



City of North Port

RESOLUTION NO. 2023-R-04

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, APPROVING THE POLICE DEPARTMENT'S EXPENDITURE OF \$236,855.00 IN FORFEITURE FUNDS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Port Police Department ("NPPD") is a law enforcement agency that serves and protects the community and the City of North Port, Florida; and

WHEREAS, pursuant to Florida Statutes Section 932.7055, the proceeds of property seized by NPPD are deposited in a special law enforcement trust fund ("forfeiture funds"); and

WHEREAS, Florida Statutes Section 932.7055 allows the use of forfeiture funds for certain purposes, including but not limited to crime prevention, safe neighborhood, drug abuse education and prevention programs, or other certain law enforcement purposes, provided that the City Commission grants authorization for the expenditure; and

WHEREAS, two-thousand dollars (\$2,000.00) in forfeiture funds will be allocated to the Florida FBI National Academy Associates, Inc. ("FBINAA"), which is a non-profit organization of 16,000+ senior law enforcement professionals dedicated to providing our communities, states, countries, and profession with the highest degree of law enforcement expertise, training, education and information; and

WHEREAS, thirty-five thousand forty-six dollars (\$35,046.00) will be allocated to City of North Port Crime Prevention, including the purchase of products and equipment to ensure the public health, safety, and welfare of citizens; and

WHEREAS, ten-thousand dollars (\$10,000.00) will be allocated to Child Protection Services which serves the community in assisting families working to stay safely together or be reunited, foster care placement, assisting youth and young adults transitioning from foster care to independence, and adoption services; and

WHEREAS, ten-thousand dollars (\$10,000.00) will be allocated to Teen Court of Sarasota which is a non-profit organization dedicated to creating a second chance for at-risk youth and helping teens to make healthy choices through meaningful consequences, peer mentorship, and civic engagement; and

WHEREAS, two-thousand one hundred sixty-eight dollars (\$2,168.00) will be allocated to the North Port Police Department’s Drug Bin so that the citizens of the City of North Port can safely dispose of unused or expired prescription and nonprescription medicines; and

WHEREAS, one hundred seventy-seven thousand six hundred forty-one dollars (\$177,641.00) will be used for additional law enforcement equipment which includes new expenses for law enforcement purposes and shall not be used to meet normal operating expenses of the North Port Police Department; and

WHEREAS, the City Commission of the City of North Port, Florida finds that this resolution serves the public health, safety, and welfare of the citizens of the City of North Port.

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

SECTION 1 – INCORPORATION OF RECITALS

1.01 The above recitals are true and correct and are incorporated in this resolution by reference.

SECTION 2 – RESOLUTION

2.01 The Chief of Police has presented his written certification, attached as Exhibit “A,” that the use of forfeiture funds pursuant to this resolution is in compliance with Florida Statutes Section 932.7055(5).

2.02 The City Commission for the City of North Port, Florida finds that the requested use of forfeiture funds by the Chief of Police complies with the requirements of Florida Statutes Section 932.7055(5), in that the funds will not be used to meet normal operating expenses of the NPPD and will instead further crime prevention, safe neighborhood, and/or drug abuse prevention.

2.03 The City Commission for the City of North Port, Florida authorizes the expenditure of two hundred thirty-six thousand eight hundred fifty-five dollars (\$236,855.00) from the forfeiture fund for the purpose of drug prevention, crime prevention, safe neighborhood, and for new and additional law enforcement equipment.

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this resolution and any other resolution, in whole or in part, the provisions of this resolution will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this resolution is for any reason invalid or unconstitutional, that provision will be

deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the resolution.

SECTION 5 - EFFECTIVE DATE

5.01 This resolution takes effect immediately.

ADOPTED by the City Commission of the City of North Port, Florida, in public session on _____, 2023.

CITY OF NORTH PORT, FLORIDA

BARBARA LANGDON
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

EXHIBIT A
Resolution No. 2023-R-04

CERTIFICATION FOR USE OF FORFEITURE FUNDS

In my capacity as the Chief of Police for the City of North Port Police Department, I hereby request that the City Commission authorize the expenditure of two hundred thirty-six thousand eight hundred fifty-five dollars (\$236,855.00). Florida State Statute (“FSS”) 932.7055(3) states any law enforcement agency that acquires at least fifteen thousand (\$15,000.00) within a fiscal year, must expend or donate no less than 25 percent of the proceeds for the support and operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer program or programs. The local law enforcement agency has the discretion to determine which program or programs will receive the designated proceeds.

To meet the statutory requirements of FSS 932.7055(3) fifty-nine thousand two hundred fourteen dollars (\$59,214.00) will be allocated to the following entities or department programs which must be spent for the benefit of the citizens of North Port:

FBINAA Retrainer	\$2,000.00
Crime Prevention	\$35,046.00
Child Protection Services	\$10,000.00
Teen Court	\$10,000.00
Drug Bin	\$2,168.00
NPPD Equipment	\$177,641.00
Total Expenditure	\$236,855.00

The one hundred seventy-seven thousand six hundred forty-one dollars (\$177,641.00) to be used for new and additional law enforcement equipment will not be used to meet normal operating expenses of the North Port Police Department as required in FSS 932.7055(5)(a).

I hereby certify that the use of forfeiture funds for the above-stated purpose complies with the provisions of Florida Statutes Section 932.7055(5).



 Todd R. Garrison, Chief of Police