



**Town of Surfside  
Special Town Commission Meeting  
AGENDA**

**February 27, 2018  
5:30 p.m.**

**Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154**

*Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.*

*Rule 6.05 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.*

*Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.*

*Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once reached this capacity, people will be asked to watch the meeting from the first floor.*

*\* Denotes agenda items as "must haves" which means there will be significant impacts if the item is not addressed tonight. If these items have not been heard by 10 p.m., the order of the agenda will be changed to allow them to be heard.*

**1. Opening**

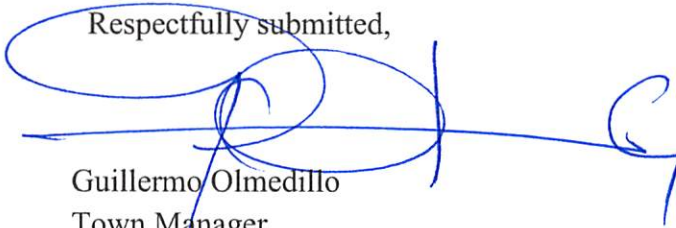
- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**

**2. Sensible Gun Regulations Urging Resolution**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING ON THE STATE OF FLORIDA, GOVERNOR RICK SCOTT, PRESIDENT DONALD TRUMP, AND THE FEDERAL GOVERNMENT TO REDUCE GUN VIOLENCE IN AMERICA AND HELP PREVENT FUTURE SHOOTINGS BY REQUIRING A BACKGROUND CHECK FOR EVERY FIREARM SALE; SUPPORTING THE PASSAGE OF A RED FLAG LAW; SUPPORTING RAISING THE AGE FOR LEGAL PURCHASE OF FIREARMS, MAGAZINES AND AMMUNITION TO 21; SUPPORTING THE PASSAGE OF LEGISLATION THAT WOULD KEEP MILITARY-STYLE WEAPONS AND HIGH-CAPACITY MAGAZINES AWAY FROM OUR SCHOOLS; AUTHORIZING THE TOWN CLERK TO TRANSMIT THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**10. Adjournment**

Respectfully submitted,



Guillermo Olmedillo  
Town Manager

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THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsufsidefl.gov](http://www.townofsufsidefl.gov).

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



**Town of Surfside  
Special Town Commission Meeting  
February 27, 2018  
5:30pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**RESOLUTION COVER MEMORANDUM**

**Agenda Item:** #2

**Date:** February 22, 2018

**From:** Daniel Dietch, Mayor

**Subject:** Sensible Gun Regulations Urging Resolution

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**Objective:** To discuss, approve and transmit the attached Sensible Gun Regulations Urging Resolution (see Attachment A).

**Consideration:** Surfside has a history of engagement and advocacy related to sensible gun regulations. As you may know I joined the Mayors Against Illegal Guns Coalition (MAIG) in 2010 (see Attachment B) and in coordination with the Town Manager and Police Chief have been supporting MAIG's efforts to responsibly address legislative gun reforms.

In the wake of the Sandy Hook Elementary School shooting in Newtown, CT on December 14, 2012, where two semi-automatic handguns were used to murder 27 people including 20 children at Sandy Hook elementary school, Surfside passed Resolution No. 13-2130 (see Attachment C) to urge the federal government to reduce gun violence in America through the "Fix Gun Checks Act." Subsequently, Surfside, working in concert with Arms with Ethics, a Surfside-based non-profit organization, passed Resolution No. 13-2162 (see Attachment D) to pledge our support for an initiative to use government's buying power to influence the gun industry to adopt sensible practices to keep guns out of the hands of criminals.

Despite our efforts to urge the Florida Legislature and Congress to enact common sense gun regulations, little progress has been made and senseless acts of violence continue. However, in the wake of the mass shooting at Marjory Stoneman Douglas High School in Parkland, FL on February 14, 2018 that killed 17 students, teachers and coaches and wounding 14 others with a semi-automatic rifle, there is a groundswell of energy and attention that could finally result in the passage of sensible gun regulations at the federal and/or state levels that could accomplish the following:

- Remove loopholes in the private transfer of weapons and require full background checks for all sales and transfers of firearms;
- Raise the age for legal purchase of guns, including long guns, high capacity magazines, and ammunition to 21 years of age;

- Enact legislation to place sensible constitutional restrictions on the sale and transfer of assault-style weapons and high-capacity magazines; and
- Protect our community from those who are identifiable as a threat to safety and security under the “Red Flag Law”;
- Repeal punitive punishments of elected officials set forth in Florida Statutes section 790.33 that provides for personal liability of any person who enacts or causes to be enforced any local ordinance impinging upon the Legislature’s occupation of the whole field of regulation of firearms and ammunition.

