3CC-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: Ma	ıy 15, 2007	[x]	Consent	[]	Regular
Department:		[]	Ordinance	[1	Public Hearing
Submitted By:	Palm Beach	County	Sheriff's Office			
Submitted For:	Palm Beach	County	Sheriff's Office			

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) Accept the Violent Crime and Drug Control Port St. Lucie grant award in the amount of \$39,868 for the period of October 1, 2006 through September 30, 2007, or upon the conclusion of the investigation; and B) Approve a budget amendment of \$39,868 in the Sheriff's Grant Fund.

Summary: The Palm Beach County Sheriff's Office (PBSO) has been awarded grant funds by the Florida Department of Law Enforcement (FDLE) for the purpose of investigating a current ongoing case. The FDLE awarded these grant funds to assist with the added cost associated with overtime. There is no additional allocation needed, no matching funds requirement, and no additional County funds will be needed. Countywide (DW)

Background and Policy Issues: The FDLE has established in each area of the State served by a Department regional office a Regional Drug Enforcement Coordination Team. The purpose of this Team is to coordinate the identification and development of multi-agency or statewide drug control or illicit money laundering investigative or task force efforts. These efforts must significantly contribute to achieving the State's goal of reducing drug-related crime, as articulated by the Office of Drug Control, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under Section 397.333, F.S. The grant period is from 10/01/06 through the conclusion of the investigation. The Violent Crime and Drug Control Grant CSFA number is 71.004.

1) Budget Amendment 2) Grant Application 3) Award Letter	
RECOMMENDED BY:	4/17/07
DEPARTMENT DIRECTOR	// DATE /
APPROVED BY: Mut Hoonveuts	430/07
HST. COUNTY ADMINISTRATOR	/ / DATE

II. FISCAL IMPACT ANALYSIS

A. Five Year Summar	y of Fiscal Im	pact:			
Fiscal Years Capital Expenditures Operating Costs	2007 39,868	2008	2009	2010	2011
External Revenues Program Income (County) In-Kind Match (County)	(39,868)				
Net Fiscal Impact	0			•	
# Additional FTE Positions (Cumulative)	0				
Is Item Included in Currer	nt Budget: YE	S	NO _	X	
Budget Account No.: Fu	nd <u>1152</u> A	gency 160	Org	2097 Object	3429
F	Reporting Cate	gory			
State Funding PBSO Match Total	\$39,86 <u>\$</u> \$39,86	<u>0</u>	OMMEN	<u>ITS</u>	
A. OFMB Fiscal and/o	or Contract Ac	dministration	Comm	ents:	
OFMB OFMB Assistant Col	•	07-110101	(Ju J f Contract Administra	acelon 4/24/e tion HOY/M
C. Other Department	Review:				
Department [Director	· -	_		

This summary is not to be used as a basis for payment.

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Use this form to provide budget for items not anticipated in the budget.

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

Page 1 of 1 pages

FUND

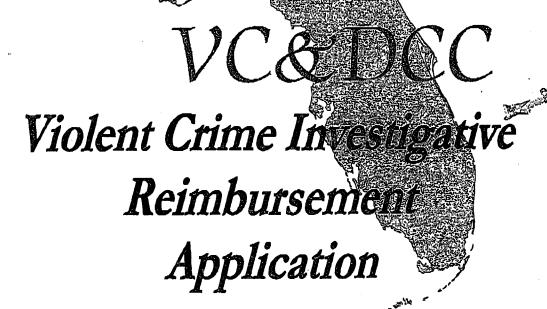
FUND 1152 SHERIFF'S GRANTS FUND

BGRV 420 041807*537 BGEX 420 041807*1549

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET		REMAINING BALANCE
Revenues							,	
Violent Crimes Drug C	ontrol - Port St Lucie							
160-2097-3429	State Grant - Other Public Safety	0	0	39,868	0	39,868		
	TOTAL FUND REVENUES	\$36,270	\$3,967,466	\$39,868	\$0	\$4,007,334	• •	
<u>Expenditures</u>								
Violent Crimes Drug Co	ontrol - Port St Lucie							
160-2097-9498	Transfer to Sheriff Fund 188	0	0	39,868	0	39,868	0	39,868
	TOTAL EXPENDITURES	\$36,270	\$3,967,466	\$39,868	\$0	\$4,007,334	•	
								
Palm Beach County Sh	neriff's Office	Signatures	******	Date			By Board of County Con At Meeting of May 15	
INITIATING DEPARTM	MENT/DIVISION			4/1	1/07			
Administration/Budge	et Department Approval	Jan Dr		y·23·07	<u> </u>		Deputy Clerk to the of County Commissione	Board rs
OFMB Department - F	Posted							
		Mialos		Mi on				,



Violent Crime and Drug Control Council



For Additional Information, Please contact:

Leisha Fordham

Inspector

LeishaFordham@fdle.state.fl.us

Phone: (850) 410-8619

or

Florida Department of Law Enforcement

Violent Crime & Drug Control Council

P.O. Box 1489

Tallahassee, Florida 32302

Phone: (850) 410-8300

Form FDLE/IFS-001 Revised 08/01/06

Rule Reference 11N-1.004 and 11N-1.005, F.A.C.

