

CITY OF CORAL GABLES

- MEMORANDUM -

TO: PETER IGLESIAS
CITY MANAGER

DATE: JULY 28, 2020

FROM: EDWARD J. HUDAK, JR.
CHIEF OF POLICE

SUBJECT:
FORFEITED ASSET FUND
REQUESTS

The Forfeited Asset Fund (FAF) consists of certain assets seized during the course of criminal investigations and the proceeds from the sale of certain forfeited assets distributed from both Federal Forfeited Asset Sharing and State Asset Forfeiture proceedings. These assets and proceeds may be expended for law enforcement purposes, but may not be used to meet normal operating expenses of the law enforcement agency.

Listed below are proposals seeking approval to expend State and Federal Forfeited Assets pursuant to the provisions of Florida State Statute 932.7055 and the Department of Justice "*Guide to Equitable Sharing for State and Local Law Enforcement Agencies.*"

In order to proceed with these proposals, the Coral Gables Police Department ("CGPD") is requesting your approval of the following expenditure requests, which have already been reviewed, vetted, and approved by the City Attorney and the Finance Director. In conjunction with the proposals below, a Financial Summary of available funding has also been included with this memorandum.

STATE ASSET FORFEITURE FUNDS

As provided for in Florida State Statute 932.7055(5)(a), the proceeds and interest from assets forfeited as a result of criminal investigations shall be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or other law enforcement purposes.

No requests at this time.

FLORIDA CONTRABAND ACT FUNDS

Florida State Statute 932.7055(5)(c)(3) specifically directs local law enforcement agencies to expend or donate twenty-five percent (25%) of the proceeds from assets forfeited pursuant to the provisions of the Florida Contraband Forfeiture Act for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer programs.

Accordingly, the Police Department has encumbered assets forfeited pursuant to the provisions of FSS 932.7055 under City Commission resolutions to be set aside for the support and operation of those types of programs.

No requests at this time.

FEDERAL ASSET FORFEITURE FUNDS

1. Mobile Command Post Vehicle – Supplement

The Coral Gables Police Department has identified the need for additional funding allocated to the mobile command post vehicle project.

Since the project was first approved in FY19, the Procurement Division has finalized its Invitation for Bid #2020-007 process and has determined the lowest most responsive bidder. Within this process, it was determined that certain items not part of the original request were considered essential for the functionality of the mobile command post vehicle and were added to the final cost. These items were verified by both Nelson Gonzalez, Assistant Director of Information Technology and Steven Riley, Assistant Director for Fleet Management.

As a result, a supplement of \$40,000 is requested to finalize the project and move forward with a formal order for purchase.

Upon approval by the City Commission, the Department will continue to work with the Procurement Division to finalize the formal order for purchase under Invitation for Bid #2020-007. All purchases made will be pursuant to the City’s Procurement Code.

The “*Guide to Equitable Sharing for State and Local Law Enforcement Agencies*” by the United States Department of Justice provides direction to local law enforcement agencies on the permissible uses of forfeited assets shared with local agencies as a result of a local agency’s participation in federal criminal investigations.

Per this guide, a permissible use of federally forfeited assets is the cost associated with law enforcement equipment.

Accordingly, the Police Department is proposing an additional expenditure of \$40,000 in forfeited assets to fund the acquisition of a mobile command post vehicle in line with Invitation for Bid #2020-007.

APPROVAL

DATE

DISAPPROVAL

Diana M. Gomez
Finance Director

Diana M. Gomez
Finance Director

Miriam Soler Ramos
City Attorney

Miriam Soler Ramos
City Attorney

Peter J. Iglesias
City Manager

Peter J. Iglesias
City Manager

EJH/kem