I ask you to reflect on the recent events and consider this opportunity to stand with communities around the country and continue our advocacy for sensible gun regulations that balance the rights provided under the Second Amendment to the United States Constitution and reasonable legal controls for the benefit of a civilized society.

**Recommendation:** To approve and transmit the attached Sensible Gun Regulations Urging Resolution (see Attachment A).

attachments

**SURFSIDE, FLORIDA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, CALLING ON THE STATE OF FLORIDA, GOVERNOR RICK SCOTT, PRESIDENT DONALD TRUMP, AND THE FEDERAL GOVERNMENT TO REDUCE GUN VIOLENCE IN AMERICA AND HELP PREVENT FUTURE SHOOTINGS BY REQUIRING A BACKGROUND CHECK FOR EVERY FIREARM SALE; SUPPORTING THE PASSAGE OF A RED FLAG LAW; SUPPORTING RAISING THE AGE FOR LEGAL PURCHASE OF FIREARMS, MAGAZINES AND AMMUNITION TO 21; SUPPORTING THE PASSAGE OF LEGISLATION THAT WOULD KEEP MILITARY-STYLE WEAPONS AND HIGH-CAPACITY MAGAZINES AWAY FROM OUR SCHOOLS; AUTHORIZING THE TOWN CLERK TO TRANSMIT THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside is a member of Mayors Against Illegal Guns (“MAIG”), a national bipartisan coalition of more than 800 mayors, who represent more than 58 million Americans; and

WHEREAS, the Town of Surfside Commission has repeatedly passed Resolutions urging State and Federal elected bodies to strengthen gun laws meant to protect our community; and

WHEREAS, National and State leaders continue to fail to act to implement sensible gun law reforms that are supported by a majority of the nation; and

WHEREAS, an increase in the amount of hate groups, international and lone wolf domestic terrorism, underfunded community mental health programs, and easy access to military grade, high capacity magazine assault weapons have created circumstances which have led to an unprecedented number of mass shootings in American communities in recent years with higher numbers of injuries and fatalities; and

WHEREAS, in recent years, mass shootings involving military grade-high capacity magazine assault weapons have occurred in 2007 at a college in Virginia, and in 2012 at a Century 16 Movie Theater in Aurora, Colorado; and

WHEREAS, in February 2013, in the wake of numerous mass shootings culminating in the Sandy Hook Elementary School shooting in Newtown, Connecticut,

the Town of Surfside adopted Commission Resolution No. 13-2130 to urge the federal government to reduce gun violence in America through the “Fix Gun Checks Act;” and

WHEREAS, in January 2014, the Town of Surfside Commission adopted Resolution No. 13-2162 to support efforts to reduce gun violence and illegal firearms trafficking through more responsible gun sales and marketing practices; and

WHEREAS, further mass shootings occurred in the 2015 attack at the Inland Regional Center in San Bernardino, California; the 2016 attack on the Pulse nightclub in Orlando, Florida; and the 2017 attack at the Route 91 Harvest Festival in Las Vegas, Nevada; and

WHEREAS, on November 5, 2017, a mass shooting occurred at the First Baptist Church in Sutherland Springs, Texas killing 26 and injuring 20 others in what has been identified as the deadliest mass shooting by one person in Texas, the fifth-deadliest mass shooting in the United States and the deadliest shooting in an American place of worship in modern history, surpassing the Charleston church shooting of 2015 and the Waddell Buddhist temple shooting of 1991; and

WHEREAS, on February 14, 2018, a mass shooting occurred at Marjory Stoneman Douglas High School in Parkland, Florida killing 17 students, teachers and coaches and wounding 14 others, 5 with life-threatening injuries; and

WHEREAS, an AR-15-style rifle was used in the mass shootings in Newton, Connecticut; Aurora, Colorado; San Bernardino, California; Las Vegas, Nevada; Sutherland Springs, Texas; and Parkland, Florida;

### **BACKGROUND CHECKS FOR ALL SALES AND TRANSFERS**

WHEREAS, according to Everytown For Gun Safety, which is an independent, non-partisan 501(c)(3) organization dedicated to understanding and reducing gun violence in America:

- Background checks are a central component of America's efforts to keep guns from criminals: since their inception, they have blocked over 3 million gun sales to prohibited purchasers.
- According to a study by the Department of Justice, between 1994 and 2014, federal, state, and local agencies conducted background checks on more than 180 million firearm applications and denied 2.82 million gun sales to prohibited purchasers.