Purpose

The Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account provides funding for the following conditions:

- 1. State and local law enforcement agencies which are involved in complex and lengthy violent crimes investigations;
- 2. State and local law enforcement agencies which are involved in violent crimes investigations which constitute a significant emergency within the state; or
- 3. Counties which demonstrate a significant hardship or an inability to cover extraordinary expenses associated with a <u>violent</u> crime trial

Definitions

Complex and Lengthy Investigation: Pursuant to Rule 11N-1.0021(1)(a)(b)(c)(d), to determine if an investigation meets the complex and lengthy criteria, the Council shall consider the following:

- The crime under investigation involves multiple victims; OR
- The crime resulted in the death or serious bodily injury to one or more victims; OR
- The crime appears to be part of a pattern of serial or interrelated criminal events; OR
- The crime evidences a heinous, wicked, or grossly disturbing method of commission;
- AND shall consider the nature and extent of complexity and length of the investigative efforts and whether the expenses claimed are heyond the resources of the investigative agency or agencies making the request for funding.

Significant Emergency: Pursuant to Rule 11N-1.0021(2)(a)(b)(c), to determine if a violent crime investigation constitutes a significant emergency, the Council shall consider the following:

- The nature and extent of the crime produces a heightened concern within the state for the safety and well-being of Florida's citizens and visitors;
- The crime is thought to involve one or more perpetrators who have traveled from one state or local jurisdiction to another committing similar or pattern crimes;
- The crime is such that absent successful apprehension and prosecution of the perpetrator, Florida's reputation for being a safe recreational, occupational, and residential location is being jeopardized or is suffering significant deterioration;
- AND the expenses claimed are beyond the resources of the investigative agency or agencies making the request for funding.

County Government's Violent Crime Trial Expenses: Pursuant to Rule 11N-1.0021(3)(a)(b)(c)(d), to determine if the county has demonstrated a significant hardship or inability to cover extraordinary expenses associated with a violent crime trial, the Council shall consider the following:

- The expenses claimed as extraordinary expenses associated with a violent crime trial are such as to have been reasonably
 unpredictable as expenses to be incurred by the county in meeting its general obligations to the criminal justice system;
- Reasonable witness related expenses associated with a violent crime trial (such as travel and lodging expenses) have exceeded or are anticipated to exceed those incurred for similar trials in the trial's geographic location;
- Special security needs associated with a violent crime trial have generated expenses or are anticipated to generate expenses not normally incurred in providing security for similar trials in the geographic location;
- A change of venue or jury selection or sequestration needs associated with a violent crime trial have generated expenses or are anticipated to generate expenses not normally incurred for similar trials in the geographic location;
- AND the extraordinary expenses claimed are beyond the resources of the county making the request for funding.

Beyond the Resources: Pursuant to Rule 11N-1.0021(4), as used in above-referenced definitions, means that the expenses claimed by the agency seeking emergency supplemental funding are so extraordinary that they currently and significantly limit the requester's ability to provide the services or duties required by law, and that the requester has demonstrated to the Council that all reasonable alternatives for funding the claimed expenses within the requesting agency's current fiscal year have been exhausted.

Rule Reference 11N-1.004 and 11N-1.005, F.A.C.

FUNDING PROCEDURES

How to Make a Funding Request

The LEAD law enforcement agency seeking funding for a violent crime investigative emergency investigation must submit a detailed and itemized written request to the Florida Violent Crime and Drug Control Council, along with the accompanying Violent Crime Investigative Reimbursement Application. The lead agency must describe the violent crime case, stating details and specifics, and demonstrate that the requested funds to meet the investigative or trial expenses are beyond the resources of the agency.

The funding request will include a written endorsement from the Regional Violent Crime Investigation Coordinating Team in the service area. To allow appropriate staff review and analysis, written requests, including the endorsement, have to be submitted at least 30 days prior to the next scheduled Violent Crime and Drug Control Council meeting. The Office of Field Services (OFS) will make the presentation to the Council. If it is not possible for a member of the requesting agency to attend the Council meeting, the Coordinator of the Regional Coordinating Team should be present to answer questions that the Council may have regarding the funding request.

