

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 (TREASURY) PURSUANT TO THE FEDERAL COMPREHENSIVE CRIME CONTROL ACT OF 1984 FOR THE PURCHASE OF ONE (1) POLICE CANINE IN AN AMOUNT NOT TO EXCEED \$15,000.00; AMENDING THE FISCAL YEAR 2018 ADOPTED OPERATING BUDGET (R-2017-288) FOR THE LAW ENFORCEMENT FORFEITURE FUND 12, REVISING OPERATING REVENUES, AUTHORIZING BUDGETARY ADJUSTMENTS, EXPENDITURES, AND TRANSFERS AS DETAILED IN EXHIBIT 1; AND AUTHORIZING THE DEPARTMENT OF FINANCIAL SERVICES TO ESTABLISH ACCOUNT(S) AS MAY BE NEEDED.

WHEREAS, the Police Department desires to purchase one (1) police canine to replace a retiring canine; 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 purchase of one (1) police canine has been determined to be a legitimate and permissible expenditure under the federal asset sharing guidelines for forfeiture funds; 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 one (1) police canine will be Federal Law Enforcement Forfeiture Funds (Treasury) 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, Section 38.43 of the City's Purchasing Ordinance provides that all purchases of supplies and contractual services of less than the estimated annual value of \$50,000 shall be purchased in the open market, without advertisement and without observing the procedures prescribed in Section 38.40 of the Purchasing Ordinance; and

WHEREAS, all permissible use expenditures for the police canine 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 Department of Financial Services is authorized to create certain accounts and to recognize revenue and appropriate program funding; and

WHEREAS, the Acting Chief of Police recommends that an amount not to exceed \$15,000.00 be made available from the Law Enforcement Forfeiture Trust Fund in order to purchase one (1) police canine.

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 (Treasury) pursuant to the Federal Comprehensive Act of 1984 in order to purchase one (1) police canine in an amount not to exceed \$15,000.00 in accordance with the City's Purchasing Ordinance.

Section 3: 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 to and by this reference made a part hereof, 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.

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

Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

DOUGLAS R. GONZALES, CITY ATTORNEY