WHEREAS, despite this success, the system is undermined by legal loopholes and missing records that enable too many dangerous individuals to obtain weapons they later use in crimes; and

WHEREAS, it is estimated that state and federal agencies have failed to report more than one million records of persons with dangerous mental illness into the National Instant Criminal Background Check System (“NICS”) which initiates background checks into three databases: the National Crime Information Center (NCIC), the Interstate Identification Index, and the NICS Index; and

WHEREAS, on April 16, 2007, Seung-Hui Cho shot and killed 32 people at Virginia Tech with guns that were legally purchased because records of his mental health status were missing from the NICS; and

WHEREAS, on January 8, 2011, Jared Loughner, someone with a reported history of drug abuse and serious mental illness who should have been in the NICS database but was not, killed six Tucsonans – Christina-Taylor Green, Dorothy Morris, Judge John Roll, Dorwan Stoddard, Phyllis Schneck, and Gabe Zimmerman – and shot 13 others, including U.S. Congresswoman Gabrielle Giffords; and

WHEREAS, on July 20, 2012, James Holmes, using a semi-automatic rifle and other guns, allegedly shot and killed 12 people and injured at least 58 others in a movie theater in Aurora, Colorado, using some of the thousands of rounds of ammunition that the shooter had recently purchased online without any background check; and

WHEREAS, on August 5, 2012, Wade Michael Page, using a semi-automatic handgun, allegedly shot and killed 6 people and injured 3 others at a Sikh temple in Oak Creek, Wisconsin; and

WHEREAS, on October 21, 2012, Radcliffe Haughton, using a semi-automatic handgun, shot and killed his estranged wife and two others; and though a restraining order had been issued against Haughton – making him a prohibited person under federal law – Haughton was able to avoid a background check by purchasing the gun from a private seller through armslist.com; and

WHEREAS, on December 14, 2012, Adam Lanza, using two semi-automatic handguns, shot and killed 27 people, including 20 children at Sandy Hook elementary school; and

WHEREAS, the shooter in the Sutherland Springs, Texas massacre should have been prevented from purchasing any firearm because of a domestic violence conviction and court-martial while in the United States Air Force. However, according to news reports, the Air Force did not provide the conviction to the FBI National Crime Information Center database; and

WHEREAS, in the wake of the Virginia Tech shootings, Virginia and other states have submitted hundreds of thousands of new mental health records into the NICS database, yet 19 states have each submitted fewer than 100 mental health records since that massacre; and

WHEREAS, under federal law, licensed gun dealers are mandated to conduct NICS checks before proceeding with a sale, but this requirement does not apply to so-called private sellers who are present in large numbers at gun shows and sell guns over the internet; and

WHEREAS, it is estimated that 6.6 million guns were sold privately in the U.S. between November 2011 and November 2012, and undercover investigations have shown that many private sellers at gun shows and online will proceed with sales even when they are made aware that prospective purchasers cannot pass a background check; and

WHEREAS, more than 12,000 Americans are murdered with guns every year, and too many of these crimes are committed by individuals who are barred from purchasing or possessing guns under federal law; and

WHEREAS, other tragedies including the 1999 Columbine High School shooting in Colorado, the 2010 attack on law enforcement at the Pentagon, and the 2012 mass shooting at a Pittsburgh psychiatric clinic were perpetrated by individuals who obtained guns through unregulated private sales, with no paperwork required and no questions asked; and

WHEREAS, the Fix Gun Checks Act was introduced in the U.S. Congress, and this legislation would have addressed the two major flaws in the nation's gun background check system by improving compliance with federal record reporting requirements, and by requiring background checks for all U.S. gun sales; and

WHEREAS, 90 percent of Americans and 90 percent of gun owners support fixing gaps in the gun background check database, and 86 percent of Americans, 82



percent of gun owners nationwide, and 74 percent of National Rifle Association (“NRA”) members support mandatory criminal background checks for all gun sales; and

WHEREAS, the Town of Surfside has been a strong advocate for common-sense policies that keep guns out of dangerous hands while respecting the rights of law-abiding gun owners, and strongly believes that Congress and state governments should take action to close deadly gaps in the NICS; and

WHEREAS, more than 50 national organizations support closing gaps in the gun background check database and requiring a background check for all gun sales, including the U.S. Conference of Mayors, National Urban League, National Association for the Advancement of Colored People, and the National Coalition Against Domestic Violence, the International Association of Chiefs of Police, the Major Cities Chiefs Association and the Police Executive Research Forum; and

### **RED FLAG LAWS**

WHEREAS, implementation of RED FLAG LAWS, allows the community to protect itself and according to Everytown For Gun Safety:

- Like many mass shooters, the 19-year-old suspected of shooting and killing at least 17 people and injuring at least 14 others at a high school in Parkland, Florida displayed warning signs prior to the shooting. Unfortunately, Florida does not have a Red Flag Law—a law increasingly being adopted by states that empowers family members and law enforcement to seek an Extreme Risk Protection Order, a court order temporarily restricting a person’s access to guns when they pose a danger to self or others.
- Red Flag Laws can save lives by creating a way for family members and law enforcement to act before warning signs escalate into tragedies;
- When a person is in crisis, loved ones and law enforcement are often the first to see signs that they pose a threat. Red Flag Laws allow them to seek help from a court to remove guns from dangerous situations;
- Red Flag Laws empower law enforcement and immediate family members to petition a court for an Extreme Risk Protection Order, sometimes called a Gun Violence Restraining Order.
- If a court finds that a person poses a significant danger of injuring themselves or others with a firearm, that person is temporarily

prohibited from purchasing and possessing guns and is required to turn over their guns while the order is in effect.

- Five states have Red Flag Laws—and bills are currently pending in another 18 states, including Florida;
- A nationwide study of mass shootings from 2009 to 2016 revealed that in least 42 percent of those incidents, there is documentation that the attacker exhibited dangerous warning signs before the shooting.
- The alleged mass shooter who shot and killed 17 people and injured 14 others at a high school in Parkland, Florida on February 14, 2018 also displayed warning signs prior to the shooting. He was expelled from school, and students and teachers reported that he displayed threatening behavior. His mother contacted law enforcement on multiple occasions regarding his behavior, and he was known to possess firearms.
- Final orders—which generally last for up to one year—can only be issued after notice and an opportunity to be heard. At the hearing, the person would have the chance to respond to evidence that they are too dangerous to have a gun.
- A temporary order—which typically lasts 14 to 21 days—can be issued before a full hearing is held, but only if there is clear evidence that an order is necessary to prevent immediate danger.

WHEREAS, currently pending in the Florida Legislature is House Bill 231/Senate Bill 530 which would implement a Red Flag Law, and had these bills been passed and signed into law, there is a high likelihood the Parkland massacre would have been averted and those loved ones saved; and

### **FLORIDA LAW PERMITS PURCHASE OF GUNS BY PERSONS UNDER 21 YEARS OF AGE**

WHEREAS, according the Giffords Law Center to Prevent Gun Violence:

- Laws imposing minimum age requirements for the possession and purchase of firearms are intended to decrease access to firearms by young people and, correspondingly, to decrease the number of suicides, homicides, and unintentional shootings among that population;
- In 2014, 21,101 people under the age of 21 were shot by guns. 3,265 died from those gunshot wounds. Of these deaths, 1,925 were

classified as homicides, 1,145 as suicides, and 122 as the result of unintentional shootings;

- Firearms were used in 41% of suicide deaths among individuals under age 21 in 2014.

WHEREAS, according to the Giffords Law Center to Prevent Gun Violence:

- Federal law in this area distinguishes between long guns (assault style rifles, rifles and shotguns) and handguns, and between gun possession and gun sales. Federal law also provides stronger age restrictions for sales by licensed gun sellers.
- Licensed firearms dealers may not sell or deliver a handgun or ammunition for a handgun to any person the dealer has reasonable cause to believe is under age 21.
- Dealers may not sell or deliver a long gun, or ammunition for a long gun, to any person the dealer knows or has reasonable cause to believe is under age 18.
- Unlicensed persons may not sell, deliver or otherwise transfer a handgun or handgun ammunition to any person the transferor knows or has reasonable cause to believe is under age 18, with certain exceptions.
- Unlicensed persons may sell, deliver, or otherwise transfer a long gun or long gun ammunition to a person of any age.

WHEREAS, in summary, with some exceptions, federal law prohibits the possession of a handgun or handgun ammunition by any person under the age of 18 but does not set a minimum age for the possession of long guns or long gun ammunition; and

WHEREAS, under Florida law, the purchase of a long gun is allowed for a person under 21 years of age; and

WHEREAS, in order to restrict such purchase and/or possession of a long gun, high capacity magazines and ammunition, the Florida legislature would need to amend Fla. Stat. §§ 790.17(2), 790.18; Fla. Stat. § 790.22(3), (5); and

**ASSAULT WEAPON AND HIGH CAPACITY MAGAZINE RESTRICTIONS HAVE BEEN HELD CONSTITUTIONAL**

WHEREAS, Maryland, Connecticut and New York, in response to mass shootings resulting in the massacre of students, teachers and others, passed similar prohibitions on sales of assault weapons and large capacity magazines; and

WHEREAS, after lengthy litigation, those laws were upheld by U.S. Federal Courts as constitutional, concluding that the Second Amendment does not reach to protect the purchase and sale of weapons of war. Kolbe v. Hogan, 849 F.3d 114 (Fourth Cir. 2017); New York State Rifle and Pistol Ass'n, Inc. v. Cuomo, 804 F.3d 242 (Second Cir. 2015); and

WHEREAS, in response to the Sandy Hook massacre, Maryland enacted the State's Firearm Safety Act of 2013 (the "FSA"), which bans the AR-15 and other military-style rifles and shotguns (referred to as "assault weapons") and detachable large-capacity magazines, providing "that a person may neither "transport an assault weapon into the State" nor "possess, sell, offer to sell, transfer, purchase, or receive an assault weapon." See Md. Code Ann., Crim. Law § 4-303(a). The banned assault weapons include "assault long gun[s]" and "copycat weapon[s]." Id. § 4-301(d)."; and

WHEREAS, the Maryland FSA defines an assault long gun as a rifle or shotgun "listed under § 5-101(r)(2) of the Public Safety Article," including the "Colt AR-15," "Bushmaster semi-auto rifle," and "AK-47 in all forms." See Md. Code Ann., Crim. Law § 4-301(b); Md. Code Ann., Pub. Safety § 5-101(r)(2). The list of prohibited rifles and shotguns consists of "specific assault weapons or their copies, regardless of which company produced and manufactured that assault weapon." See Md. Code Ann., Pub. Safety § 5-101(r)(2)"; and

WHEREAS, the Maryland "FSA provides a separate definition for a copycat weapon that is premised on a weapon's characteristics, rather than being identified by a list of specific firearms. In relevant part, a copycat weapon means: (i) a semiautomatic centerfire rifle that can accept a detachable magazine and has any two of the following: 1. a folding stock; 2. a grenade launcher or flare launcher; or 3. a flash suppressor; (ii) a semiautomatic centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds; (iii) a semiautomatic centerfire rifle that has an overall length of less than 29 inches; \* \* \* (v) a semiautomatic shotgun that has a folding stock; or (vi) a shotgun with a revolving cylinder. See Md. Code Ann., Crim. Law § 4-301(e)(1)."; and

WHEREAS, "[i]n banning large-capacity magazines along with assault weapons, the FSA provides that "[a] person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 10 rounds of ammunition for a firearm." See Md. Code Ann., Crim. Law § 4-305(b). A detachable

magazine is defined as “an ammunition feeding device that can be removed readily from a firearm without requiring disassembly of the firearm action or without the use of a tool, including a bullet or cartridge.” *Id.* § 4-301(f).”; and

WHEREAS “[u]nder the FSA’s exceptions, “[a] licensed firearms dealer may continue to possess, sell, offer for sale, or transfer an assault long gun or a copycat weapon that the licensed firearms dealer lawfully possessed on or before October 1, 2013,” and “[a] person who lawfully possessed, has a purchase order for, or completed an application to purchase an assault long gun or a copycat weapon before October 1, 2013, may ... possess and transport the assault long gun or copycat weapon.” See Md. Code Ann., Crim. Law § 4-303(b)(2), (3)(i). The FSA does not ban the possession of a large-capacity magazine. Further, the FSA explicitly allows the receipt and possession of an assault weapon or large-capacity magazine by a retired Maryland law enforcement officer if the assault weapon or large-capacity magazine “is sold or transferred to the person by the law enforcement agency on retirement” or “was purchased or obtained by the person for official use with the law enforcement agency before retirement.” *Id.* § 4-302(7).”, and

