



VILLAGE OF KEY BISCAIYNE

Office of the Village Manager

Village Council

Robert L. Vernon, *Mayor*
Michael Davey, *Vice Mayor*
Enrique Garcia
Robert Gusman
Michael E. Kelly
Jorge E. Mendia
Thomas Thornton

June 2, 2009

MEMORANDUM

Village Manager
Genaro "Chip" Iglesias

TO: Honorable Mayor and Members of the Village Council
FROM: Genaro "Chip" Iglesias, Village Manager
RE: Replacement of Police Training Equipment

RECOMMENDATION

It is recommended that the Village support this resolution and allow for purchase of replacement equipment for the gymnasium located within the Police Department. Several pieces have either broken or have become unsafe for use. I certify that the requested expenditure complies with Florida Statute 932.7055 in that:

1. The funds will be used for an appropriate law enforcement purpose;
2. The Villages Law Enforcement Trust Fund is not being used as a normal source of revenue for the Village of Key Biscayne Police Department; and
3. The Villages Law Enforcement Trust Fund was not considered in the adoption and approval of the Police Department budget.

BACKGROUND

The Village of Key Biscayne Police Department maintains a small gymnasium within its building for the purpose of training and maintaining the health and welfare of its personnel. The purchase of replacement equipment will promote better health for our officers and help to defray on the job injuries. Total cost for replacement is \$18,222.00. The Village of Key Biscayne Police Department Law Enforcement Trust Fund currently has in excess of \$250,000.00 in assets.

RESOLUTION NO. 2009- _____

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING PURCHASE OF TRAINING EQUIPMENT FOR THE VILLAGE OF KEY BISCAYNE POLICE DEPARTMENT; AUTHORIZING VILLAGE MANAGER TO COMPLETE PURCHASE OF TRAINING EQUIPMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 3.07(b) of the Village Charter, the Village Council desires to authorize an expenditure for the purchase of training equipment (the "Equipment") to be used by the Village of Key Biscayne Police Department; and

WHEREAS, the Village Council finds, upon advice from the Village Attorney, that no competitive bidding is required for the purchase of the Equipment pursuant to Village Code Section 2-86, which authorizes the Village Manager to enter into bids or contracts entered into by another governmental entity with substantially similar competitive bidding procedures; and

WHEREAS, the monies for the proposed expenditure are the result of seized assets from joint investigations between the Village Police Department and other law enforcement agencies – not from tax revenue; and

WHEREAS, the Chief of Police has recommended that this expenditure be made from the Village's Law Enforcement Trust Fund for "Other Law Enforcement Purposes," as authorized by law; and

WHEREAS, costs for "Other Law Enforcement Purposes" is an authorized expenditure of the Florida Contraband Forfeiture Act; and

WHEREAS, the Chief of Police certifies that this expenditure complies with § 932.7055, Florida Statutes in that the funds will be used for an appropriate law enforcement purpose; and

WHEREAS, the Chief of Police certifies that the Village's Law Enforcement Trust Fund is not being used as a normal source of revenue for the Village of Key Biscayne Police Department; and

WHEREAS, the Chief of Police certifies that the Village's Law Enforcement Trust Fund was not considered in the adoption and approval of the Police Department budget; and

WHEREAS, the Village Council finds that it is in the best interest of the Village to proceed as indicated in this Resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the recitals stated above is hereby adopted and confirmed.

Section 2. Purchase Authorized, Specification of Funds. That the acquisition of the Equipment described in the Purchase Order attached hereto as Exhibit "A" is hereby approved and authorized. The funding source shall be Village's Law Enforcement Trust Fund.

Section 3. Implementation. That the Village Manager is hereby authorized to take any and all action necessary to implement the purposes of this Resolution, and is authorized to sign any necessary purchase agreements, subject to the approval of the Village Attorney as to form and legal sufficiency.

Section 4. Effective Date. That this Resolution shall be effective immediately upon adoption hereof.

PASSED AND ADOPTED this _____ day of June 2009.

MAYOR ROBERT L. VERNON

ATTEST:

CONCHITA H. ALVAREZ, CMC,
VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY