

RESOLUTION NO. 2013-28412

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE FISCAL YEAR (FY) 2012/13 GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS.

WHEREAS, the Administration has performed an analysis of year-end revenues and expenditures and the Police Confiscation Trust Fund-Federal expenditures exceed their appropriation; and

WHEREAS, Florida Statutes require that actual expenditures not exceed budget at the level at which the budget is adopted; and

WHEREAS, the City of Miami Beach adopts the Police Confiscation Trust Fund-Federal budget at the fund level; and

WHEREAS, a budget amendment is required for funds that are projected to overspend their appropriation; and

WHEREAS, Section 932.7055 of the Florida Statutes sets forth the purpose and procedures to be utilized for the appropriation and expenditures of the Police Confiscation Trust Funds; and

WHEREAS, the proceeds and interest earned from the Police Confiscation Trust Funds are authorized to be used for crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes; and

WHEREAS, the Chief of Police is authorized to expend these funds upon request to the City of Miami Beach Commission, and only upon appropriation to the Miami Beach Police Department by the City of Miami Beach Commission; and

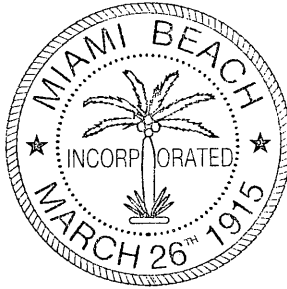
WHEREAS, the Chief of Police of the City of Miami Beach has submitted a written certification which states that this request complies with the provisions of Section 932.7055 of the Florida Statutes (written certification attached as Exhibit B), and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies; and

WHEREAS, funds in the amount of \$58,500 are available in the Police Confiscation Trust Fund as follows:

	CURRENT BUDGET	INCREASE	AMENDED BUDGET
STATE-	\$ 1,134,300	\$ 0	\$1,134,300
FEDERAL-	\$ <u>312,800</u>	\$ <u>58,500</u>	\$ <u>371,300</u>
TOTAL-	\$ 1,447,100	\$ 58,500	\$1,505,600

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt an Amendment to the Police Confiscation Trust Fund-Federal budget for fiscal year 2012/2013 and appropriate funds in the amount of \$58,500, from the proceeds of Federal confiscated funds for the appropriation and expenditure of those items set forth in Exhibit "A," which shall be funded through the Police Confiscation Trust Fund.

PASSED AND ADOPTED this 25th day of November, 2013.



ATTEST:



RAPHAEL E. GRANADO, CITY CLERK


MAYOR PHILIP LEVINE

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Donald P. [Signature] 11/21/13
CITY ATTORNEY AB DATE

"EXHIBIT A"
MIAMI BEACH CONFISCATED TRUST FUND BUDGET
BUDGET AMENDMENT - FISCAL YEAR 2012/13

FEDERAL CONFISCATION FUNDS

AMOUNT

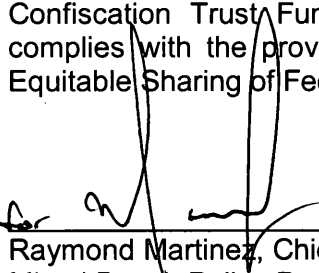
LAW ENFORCEMENT EQUIPMENT - GPS IN VEHICLES & MONITORING

\$ 58,500

EXHIBIT "B"

CERTIFICATION

I, Raymond Martinez, Chief of Police, City of Miami Beach, do hereby certify that the aforementioned proposed request for expenditures from the City of Miami Beach Police Confiscation Trust Fund, for the 2012/2013 fiscal year providing funds for expenditures, complies with the provisions of Section 932.7055(4)(a), Florida Statutes, and the Guide to Equitable Sharing of Federally Forfeited Property for Local Law Enforcement Agencies.



Raymond Martinez, Chief of Police
Miami Beach Police Department

11/22/13

Date

Condensed Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE FISCAL YEAR (FY) 2012/13 GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS

Key Intended Outcome Supported:

Improve the City's overall financial health and maintain overall bond rating

Supporting Data (Surveys, Environmental Scan, etc.):

N/A

Item Summary/Recommendation:

Per Florida Statute 166.241, the City has 60 days following the end of the fiscal year to amend a budget for that year. Proposed budget amendments represent the budget amendment required by state law for funds, departments, or accounts that exceed their appropriated authority.

Based on a detailed analysis comparing FY 2012/13 actual expenditures to budget which will be distributed separately via Letter to Commission (LTC), all expenditures are within FY 2012/13 amended budgets per their appropriated authority. The only exception is the Police Confiscation Trust Fund-Federal, which is a Special Revenue fund.