Special Notes of Interest

- Do not state expenses as "miscellaneous." The agency must provide copies of receipts of expenditures.
- No reimbursement funding for expenses incurred in an agency's previous fiscal year shall be provided.
- Only the County, not the State Attorney's Office, Sheriff's Office or any other law enforcement agency can seek TRIAL
 reimbursement. If the State Attorney's Office, Sheriff's Office or any other law enforcement have incurred expenses, they
 need to bill the County, thereby making the County responsible for paying the expenses. The County can then include the
 allowable expenses in its request for County reimbursement.
- The LEAD law enforcement agency is defined as the agency that seeks the funding, makes the required certifications, and obtains approval by the Regional Coordinating Team. Upon approval of the request by the Council, in part or in whole, the warrant will be made payable to the LEAD agency. The LEAD agency will then be responsible for distributing the funds equitably to the designated participating agencies.
- Case-related investigative expenses include, but are not limited to, contractual DNA testing, flip charts, equipment rentals, and cassette and VHS tapes (surveillance and/or interviews/depositions).

Contributions

Local law enforcement agencies may contribute to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account by submitting funds to the executive director of the Department of Law Enforcement. Contributions should be accompanied by a written statement designating the funds to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account.

Mail your request to:

Chairperson, Florida Violent Crime and Drug Control Council

c/o Florida Department of Law Enforcement

Post Office Box 1489 Tallahassee, Florida 32302

Attention: Inspector Leisha Fordham, Investigations and Forensic Science Program

For assistance with completing the form, please contact Inspector Leisha Fordham at (850) 410-8619.

Rule Reference 11N-1.004 and 11N-1.005, F.A.C.

The information must be provided as completely as possible in able to assist the Violent Crime and Drug Control Council and its support staff in evaluating your request. Failure to provide the requested information may result in the consideration of your request being either delayed or denied.

FDLE-Investigations and Fo	orensic Scienc	c Case# _			
Date: 2-5-07					
Agency Making Request:	Palm Beach	County SI	heriff's Offic	e	
Physical Address:	3228 Gun C	lub Rd.		***************************************	
	West Palm F	Beach Fl 3	3406		
Agency FEID#:	FL0500000				
Agency Fiscal Year:	1	0/2006	TO 10/20	07	_
	(Month/S	Tear)	a	Month/Lear)	
Investigative Contact: Capt	tain Jack Strei	1ges			Phone Number: (561) 688-4049
Email Address:					
Strengesj@pbso.org					
Is this case related to an a	ctive investig	ation?	Y	es 🗀	No 🔲
If Yes, do you request the	presentation	be made	before the C		sed session as authorized by F.S. 943.031(6)? No
The following are requirem The request must by The agency head of The trial occurred The agency CFO of	e submitted to f the requestinater July 1, 1	o the local 1g agency 994	Coordinatin	g Team for revie	
This request is made for the	ļ	🗂 "signii	ficant emerge	riolent crime inv mcy 10 the state' nary violent crit	

GENERAL INFORMATION & REIMBURSEMENT FUNDING PROCEDURES

The maximum funding for all investigative efforts shall be \$100,000 for each criminal event. The maximum funding available to each county for all trials of the defendant derived from a criminal event shall be \$100,000. The maximum amount of funding available to a single agency is limited to \$200,000 during the agency's single fiscal year. If funds are received, but are not totally expended, they must be refunded to the Council. Details for all funding issues are found in Florida Administrative Code, Chapter 11N-1, "Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account". It is suggested that this information be reviewed prior to submitting a request.

A complete, signed request packet, with attachments, should be forwarded to the Regional Coordinating Team for review. The Regional Coordinator will transmit the request to the Council's staff for review and inclusion on the agenda of an upcoming Council meeting. NO funding request will be considered if the Regional Coordinator's certification has not been completed. Once signed by the Coordinator, the forms are to be submitted to IFS no later than 30 days preceding the upcoming meeting.

Please attach an itemized listing of the requested expenses. Information to be included, at a minimum, is a listing of all salary overtime (including benefits), travel expenses, equipment leasing or rental and contractual expenses. It should be noted that purchases of Violent Crime Investigative Emergency & Form FDLE/IFS-001 Revised 08/01/06

Reimbursement Funding Request 3 of 8

Rule Reference 11N-1.004 and 11N-1.005 . F. A.C.

equipment, normal supplies and/or payment of base salaries of permanent employees are specifically excluded from reimbursement consideration. Vague descriptions (e.g. "Miscellancous investigative expenses") are not acceptable.

