

RESOLUTION NO. 16 - 2345

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2015/2016 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF \$1,041.60 FROM THE FORFEITURE FUND FOR THE PURCHASE OF LESS LETHAL EQUIPMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 881(e)(3) of Title 21, United States Code and Florida Statutes Section 932.7055, define the purposes and procedures for the appropriation and expenditure of funds from the Police Confiscation Fund; and

WHEREAS, the Police Department is in need of less lethal equipment (i.e., tasers, batons and aerosol deterrent sprays) to stop dangerous critical incidents as an alternative to the use of deadly force; and

WHEREAS, less lethal equipment can only be used at very close range to be effective. Alternative weapons are needed to secure a person armed with a knife or bat as opposed to resorting to the use of a firearm; and

WHEREAS, two Remington 870 Police 12-gauge, 18' rifle sight, orange stock and forend shotguns (with twenty 12-gauge drag stabilized, point of aim, point of impact, bean bag rounds) are a justifiable use of the forfeiture funds; and

WHEREAS, the cost for the two (2) shotguns is \$956.00. The cost of the twenty (20) bean bag rounds is \$85.60. The total cost from the Forfeiture Fund is \$1,041.60; and

WHEREAS, necessary funds are available in the Police Confiscation Fund - State of Florida and Federal Asset Forfeiture Program – to purchase this equipment.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Confiscation Fund Expenditures. Based on the attached Certificate of the Police Chief (see Exhibit "A"), the Town Commission hereby authorizes and approves the Fiscal Year 2015/2016 Police Confiscation Fund expenditure in the amount of \$1,041.60 from the Forfeiture Fund to purchase less lethal equipment.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 12th day of January, 2016.

Motion by Commissioner Karukin

Second by Commissioner Cohen.

FINAL VOTE ON ADOPTION

Commissioner Barry Cohen
Commissioner Michael Karukin
Commissioner Marta Olchyk
Vice Mayor Eli Tourgeman
Mayor Daniel Dietch

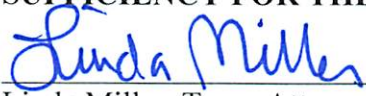
Yes
Yes
Absent
Absent
Yes



Daniel Dietch, Mayor

ATTEST: 

Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**


Linda Miller, Town Attorney

EXHIBIT "A"

CERTIFICATE OF CHIEF OF POLICE

I, DAVID E. ALLEN, Chief of Police of the Town of Surfside, do hereby certify that expenditures for \$1,041.60 from the Town of Surfside Confiscation Fund, for the 2015/2016 Fiscal Year budget, complies with provisions Section 881(e)(3) of Title 21, United States Code and Florida Statute Section 932.7055.

Dated: _____

David E. Allen
Chief of Police