WHEREAS the Kolbe Court stated “[s]imply put, AR-15-type rifles are “like” M16 rifles under any standard definition of that term. See, e.g., Webster’s New International Dictionary 1431 (2d ed. 1948) (defining “like” as “[h]aving the same, or nearly the same, appearance, qualities, or characteristics; similar”); The New Oxford American Dictionary 982 (2d ed. 2005) (defining “like” as “having the same characteristics or qualities as; similar to”). Although an M16 rifle is capable of fully automatic fire and the AR-15 is limited to semiautomatic fire, their rates of fire (two seconds and as little as five seconds, respectively, to empty a thirty-round magazine) are nearly identical. Moreover, in many situations, the semiautomatic fire of an AR-15 is more accurate and lethal than the automatic fire of an M16. Otherwise, the AR-15 shares the military features—the very qualities and characteristics—that make the M16 a devastating and lethal weapon of war.”; and

WHEREAS, the Kolbe Court held “[w]hatever their other potential uses—including self-defense—the AR-15, other assault weapons, and large-capacity magazines prohibited by the FSA are unquestionably most useful in military service. That is, the banned assault weapons are designed to “kill[ ] or disabl[e] the enemy” on the battlefield. See J.A. 735. The very features that qualify a firearm as a banned assault weapon—such as flash suppressors, barrel shrouds, folding and telescoping stocks, pistol grips, grenade launchers, night sights, and the ability to accept bayonets and large-capacity magazines—“serve specific, combat-functional ends.” See *id.* at 1120. And, “[t]he net effect of these military combat features is a capability for lethality—

more wounds, more serious, in more victims—far beyond that of other firearms in general, including other semiautomatic guns.” *Id.* at 1121-22.”; and

WHEREAS, the Kolbe Court found, “[l]ikewise, the banned large-capacity magazines “are particularly designed and most suitable for military and law enforcement applications.” See *J.A. 891* (noting that large-capacity magazines are meant to “provide soldiers with a large ammunition supply and the ability to reload rapidly”). Large-capacity magazines enable a shooter to hit “multiple human targets very rapidly”; “contribute to the unique function of any assault weapon to deliver extraordinary firepower”; and are a “uniquely military feature” of both the banned assault weapons and other firearms to which they may be attached. See *id.* at 1151.”; and

WHEREAS, the Kolbe Court concluded, “[b]ecause the banned assault weapons and large-capacity magazines are clearly most useful in military service, we are compelled by *Heller* to recognize that those weapons and magazines are not constitutionally protected.”; and

WHEREAS, the en banc panel of the Fourth Circuit in Kolbe held that “[1] banned weapons and magazines were not protected by Second Amendment; [2] the Maryland FSA did not violate Equal Protection Clause; and [3] the Maryland FSA was not void for vagueness under Due Process Clause;” and

WHEREAS, the Kolbe holding that such reasonable restrictions did not violate the Second Amendment was consistent with the earlier holding of the Second Circuit in New York State Rifle and Pistol Ass’n, Inc. v. Cuomo, 804 F.3d 242 (Second Cir. 2015) which held: “[1] laws prohibiting possession of certain semiautomatic weapons, large-capacity magazines, and on number of bullets in a magazine would be reviewed under intermediate scrutiny; [2] prohibitions on possessing certain semiautomatic assault rifles with one or more military-style features did not violate the Second Amendment’s right to bear arms; [3] prohibitions on possessing large-capacity magazines not violate the Second Amendment’s right to bear arms; [4] New York law prohibiting possession of a magazine for a firearm loaded with more than seven rounds violated the Second Amendment right to bear arms; [5] laws criminalizing possession of magazines that could be “readily restored or converted to accept” more than ten rounds were not unconstitutionally vague; [6] Connecticut law prohibiting possession of certain specified firearms and any “copies or duplicates thereof with the capability of” the listed models was not unconstitutionally vague; [7] New York law prohibiting possession of semiautomatic pistols that were semiautomatic versions of an automatic rifle, shotgun or firearm” was not unconstitutionally vague; and [8] provision of New York law prohibiting

semiautomatic assault rifles with a “muzzle break” was not unconstitutionally vague;” and

WHEREAS, presently pending in Florida is similar legislation, Senate Bill 196/House Bill 219 which would prohibit “the sale or transfer of an assault weapon or large-capacity magazine; specifying circumstances in which the manufacture or transportation of assault weapons or large-capacity magazines is not prohibited; providing enhanced criminal penalties for certain offenses when committed with an assault weapon or large-capacity magazine, etc.,” and

WHEREAS, following the lead of other states, and having had Federal Courts consistently hold that such restrictions are constitutional, it is time to implement such restrictions; and