Rule Reference 11N-1-004 and 11N-1-005 F.A.C.

REIMBURSEMENT FUNDING PROCEDURES (CONTINUED)

In addition to completing all of the information detailed below, please include a narrative description of the case/trial for which reimbursement is being requested. Information should be included in this narrative that details why the case/trial meets the criteria for reimbursement. Information should also be included as to other alternative methods sought to obtain the necessary funding as well as what will be the impact on the agency if the Council does not authorize the requested funds. If advance funding is being requested, please detail the need for this advanced funding and why it is not possible to seek after-the-fact reimbursement from the Council. It is imperative that current financial information be provided on this form, preferably as current as the ending of the last month prior to the Council meeting reviewing the request.

mbursement Requested:		77 1 4.11.44.4	Entity Budget Allotted
Category	Amount Requested	Agency Budget Allotted	
Overtime:	\$39,867.53	\$7,301,121	\$236,000
Case-Related Investigative Expenses	\$	S	\$
Travel:	\$	\$	\$
County Trial Related Expenses:	\$	S	\$
Anticipated Expenses (if applicable)	\$	\$	\$
Totals	\$39,867.53	\$7,301,121	\$236,000

Agency Remaining Budget (Current as of the following date: 12 / 31 / 2007)

Category	Agency Budget Remaining (\$ and %)		Entity Budget Remaining (\$ and	
Overtime:	\$5,066,459	% 69	\$117,000	% 50%
Case-Related Investigative Expenses	\$	%	\$	%
Travel:	\$	%	\$	%
County Trial Related Expenses:	<u>s</u>	%	\$	%
Anticipated Expenses (if applicable)	\$	%	\$	%
Totals	\$5,066,459	% 69	\$117,000	% 50

e Agency Ending Balance for the	e previous fiscal year (10/2006).	
Surplus \$	OR Deficit -\$ 6,905,869	_
	(\$3,343,596 Hurricane Wil	ma)
by Violent Crime and Drug C	Control Council Staff)	William
by VCDCC on		
	(date)	
	Surplus \$	OR Deficit -\$ 6,905,869 (\$3,343,596 Hurricane Will by Violent Crime and Drug Control Council Staff)

Rule Reference 11N-1.004 and 11N-1.005, F.A.C.

REQUESTING AGENCY CERTIFICATION

Date: -

Signature:

Rule Reference 11N-1.004 and 11N-1.005 F.A.C.

State Financial Assistance

Chapter 11N-1.004(3) requires in part "... Requesting agencies shall relate documentation supporting expenditures from the Account and make these available during the annual evaluation and audit of the trust fund."

The Florida Department of Law Enforcement (herein referred to as FDLE) may award state financial assistance in the amount of \$39.867.53 [Escobedo Murders] to the [Palm Beach County Sheriff's Office] (herein referred to as Recipient) on [2-9-07] as follows:

\sqcup	Violent Crime Investigations, Catalog of State Financial Assistance # 71.004, Appropriation Category # 109/01, Violent Crim
	Investigative Emergencies
	Drug Control/Money Laundering Investigations - Matching Funds, Catalog of State Financial Assistance #71.005 Appropriation Category # 109701, Violent Crime Investigative Emergencies
	Victim or Witness Assistance Catalog of State Financial Assistance #71,006, Appropriation Category #040000, Expenses

The administration of the resources awarded by the FDLE to the Recipient may be subject to audits and/or monitoring by the FDLE as described below:

MONITORING

In addition to reviews of audits conducted in accordance with Section 215.97, F.S., monitoring procedures may include, but not be limited to, on-site visits by the FDLE staff and/or other procedures. By accepting the award, the Recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the FDLE. In the event the FDLE determines that a limited scope audit of the Recipient is appropriate, the Recipient agrees to comply with any additional instructions provided by the FDLE staff to the Recipient regarding such audit. The Recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by Florida's Chief Financial Officer or Auditor General.

AUDIT

As a nonstate entity defined by Section 215.97(2)(m), Florida Statutes, the Recipient may be subject to audit requirements as provided below:

In the event that the Recipient expends a total amount of all state financial assistance equal to or in excess of \$500,000 in any fiscal year of the Recipient, the Recipient must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes, applicable rules of the Executive Office of the Governor and the Department of Financial Services, and Chapter 10.550 (local governmental entities), Rules of the Auditor General. In determining the state financial assistance expended in its fiscal year, the Recipient shall consider all sources of state financial assistance, including state financial assistance received from the FDLE, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

In connection with the audit requirements, the Recipient shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2)(c), Florida Statutes, and Chapter 10.550 (local governmental entities), Rules of the Auditor General.

