

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-127

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CURRENT BALANCES PLUS ACCRUED INTEREST FROM THE STATE ATTORNEY FORFEITURE ACCOUNT, FOR WHICH THE CITY OF CORAL GABLES IS AUTHORIZED TO ACT AS DEPOSITORY, TO THE MIAMI-DADE OFFICE OF THE STATE ATTORNEY. FURTHER, THAT PURSUANT TO THE LEGISLATIVE AUTHORITY GRANTED TO THE MIAMI-DADE OFFICE OF THE STATE ATTORNEY FINDER FSS 27.3451 AND FSS 932.704, THE CITY OF CORAL GABLES WILL NO LONGER NEED TO ACT AS DEPOSITORY FOR THE STATE ATTORNEY FORFEITURE ACCOUNT. ANY FUTURE FORFEITED ASSET EQUITABLE SHARES DESIGNATED FOR DISTRIBUTION TO THE MIAMI-DADE OFFICE OF THE STATE ATTORNEY FROM THE SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE WILL BE DISTRIBUTED DIRECTLY TO THE "STATE ATTORNEY'S FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND".

WHEREAS, the City of Coral Gables has acted as the authorized depository for the State Attorney Forfeiture Account for forfeited asset equitable shares designated for distribution to the Miami-Dade Office of the State Attorney as a result of criminal investigations conducted by the South Florida Money Laundering Strike Force, and

WHEREAS, the Miami-Dade Office of the State Attorney has been granted legislative authority under FSS 27.3451 and FSS 932.704 to establish a "State Attorney's Forfeiture and Investigative Support Trust Fund" to act as depository for these forfeited asset equitable shares, and

WHEREAS, the Miami-Dade Office of the State Attorney Office has requested from the City of Coral Gables via correspondence to the Finance Director that currently held forfeited asset equitable shares plus accrued interest be transferred to them, as the City of Coral Gables will no longer need to act as depository of those equitable shares, and

WHEREAS, the Coral Gables Police Chief M. L. Hammerschmidt certifies that the request complies with all provisions of the appropriate FAF Statute, and provisions of the Coral Gables Forfeited Asset Fund Committee;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution upon adoption hereof.

SECTION 2. That the Finance Director is hereby authorized to transfer current balances plus accrued interest from the State Attorney Forfeiture Account to the Miami-Dade Office of the State Attorney, "State Attorney's Forfeiture and Investigative Support Trust Fund".

SECTION 3. Future forfeited asset equitable shares designated for distribution to the Miami Dade Office of the State Attorney as a result of criminal investigations conducted by the South Florida Money Laundering Strike Force will be distributed directly to the "State Attorney's Forfeiture and Investigative Support Trust Fund".

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF AUGUST, A.D., 2008.

(Moved: Withers / Seconded: Anderson)

(Yeas: Anderson, Cabrera, Kerdyk, Withers, Slesnick)

(Unanimous: 5-0 Vote)

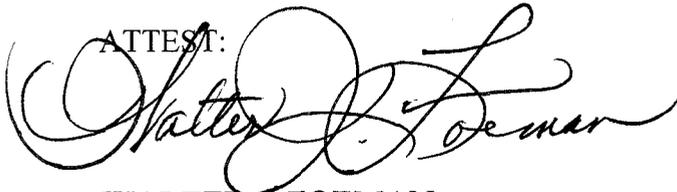
(Agenda Item: H-3)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY



STATE ATTORNEY
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA
E. R. GRAHAM BUILDING
1350 N.W. 12TH AVENUE
MIAMI, FLORIDA 33136-2111

KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY

TELEPHONE (305) 547-0100
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July 22, 2008

VIA FACSIMILE & U.S. MAIL

Don Nelson
Finance Director
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134

Re: State Attorney Forfeiture Operating Expense Account

Dear Mr. Nelson:

Thank you so much for speaking to Mr. Mannelli, Ms. Savoldy and myself regarding your City's management of the State Attorney (SAO) Forfeiture Operating Expense Account (UC1) as part of Coral Gables' overall fiscal responsibility for the multi-agency South Florida Money Laundering Strike Force (SFMLSF). We are very grateful for your City's long-term assistance to the SAO as regards management of that account.

As you may know, the State of Florida is experiencing significant revenue shortfalls in the current fiscal year. In response, the legislature has granted budget authorization for State Attorneys to utilize forfeiture monies during fiscal 2008/2009 to augment our reduced funds. In line with this specific legislative authorization, we would like to liquidate any uncommitted SAO forfeiture monies currently maintained in the UC1 account.

We are told that there is approximately \$315,000 in the account, of which approximately \$57,000 is previously committed to fund the SAO's Multi-Agency Gang Strike Force. Accordingly, we would like Coral Gables to remit to the SAO the remaining uncommitted dollars.

Going forward, the SAO will receive its forfeiture share distributions from the SFMLSF in the same manner as all other participating agencies and will not need Coral Gables to manage UC1. However, we are not able as an agency to manage the remaining committed Gang Strike

Don Nelson
July 22, 2008
Page 2 of 2

Force funds. We would greatly appreciate it if the City could manage those funds until they are depleted. We anticipate that by the end of the 2009 calendar year the gang entity will exhaust the account balance. Thereafter, the City would be completely relieved of its service to the SAO as regards UC1.

Once again, on behalf of the State Attorney's Office, thank you and your City for its assistance.

Sincerely,

KATHERINE FERNANDEZ RUNDLE
State Attorney

By: 
JOSE J. ARROJO
Chief Assistant State Attorney

cc: Mark Ginn
Major, Coral Gables Police Department

Bob Breeden
ASAC, FDLE Miami
SFMLSF Director

Ted Mannelli
SAO Executive Director

Sharon Savoldy
SAO Fiscal Director

David Paulus
SAO/SFMLSF Director Designate

Select Year: 2008

Go

The 2008 Florida Statutes

Title V	Chapter 27	View Entire Chapter
JUDICIAL BRANCH	STATE ATTORNEYS; PUBLIC DEFENDERS; RELATED OFFICES	

27.3451 State Attorney's forfeiture and investigative support trust Fund.--There is created for each of the several state attorneys a trust fund to be known as the State Attorney's forfeiture and investigative support trust Fund. Revenues received by a state attorney as a result of forfeiture proceedings, as provided under s. 932.704, shall be deposited in such trust fund and shall be used, when authorized by appropriation or action of the Executive Office of the Governor pursuant to s. 216.181(11), for the investigation of crime, prosecution of criminals, or other law enforcement purposes.

History.--s. 1, ch. 89-307; s. 4, ch. 95-280; s. 17, ch. 2001-56.

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