

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

No. 283-2016

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: July 1, 2016

SUBJECT: **TOWN OF CUTLER BAY RESOLUTION**

Attached for your information is Resolution No. 16-36, adopted by the Mayor and Council Members of the Town of Cutler Bay on June 15, 2016.

A Resolution Of The Mayor And Town Council Of The Town Of Cutler Bay, Florida, Calling For The Florida Legislature To Join Other States In Prohibiting The Sale And Possession Of Rapid Fire And High Power "Assault" Weapons; And Providing For An Effective Date.

The Town of Cutler Bay has requested that a copy of this resolution be provided to the Miami Beach Mayor and Commissioners.

If you have any questions, please contact the Office of the City Clerk at 305.673.7411.

JLM/REG



Attachment

## RESOLUTION 16-36

### **A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CALLING FOR THE FLORIDA LEGISLATURE TO JOIN OTHER STATES IN PROHIBITING THE SALE AND POSSESSION OF RAPID FIRE AND HIGH POWER "ASSAULT" WEAPONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the drafters of the Second Amendment ("Amendment II") to the United States Constitution never envisioned assault weapons when the right to bear arms was first conceived; and

**WHEREAS**, one of the principal goals of the United States Constitution set forth in the preamble to the Constitution, is "to insure domestic Tranquility"; and

**WHEREAS**, the United States Supreme Court has held that longstanding prohibitions and restrictions on firearms possession are consistent with the Second Amendment notwithstanding the fact that the Second Amendment protects an individual's right to possess a firearm, unconnected to service in a militia; and

**WHEREAS**, legally acquired assault weapons were used by American citizens to massacre innocent people in Columbine, Aurora, Newtown, San Bernardino, and now in Orlando; and

**WHEREAS**, the legal possession of assault weapons is a proven threat to law enforcement and to the safety and tranquility of Florida's population as a whole; and

**WHEREAS**, the federal government had an automatic weapons ban in force for ten years until it expired in 2004; and

**WHEREAS**, California, Connecticut, District of Columbia, Hawaii, Maryland, Massachusetts, New Jersey, New York have assault weapon bans in force at this time; and

**WHEREAS**, the Council finds that prohibiting the sale and possession of rapid fire and high power "assault" weapons is in the best interest of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

**Section 1.     Recitals.** The above recitals are true and correct and are incorporated herein.

**Section 2.     Support.** The Town of Cutler Bay, Florida, urges the Florida Legislature to prohibit the legal sale and possession of assault weapons in the State of Florida. We further request that all other municipalities and counties in Florida join us in letting the voices of sanity

and reason be heard and prevail in Tallahassee by prohibiting the legal sale and possession of assault weapons.

**Section 3. Transmittal by Clerk.** The Town Clerk is hereby directed to transmit this Resolution to the South Dade Mayors Coalition, municipalities in Miami-Dade County, Miami-Dade County Board of County Commissioners, Speaker of the House Steve Crisafulli, Florida Senate President Andy Gardiner, State of Florida Governor Rick Scott, and the Miami-Dade Congressional Delegation.

**Section 4. Effective Date.** This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15<sup>th</sup> day of June, 2016.

  
\_\_\_\_\_  
PEGGY R. BELL  
Mayor

Attest:

  
\_\_\_\_\_  
Jacqueline N. Wilson  
Town Clerk



APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

  
\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

Moved By: Council Member Nixon  
Seconded By: Council Member Coriat

FINAL VOTE AT ADOPTION:

|                                   |     |
|-----------------------------------|-----|
| Mayor Peggy R. Bell               | YES |
| Vice Mayor Ernest Sochin          | YES |
| Council Member Mary Ann Mixon     | YES |
| Council Member Sue Ellen Loyzelle | YES |
| Council Member Roger Coriat       | YES |