### **FLORIDA LAW INAPPROPRIATELY PUNISHES ELECTED OFFICIALS FOR TRYING TO PROTECT THEIR RESIDENTS**

WHEREAS, in 1987, the Florida Legislature passed Chapter 87-23, Laws of Florida, which created Florida Statutes section 790.33 and declared the preemption of the whole field of regulation of firearms and ammunition, reserving the exclusive right to regulate and/or enforce any laws involving firearms and ammunition to the Florida Legislature and the State of Florida; and

WHEREAS, in 2011, the Florida Legislature passed and Governor Scott signed Chapter 2011-109, Laws of Florida to allow the Governor to remove from office, without due process of law, any person acting in an official capacity for a local authority, including an elected official, who passes an ordinance or causes to be enforced a local ordinance, administrative rule or regulation impinging on the exclusive authority of Florida legislature to regulate firearms and ammunition in all respects; and

WHEREAS, the 2011 Amendment to Florida Statutes section 790.33 provides for personal liability of any person who enacts or causes to be enforced any local ordinance impinging upon the Legislature’s occupation of the whole field of regulation of firearms and ammunition; and

WHEREAS, the 2011 Amendment to Florida Statutes section 790.33 also provides that if a Court finds a willful or knowing violation of the prohibition on the ability of local government to regulate or enforce firearms or ammunition in any regard, the Court may impose a personal fine of up to \$5,000 on the elected or appointed local government official(s) or administrative agency head and cause the county, agency,

municipality, district or other entity to reimburse the legal cost of those who sue to overturn the ordinance, rule, regulation and/or enforcement effort and to pay their actual damages; and

WHEREAS, pursuant to Florida Statutes section 790.33, local communities appear powerless to enumerate elements of the standard of care which should be met to protect the community; and

WHEREAS, the Town of Surfside Town Commission urgently requests the Governor and Legislature of the State of Florida to address these deficits in law by enacting legislation that would allow municipalities the ability to address these public health, safety and welfare items by enacting local legislation without fear of removal from office and overwhelming fines, in accordance with the unique local characteristics of a community and with due respect to the risk to public; and

WHEREAS, local governments have a duty to protect their residents, visitors, tourists and businesses and that such duty should not be infringed upon by State government.

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

Section 1. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

Section 2. The Town supports federal legislation that would require a background check for every firearm sale whether the legislation is enacted by passage of the Fix Gun Checks Act in the United States Congress or some other legislation.

Section 3. The Town urges the Florida legislature to immediately pass House Bill 231/ Senate Bill 530, popularly described as a “Red Flag Law,” to protect our community from those who are identifiable as a threat to safety and security.

Section 4. The Town urges immediate amendment to Florida law to raise the age for legal purchase of guns, including long guns, high capacity magazines, and ammunition to 21 years of age.

Section 5. The Town urges immediate passage of legislation that would get military-style weapons and high-capacity magazines away from our community and



especially our schools and that would increase the minimum age to purchase and possess a weapon from age 18 to age 21.

Section 6. The Town urges the Florida legislature to repeal the draconian punitive punishments of elected officials set forth in Florida Statutes section 790.33.

Section 7. The Town urges Florida Governor Rick Scott to take action to pass gun reform, even if it means extending the 2018 legislative session, to:

- a. Raise the minimum age to allow the purchase of guns and ammunition to 21;
- b. Eliminate the loopholes in the private transfer of weapons and require full background checks for all sales and transfers of firearms;
- c. Repeal the prohibitions and penalties in Section 790.33(3), Florida Statutes;
- d. Enact legislation regarding Red Flag Law to allow Extreme Risk Protection Orders such as those proposed in House Bill 231 and Senate Bill 530;
- e. Enact the Gun Safety legislation set forth in Senate Bill 196 and House Bill 219 to place constitutional restrictions on the sale and transfer of assault-style weapons and high-capacity magazines.

Section 8. The Town Clerk is hereby directed to distribute this Resolution to President Donald Trump, Governor Rick Scott, the United States Congressional Delegations from Florida, the Miami-Dade County Legislative Delegation, and the Miami-Dade County League of Cities.

Section 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of February, 2018.

Motion by \_\_\_\_\_,

Second by \_\_\_\_\_.

**FINAL VOTE ON ADOPTION**

Commissioner Daniel Gielchninsky \_\_\_\_\_  
Commissioner Michael Karukin \_\_\_\_\_  
Commissioner Tina Paul \_\_\_\_\_  
Vice Mayor Barry Cohen \_\_\_\_\_

Mayor Daniel Dietch

\_\_\_\_\_

\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

\_\_\_\_\_  
Sandra Novoa, Town Clerk

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

\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman P.L.  
Town Attorney



December 19, 2012

President Barack Obama  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear President Obama,

On Friday, December 14<sup>th</sup> the entire nation watched as parents stood outside the Sandy Hook Elementary School and waited, desperately hoping to be reunited with their children. That moment will never end for the families of the 20 children and six adults who were murdered that day at the school.

