

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF FEDERAL LAW ENFORCEMENT FORFEITURE FUNDS (JUSTICE) PURSUANT TO THE FEDERAL COMPREHENSIVE CRIME CONTROL ACT OF 1984 FOR THE PURCHASE OF 358 ACTIVE SHOOTER RESPONSE KITS IN AN AMOUNT NOT TO EXCEED \$230,096.92; APPROVING AND AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER WITH FEDERAL EASTERN INTERNATIONAL FOR THE PURCHASE OF 358 ACTIVE SHOOTER RESPONSE KITS IN THE AMOUNT OF \$230,096.92; AND AMENDING THE FISCAL YEAR 2018 ADOPTED OPERATING BUDGET (R-2017-288).

WHEREAS, the Police Department desires to purchase 358 Active Shooter Response Kits, to include a Point Blank Special Ops Hard Plate Carrier, two Point Blank Steel Level III 555 Plates and a Point Blank Level IIIA Ballistic Helmet; and

WHEREAS, the purchase of the 358 Active Shooter Response Kits has been determined to be a legitimate and permissible expenditure under the federal asset sharing guidelines for forfeiture funds; and

WHEREAS, the Department of Justice's Equitable Sharing Guidelines ("Guidelines") sets forth that Federal Law Enforcement Forfeiture Funds may be expended on permissible uses such as the costs associated with the purchase, lease, maintenance, or operation of law enforcement equipment for use by law enforcement personnel that supports law enforcement activities, provided that the purchase is not a budgeted item and it is not supplanting a normal operating need/expectation of the law enforcement agency; and

WHEREAS, the Guidelines require that the Police Department obtain approval for such expenditure from the City Commission; and

WHEREAS, the funding source for the purchase of 358 Active Shooter Response Kits will be Federal Law Enforcement Forfeiture Funds (Justice) pursuant to the Federal Comprehensive Crime Control Act of 1984, thereby incurring no cost to the taxpayers of the City of Hollywood, and such expense is a permissible use of such funds; and

WHEREAS, this equipment is available from Federal Eastern International utilizing the State of Florida Contract Number 46151504-NASPO 17-ACS

via NASPO Number 2016-181, which was procured by competitive bid, and Federal Eastern International has agreed to provide these products to the City under the same pricing, terms and conditions; and

WHEREAS, Section 38.40 (C)(5) of the Purchasing Ordinance allows the Director to procure, without following formal procedures, all goods and services which are subject of contracts with the state, its political subdivisions, the United States government, other governmental entities, or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, provided however, the goods and services are (i) the subject of a price schedule negotiated by the state or the United States government, or (ii) the subject of a contract with another governmental entity or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, which contract is based strictly on competitive bids or competitive proposals and not on any preference; and

WHEREAS, all permissible use expenditures for the Active Shooter Response Kits will be in accordance with the City's Purchasing Ordinance; and

WHEREAS, pursuant to Resolution R-2017-288, adopted and approved by the City Commission on September 27, 2017, the Fiscal Year 2018 Adopted Budget was adopted and approved by the City Commission to recognize operating revenues, provide appropriations, and permit authorized budgetary adjustments and transfers; and

WHEREAS, funding is available in the Fund Balance of the Law Enforcement Forfeiture Fund (Fund 12), which is to be recognized and appropriated for the specific permissible uses as described above and detailed in the attached Exhibit 1; and

WHEREAS, the Acting Chief of Police and the Director of Procurement & Contract Compliance recommend that the City Commission approve the issuance of a Purchase Order to Federal Eastern International in the amount of \$230,096.92 and this amount be approved and made available from the Law Enforcement Forfeiture Trust Fund in order to purchase 358 Active Shooter Response Kits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the expenditure Federal Treasury Law Enforcement Forfeiture Funds (Justice) pursuant to the Federal Comprehensive Act of 1984 in order to purchase 358 Active Shooter Response Kits in an amount not to exceed \$230,096.92, in accordance with the City's Purchasing Ordinance.

Section 3: That it approves and authorizes the issuance, by the appropriate City officials, of a Purchase Order with Federal Eastern International, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4: That it authorizes the Department of Financial Services to create certain accounts to recognize revenue and appropriate program funding.

Section 5: That it approves and authorizes the Amendments, Adjustments and Transfers to the Operating Budget of the City of Hollywood for the Fiscal Year beginning October 1, 2017, relating to the Law Enforcement Forfeiture Fund, Fund 12, as set forth in detail in Exhibit 1 attached hereto, are approved, adopted and accepted as Amendments to the Operating Budget of the City of Hollywood, Florida for the Fiscal Year 2018 and the identified funds therein.

Section 6: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY