

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2677.20

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 \$500 CONTRIBUTION TO THE AMERICAN HEART ASSOCIATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town desires to make a \$500 contribution to the American Heart Association (“AHA”) to build healthier lives, free of cardiovascular diseases; and

WHEREAS, the AHA’s mission is to fight America’s number 1 killer – cardiovascular disease, with a new initiative created to highlight the efforts of South Florida’s first responders in lieu of the global health crisis and the health risks they face while they continue to serve our communities; 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 \$500 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. \$500 Contribution to AHA is Authorized. That the contribution of \$500 to AHA 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 Einstein, seconded by Councilmember Mendal and on roll call the following vote ensued:

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

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 26th day of May, 2020.



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 26, 2020

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manager

Subject: **Resolution No. 2677.20 – Authorizing and Approving the
Payment of \$500.00 to the American Heart Association**

Item Number:

4

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2677.20 as presented.

Background:

This resolution approves the donation made to the American Heart Association.

The American Heart Association (AHA) is an organization whose mission is to fight America's number 1 killer – cardiovascular disease. AHA has created a new initiative to highlight the efforts of South Florida's first responders in lieu of the global health crisis and the health risks they face while they continue to serve our communities. Heart disease is a major risk factor for law enforcement due to high levels of stress.

Fiscal Impact:

If approved by Council the amount authorized will be \$500.00.

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 \$500.00 expenditure from the Town of Golden Beach’s Forfeited Assets Fund to make a contribution to the American Heart Association (AHA) to assist their mission to fight America’s number 1 killer – cardiovascular disease, which is a major risk factor for law enforcement due to high levels of stress, 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 26th day of May, 2020 by
Rodolfo Herbello who is personally known to me.

**NOTARY PUBLIC
STATE OF FLORIDA
AT LARGE**



Greater Southeast Affiliate
Greater Miami/Ft. Lauderdale
4000 Hollywood Boulevard, Suite 170 North
Hollywood, FL 33021
Telephone: 954-364-5000
Fax: 954-364-5001
www.heart.org

Rudy Herbello
Chief of Police
Golden Beach Police Department
1 Golden Beach Dr.
Golden Beach, Florida 33180

May 6, 2020

Chief Herbello,

I hope that my letter finds you and your officers in good health. As the American Heart Association (AHA) continues to build healthier lives, free of cardiovascular diseases, I am contacting you to seek your support for the American Heart Association's mission to fight America's number 1 killer – cardiovascular disease. This includes our new initiative created to highlight the efforts of South Florida's first responders in lieu of the global health crisis and the health risks they face while they continue to serve our communities.

As a former Chief of Police and advocate for officer safety, I have been volunteering with the AHA since 2018. I do so because I believe that their efforts by way of research and support to doctors will help police officers live a healthier life and extend their life expectancy which is limited due to the stresses associated with the career.

Heart disease takes a life every 39 seconds. Although great strides are being made toward the prevention and cure of these diseases, they still take a staggering toll and our first responders are being directly affected.

As you are aware, safety and wellness have been and continue to be one of the top focuses for the International Association of Chiefs of Police (IACP), as I am certain that it is one of your top priorities with your agency. To that end, heart disease is a major risk factor for law enforcement due to high levels of stress. In fact, police officers' risk of sudden cardiac death was 34 to 69 times higher during restraints or altercations; 32 to 51 times higher during pursuits; 20 to 23 times higher during physical training; and 6 to 9 times higher during medical or rescue operations, as compared with routine or non-emergency.

Yet, our first responders continue to risk their lives for the wellbeing of our communities. I have known you for a long time and I know that you are an advocate and champion for officers safety and wellness, which is my reason for submitting this request to you on behalf of the AHA.

In the furtherance of continuing to support officer safety and wellness, I am requesting your consideration to contribute by way of the department's forfeiture funds. By way of State or Federal Forfeiture funds, your contribution will provide a significant platform for the AHA to support the research doctors in finding medical

*The American Heart Association is a registered 501(c) 3 organization.
For your tax purposes, our Federal ID # is 13-5613797*

solutions. The funds will provide the opportunity to feature the lifesaving work first responders are accomplishing, raise awareness of the lifestyle changes needed to battle heart disease, and provide essential support to our communities after assessing our local needs. Lastly, the funds will aid critical research to help lower those staggering statistics of heart disease and stroke among our first responders.

If your agency is unable to support by way of forfeiture fund contributions (LETF), I would then ask that you consider supporting a Heart Walk Team for the 2020 AHA Miami-Dade Heart Walk & 5K Run. You can learn more about this on our website or visiting my team website at <https://bndfr.com/cvQgY>.

Thank you for your consideration and future support of the Miami Dade Heart Walk and 1st Responders' Campaign. I welcome an opportunity to speak with you directly to further discuss the benefits the officers will gain from the forfeiture funds contribution. I believe in the AHA, their vision, and trust that officers' safety and wellness will be enhanced from your contributions.

Donation can be sent by mail to the American Heart Association, 4000 Hollywood Blvd., Suite 170-N, Hollywood, FL 33021.



Frank G. Fernandez
Board Member
American Heart Association

Chief of Police (Ret.)
Miami Police Retiree
Hollywood Police
Coral Gables Police/Fire Rescue (Frm.)
Director of Public Safety/ Asst. City Manager
305-986-5182