

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2945.24

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE USE OF AVAILABLE LETF MONIES FOR THE COST ASSOCIATED WITH THE PURCHASE OF FOUR (4) SPEEDCHECK-15, SOLAR POWERED, YELLOW 88 + YELLOW SLOW DOWN, FDOT, WITH POWDER COAT AND A SOLAR CABINET, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Golden Beach, Florida (the "Town") wishes to purchase four (4) SpeedCheck-15 signs to be installed on Ocean Boulevard as a police traffic enforcement tool and for pedestrian safety as well, described and outlined in the attached Agenda Item Report; and

WHEREAS, the associated costs for the purchase, which includes the installation and calibration of the SpeedCheck signs, is projected to be \$60,000.00; and

WHEREAS, the Town's Law Enforcement Trust Fund ("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 available LETF funds to pay for additional associated cost to purchase the four SpeedCheck signs; 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 and not from tax revenue; and

WHEREAS, the Chief of Police has recommended that the \$60,000.00 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. Agreement Approved. That the Agreement is hereby approved in substantially the form attached hereto as Exhibit "A," subject to approval by the Town Attorney as to form and legal sufficiency.

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 become effective immediately upon approval of the Town Council.

Sponsored by **Town Administration**

The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Councilmember Bernstein and on roll call the following vote ensued:

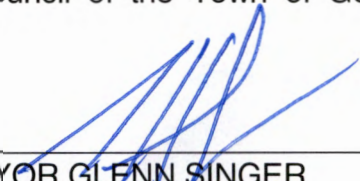
Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Bernard Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 21st day of May, 2024.

ATTEST:

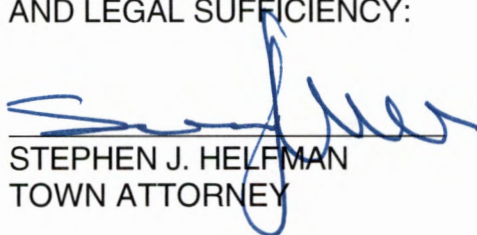


LISSETTE PEREZ
TOWN CLERK



MAYOR GLENN SINGER

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

To: Alexander Diaz
Town Manager

May 13, 2024

From: Rudy Herbello
Chief of Police

Ref: Recommendation for Speedometer Replacement

Town Manger after an in-depth inspection by the staff, of the existing Speedometer devices installed in several locations along Ocean Boulevard, have determined that we need to augment and improve the current Speedometer inside the Town of Golden Beach.

The following is a synopsis of the designs proposed:

The current speedometers will be replaced by four (4) SpeedCheck-15 detectors, Solar Powered, Yellow Sign Face. The SpeedChecks will have an FDOT approved Solar cabinet, FDOT Batteries, and Solar Panel.

Recommendations:

After speaking with the Finance Director on Friday, May 10, 2024, it is my recommendation that the Town adopt and implement the following proposed plan in order to enhance our Speedometer readers, by utilizing L.E.T.F funds as authorized by statute.

Fiscal Impact

The Financial Impact to the Town L.E.T.F funds will be \$60,000.00.

AFFIDAVIT

STATE OF FLORIDA:

: SS

COUNTY OF MIAMI-DADE:

Before me this day personally appeared Rudy Herbello who deposes and says that:

I, Rudy Herbello, Chief of Police, Town of Golden Beach, do hereby certify that this request for an amount not to exceed \$60,000.00 expenditure from the Town of Golden Beach's Forfeited Assets Fund for the costs associated with the installation of Four Speedcheck Detectors along Ocean Boulevard between 195 Street and County Line Road. The Speedchecks comply with the provisions of Florida State Statute 932.7055, known as the Law Enforcement Trust Fund (LETF), as amended. It also complies with the requirements of the Federal Asset Forfeiture Statutes under which the Golden Beach Police Department seized assets.

Rudy Herbello
Chief of Police
Golden Beach Police Department

Subscribed and sworn to before me this 16th day of May, 2024 by
Rudy Herbello who is personally known to me.

Patricia Bocio
NOTARY PUBLIC
STATE OF FLORIDA
AT LARGE



A&M SOLUTION CONSTRUCTION LLC

RECIPIENT:

Golden Beach
Sunny Isles Beach, FL

Quote #16	
Sent on	May 02, 2024
Total	\$68,400.00

Product/Service	Description	Qty.	Unit Price	Total
Materials	SpeedCheck-15, Solar Powered, Yellow Sign Face, SpeedCheck-15, yellow 88 + yellow slow down, FDOT, with powder coat SpeedCheck-15 sign, 30 x 42" YOUR SPEED on two lines - Yellow Solar cabinet, FDOT Battery, 55 Ahr. Solar panel Also includes installation and recalibration of all signs	4	\$15,000.00	\$60,000.00

*AAA
SPEED
SIGN*

A deposit of \$41,040.00 will be required to begin.

This quote is valid for the next 30 days, after which values may be subject to change.

Subtotal	\$60,000.00
Tax (14.0%)	\$8,400.00
Total	\$68,400.00

OK *[Signature]*
5-8-2024



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: May 21, 2024

Item Number:

To: Honorable Mayor Glenn Singer &
Town Council Members

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From: Alexander Diaz,
Town Manager

Subject: **Resolution No. 2945.24- To Utilize Law Enforcement Trust Fund (LETf) Dollars for the Purchase of Four Speedchecks, to be Installed in Designated Locations Along Ocean Boulevard.**

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2945.24 as presented.

Background: The Town desires to install four SpeedCheck detectors along Ocean Boulevard between 195 street and County Line Road. It is requested the Town authorize the expenditure of available LETF monies in the amount of \$60, 000.00 for the cost associated with the installation of the equipment.

Federally Seized Assets: At the discretion of the United States Attorney General under United States Statute: 18 U.S.C. Section 981 (e) (2), and 21 U.S.C. Section 881 (e) (1) (A) and (e) (3) (b), the Golden Beach Police Department may lawfully receive equitable shares of the federally seized funds at the conclusion of the legal proceedings. These shares are deposited in the Town's Law Enforcement Trust Fund account.

The U.S. Department of Justice publication titled "*Guide to Equitable Sharing for State and Local Law Enforcement Agencies*" 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 for law enforcement for Community Policing Initiatives and Awareness Programs.

State Seized Assets: Under Florida State Statute (FSS) 932.7055, the Florida Contraband Forfeiture Act, the Golden Beach Police Department lawfully receives equitable share(s) of State seized funds at the conclusion of the legal proceedings involving the regional task force.

The Town uses both the federally seized and the State seized funds to increase crime prevention efforts and to also enhance the quality of police services for Town residents without increasing the Town's budget. The attached item meet the requirements of the Federal and/or State Statute requirements and are requested to be funded.

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RESO 2945.24

RE: Use of LETF Dollars for Purchase of Four Speedchecks

Financial Impact:

This will not have a financial impact on the Town's budget.

Attachments: Agenda Item Resolution