Based on the year-end analysis, the Police Confiscation Trust Fund-Federal overspent its appropriation due to the rollover of an existing purchase order from FY 2011/12 for Automatic Vehicle Location equipment for Police Patrol vehicles and needs to be amended. Florida Statutes require that actual expenditures not exceed budget at the level at which the budget is adopted, which for the Police Confiscation Trust Fund-Federal is at the fund level.

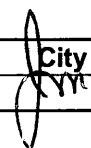
The Fiscal Year 2012/13 budget for the Police Confiscation Trust Funds was most recently amended on September 30, 2013, with the adoption of Resolution No. 2013-28362.

It should be noted that actual expenditures to date are preliminary in nature due to the fact that the City's financial records will not be closed until after the external auditors complete their review. Historically, this occurs in April, with the City's Comprehensive Annual Financial Report (CAFR) For the Year Ended September 30, 2013, usually available in May and the External Auditor's Report available in July. However, this analysis has considered all year-end entries to date and adjusted for pending entries where appropriate.

Financial Information:

Source of Funds:		Amount	Account
 OBPI	FY 2012/13	\$58,500	603-8000-351211 Confiscation Trust Fund-Federal

Financial Impact Summary:**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		





MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: November 25, 2013

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE FISCAL YEAR (FY) 2012/13 GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS**

ADMINISTRATION RECOMMENDATION

Adopt the resolution amending the FY 2012/13 General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds budgets.

COMPLIANCE WITH FLORIDA STATUTES

Per Florida Statute 166.241, the City has 60 days following the end of the fiscal year to amend a budget for that year. Proposed budget amendments represent the budget amendment required by state law for funds, departments, or accounts that exceed their appropriated authority.

Based on a detailed analysis comparing FY 2012/13 actual expenditures to budget which will be distributed separately via Letter to Commission (LTC), all expenditures are within FY 2012/13 amended budgets per their appropriated authority. The only exception is the Police Confiscation Fund-Federal, which is a Special Revenue fund.

It should be noted that actual expenditures to date are preliminary in nature due to the fact that the City's financial records will not be closed until after the external auditors complete their review. Historically, this occurs in April, with the City's Comprehensive Annual Financial Report (CAFR) For the Year Ended September 30, 2013, usually available in May and the External Auditor's Report available in July. However, this analysis has considered all year-end entries to date and adjusted for pending entries where appropriate.

BUDGET AMENDMENT FOR FY 2012/13 SPECIAL REVENUE FUNDS

The City of Miami Beach currently offers certain programs and activities not supported through the general operating budget, but by outside agency grants and self-supporting user fee programs. These Special Revenue Fund Budgets include:

- Resort Tax Fund;
- 7th Street Garage Operations;
- 5th & Alton Garage Operations;
- Art in Public Places;
- Tourism and Hospitality Scholarship Program;
- Green/Sustainability Fund;
- Waste Hauler Additional Services and Public Benefit Contribution Fund;
- Education Compact Fund;
- Red Light Camera Fund;
- Emergency 911 Fund;
- Information and Communications Technology Fund;
- People's Transportation Plan Fund;
- Concurrency Mitigation Fund;
- Miami Beach Cultural Arts Council;
- Police Special Revenue Account;
- Police Confiscation Trust Funds (Federal and State); and
- Police Training and School Resources Fund

The Police Confiscation Trust Funds provide for expenditures of forfeiture funds for law enforcement purposes. As a matter of policy, confiscation funds are typically utilized for capital purchase or one-time, non-recurring expenses, including specialized equipment, grant matches, and organizational training.

Based on the year-end analysis, the Police Confiscation Trust Fund-Federal overspent its appropriation due to the rollover of an existing purchase order from FY 2011/12 for Automatic Vehicle Location equipment for Police Patrol vehicles and needs to be amended. Florida Statutes require that actual expenditures not exceed budget at the level at which the budget is adopted, which for the Police Confiscation Trust Fund-Federal is at the fund level.

The Fiscal Year 2012/13 budget for the Police Confiscation Trust Funds was most recently amended on September 30, 2013, with the adoption of Resolution No. 2013-28362.

CONCLUSION

The resolution amending FY 2012/13 budgets will allow amendments to the General Fund, Enterprise Funds, Internal Service Funds and Special Revenue Fund budgets to be enacted. This action is necessary to comply with Florida Statutes which stipulate that we may not expend more than our appropriations provide.