



Broward County

Legislation Details (With Text)

File #: 22-810 **Version:** 1

Status: Agenda Ready

In control: PORT EVERGLADES DEPARTMENT

On agenda: 5/24/2022 **Final action:** 5/24/2022

Title: MOTION TO ADOPT budget Resolution transferring law enforcement trust fund dollars from reserves in the amount of \$50,000 for the purpose of providing matching funds to the Sheriff of Broward County for a Fiscal Year 2021 Port Security Grant program grant.

Sponsors: PORT EVERGLADES DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Budget Resolution, 2. Exhibit 2 - DHS-FEMA Grant Award Letter, 3. Exhibit 3 - BSO Request Letter for LETF Funds - PSGP

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Jonathan Daniels

Department: Port Everglades

Division: Director's Office

Information

Requested Action

MOTION TO ADOPT budget Resolution transferring law enforcement trust fund dollars from reserves in the amount of \$50,000 for the purpose of providing matching funds to the Sheriff of Broward County for a Fiscal Year 2021 Port Security Grant program grant.

Why Action is Necessary

Broward County Board of County Commissioners ("Board") approval is required to transfer funds from reserves.

What Action Accomplishes

Adopts budget Resolution transferring law enforcement trust fund dollars received by Port Everglades from reserves to provide matching funds to the Sheriff of Broward County ("BSO") for a Fiscal Year 2021 Port Security Grant received by BSO for harbor patrol boat upgrades and maintenance.

Is this Action Goal Related

No

Previous Action Taken

None

Summary Explanation/Background

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

Article 13 of the Interlocal Agreement between Broward County and the Sheriff of Broward County (“BSO”) providing for Seaport Security and Law Enforcement Services at Port Everglades, approved by the Broward County Board of County Commissioners (“Board”) on April 5, 2022 (Item No. 41), provides that the County could receive a share of any currency or property seized and subsequently forfeited to BSO based on seizures within Port Everglades or in other locations where BSO personnel assigned to Port Everglades actively participated in the investigation and/or seizure of the property. In 2009, the Port Everglades Port Director authorized BSO to have a deputy assigned to Port Everglades participate on a regional multi-agency Money Laundering Task Force that investigated money laundering and other related crimes. As a result of that participation, Port Everglades became eligible to receive a share of any funds made available to Task Force participants. On January 11, 2011 (Item No. 2), the Board approved an Equitable Sharing Agreement and Certification between Broward County, Broward Sheriff’s Office, U.S. Department of Justice, and U.S. Department of Treasury that provided for Port Everglades participation in the Equitable Sharing Program to allow for distribution and retention of Law Enforcement Trust Fund (“LETf”) funds by the Port. Since the assignment of Port Everglades-based BSO personnel to such activities, Port Everglades has received State LETf distributions totaling \$1,058,477 as of April 30, 2022, \$660,075 of which has been expended for the purchases of security equipment to enhance law enforcement capabilities at Port Everglades. with a current balance of \$398,402.

While the funds are provided to the Port, their use is limited to supporting or enhancing port security capabilities within the confines of the Port. The County/BSO Interlocal Agreement also provides that the BSO District Chief can apply for the use of such funds if the application is compliant with Florida Statutes and the Port Director concurs. The BSO District Chief for Port Everglades has requested approval to use a portion of the funds available to provide equipment to enhance BSO’s port security capabilities and has certified that the request complies with applicable law (see Exhibit 3). BSO requested and was awarded Fiscal Year 2021 U.S. Department of Homeland Security Port Security grant funds by the Federal Emergency Management Agency (“FEMA”) for multiple port security projects. Investment 4 in the approved grant is for a project totaling \$200,000 to purchase two upgraded outboard engines to replace engines that have reached the manufacturers recommended useful life, and to provide other equipment upgrades and maintenance for BSO Harbor Patrol boats currently assigned to Port Everglades (see Exhibit 2). Under the terms and conditions of the grant, BSO must provide 25% of the project funds, as the local cost share, up to a maximum of \$50,000, with FEMA providing the remaining 75%, up to a maximum of \$150,000, based on the actual costs incurred by BSO.

The Port Everglades Chief Executive/Port Director has reviewed the request and concurs that the equipment requested will enhance the capability of BSO to provide seaport security and law enforcement services at Port Everglades. The matching funds will be provided to BSO by Port Everglades as needed to facilitate the procurement of this specialized equipment. As provided for in Article 9 of the Interlocal Agreement, equipment purchased by BSO using grant funds when the County contributes the matching funds will become the property of the County upon termination of the Interlocal Agreement.

Source of Additional Information

Glenn Wiltshire, Deputy Port Director, Port Everglades Department, (954) 458-3504

Fiscal Impact

Fiscal Impact/Cost Summary

The source of funding for this action is the Port Everglades Capital Fund Reserve.