If the Recipient expends less than \$500,000 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. In the event that the Recipient expends less than \$500,000 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the nonstate entity's resources (i.e., the cost of such an audit must be paid from the Recipient's resources obtained from other than State entities).

Information to help facilitate the Recipient's compliance with the requirements may be found at the following web sites:

- Auditor General http://www.state.fl.us/audgen/pages/localgovt.htm
- Department of Financial Services (Chief Financial Officer) https://apps.fldfs.com/fsaa/

Rule Reference 11N-1.004 and 11N-1.005, F.A.C.

NOTICE OF EXEMPTION FROM AUDIT

If the Recipient expends less than \$500,000 in all state financial assistance in its fiscal year and is exempt from the audit requirements, the Recipient's Chief Financial Officer or designee shall provide written notice of exemption to the FDLE. The notice of exemption audit shall include the Recipient's fiscal year, name of the state financial assistance award from the FDLE, catalog of state financial assistance number, amount of the award, and statement that the Recipient is exempt from the audit requirements for its fiscal year due to the threshold requirements for an audit.

The notice of exemption from audit shall be submitted by March 1 following the end of the Recipient's fiscal year to the:

Florida Department of Law Enforcement Investigations & Forensic Science P. O. Box 1489 Tallahassee, Florida 32302

REPORT SUBMISSION

If a copy of the financial reporting packages required by this agreement is already submitted by or on behalf of the Recipient to FDLE because of federal single audit requirements, another audit reporting package does not need to be submitted.

Recipients, who do not already submit to FDLE a copy of the financial reporting packages required by this agreement, should send an audit report directly to each of the following:

Florida Department of Law Enforcement Investigations & Forensic Science P. O. Box 1489 Tallahassee, Florida 32302

Auditor General's Office Room 401, Pepper Building 111 West Madison Street Tallahassec, Florida 32399-1450

Any reports, management letter, or other information required to be submitted to the FDLE pursuant to this agreement shall be submitted timely in accordance with Florida Statutes, and Chapter 10.550, Rules of the Auditor General.

When submitting financial reporting packages to the FDLE for audits done in accordance with Chapter 10.550, Rules of the Auditor General, the Recipient should indicate the date that the reporting package was delivered to the Recipient in correspondence accompanying the reporting package.

RECORD RETENTION

The Recipient shall retain sufficient records demonstrating its compliance with the terms of this agreement for a period of five years from the date the audit report is issued, and shall allow the FDLE or its designee, Florida's Chief Financial Officer or Auditor General access to such records upon request. The Recipient shall ensure that audit working papers are made available to the FDLE or its designee, Florida's Chief Financial Officer or Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the FDLE.

SIGNATURES Please sign below to indicate agreement with the terms: Sheriff Ric Bradshaw	
Signature of Agency flead Sherriff Ric Bradshaw Print/Type Title & Name (Agency flead)	Agency Head) Date
George Forman	2/4/07
Signature of Chief Financial Officer or Designes Print/Type Title & Name (Chief Financial Officer or Designes	ancial Office/Designed)

Violent Crime Investigative Emergency & Reimbursement Funding Request



Florida Department of Law Enforcement

Gerald M. Bailey Commissioner

Florida Violent Crime and Drug Control Council

Post Office Box (1489) Tallahassee, Florida 32302-1489 (850) 410-7060 www.fdle.state.fl.us

Children, country (BLANGOS EM, Alienty Geree) AlexiSlas, Grégory, et le licer Charles(H) Bronson (Cornrissons/set/Arrenum)

April 3, 2007

Honorable Ric Bradshaw Sheriff Palm Beach County Sheriff's Office 3228 Gun Club Road West Palm Beach, Florida 33406-3001

Dear Sheriff Bradshaw:

During the March 2007 Violent Crime and Drug Control Council meeting, your agency was approved to receive a Violent Crime Award of \$39,867.53 for the Turnpike Quadruple Homicide. By accepting the enclosed award, your agency agrees to comply with the reporting requirements that are included in the application and Section 215.97, Florida Statutes.

You are reminded that future Violent Crime Awards are contingent on the successful completion of all reporting requirements for this Award.

If you have any questions, please call Inspector Leisha Fordham at (850) 410-8619. Thank you for your support of the Florida Violent Crime and Drug Control Council.

Sincerely

Jerry Hill, Chairman Florida Violent Crime and Drug Control Council State Attorney, Tenth Judicial Circuit

JH/jgh

Enclosure