from the Town's Law Enforcement Trust Fund (LETf) towards the total Contract costs of \$7,086,548.74.

Attachments: Agenda Item Resolution, & LETf Affidavit

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 \$1.7-million expenditure from the Town of Golden Beach's Law Enforcement Trust Fund (LETF) to be used for the construction and unique equipment for the new Town Civic Center 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 11th day of May, 2023 by Rodolfo Herbello who is personally known to me.



**NOTARY PUBLIC
STATE OF FLORIDA
AT LARGE**