As mayors, we are charged with keeping our communities safe. But too many of us have sat with mothers and fathers of children killed with guns. Twenty-four children enrolled in public schools in your hometown of Chicago were shot to death just last year.

At the moving memorial service on Sunday evening, you said: “If there is even one step we can take to save another child or another parent or another town from the grief that has visited Tucson and Aurora and Oak Creek and Newtown and communities from Columbine to Blacksburg before that – then surely we have an obligation to try.”

Our bipartisan coalition of more than 750 mayors has joined forces with over 700,000 Americans and more than 100 survivors of deadly shootings, including the mass shootings you mentioned in your remarks. Together, we urge you to put forward an agenda that is rooted in common sense and that will make it harder for dangerous people to possess guns, and easier for police and prosecutors to crack down on them. That agenda should:

- **Require every gun buyer to pass a criminal background check:** Background checks are the only systematic way to stop felons, domestic abusers and other dangerous people from buying firearms. These checks are instantaneous and highly effective. Since its inception, the National Instant Criminal Background Check System (NICS) has blocked firearms purchases at licensed dealerships by millions of individuals who are barred by federal law from owning them. But criminals and other prohibited purchasers avoid these checks by buying firearms, including online and at gun shows, from unlicensed “private sellers” who are not required by federal law to conduct the checks. Millions of gun sales — estimated at more than 40 percent of the U.S. annual total — are conducted through private sellers. The Fix Gun Checks Act (H.R.1781 / S.436) would close this enormous gap in our laws by requiring a criminal background check for every gun sale.
- **Get high capacity rifles and ammunition magazines off our streets:** Military-style weapons and high capacity ammunition magazines have no appropriate civilian or sporting function. They are designed to kill large numbers of people quickly. They are also disproportionately used to kill law enforcement officers; approximately one out of five law enforcement officers slain in the line of duty is killed with assault weapons. The

time has come to review the federal assault weapons ban that expired in 2004 and draft a new law that is clear and enforceable and will take these weapons out of our communities.

- **Make gun trafficking a federal crime:** Today, there is no clear and effective statute making gun trafficking a crime. Prosecutors are instead forced to rely on a weak law prohibiting engaging in the business of selling guns without a federal license, which carries the same punishment as trafficking chicken or livestock. As a result, according to the Justice Department's Inspector General, U.S. Attorneys decline to prosecute 25 percent of those cases while declining only 9 percent of drug conspiracy cases. Mayors Against Illegal Guns supports proposals to empower law enforcement to investigate and prosecute straw purchasers, gun traffickers, and their entire criminal networks.

Those ideas require action by Congress, but there steps you and your Administration could and should take immediately to curb gun violence:

- **Appoint an ATF director:** The Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), the federal agency responsible for enforcing our gun laws, has gone without a confirmed director for more than six years. During that time, criminals and those with serious mental illness have been able to take advantage of insufficient enforcement of existing federal gun laws, and an estimated 72,000 Americans have been murdered with guns. In 2011, for the first time in over a decade, more police officers were shot to death in the line of duty than were killed in automobile accidents. The need for leadership at the ATF has never been more urgent. The time has come for you to make a recess appointment to fill the vacancy at the top of the ATF.
- **Prosecute prohibited purchasers who attempt to buy firearms, ammunition or high-capacity magazines:** The Justice Department should vigorously prosecute felons and other prohibited purchasers who fail gun background checks. In 2009, the Federal Bureau of Investigation referred more than 71,000 such cases to ATF, but U.S. Attorneys ultimately prosecuted only 77 of them. Prosecuting these offenders is a goal broadly supported by our coalition and the National Rifle Association. The Department should also develop a mechanism for sharing NICS denial information with local and state law enforcement officials by sending them active alerts; or, at a minimum, posting the information at the National Criminal Information Center so state and local law enforcement officials can access it during investigations.
- **Require federal agencies to report records to NICS:** The NICS Improvement Act of 2007 requires federal agencies to submit mental health, substance abuse and other records that prohibit a person from owning a gun to NICS. However, few agencies comply. In October 2011, the FBI provided data to MAIG on reporting by 60 federal agencies. Of those 60 agencies, 52 had given zero mental health records to NICS. Although total federal agency reporting of mental health records increased by ten percent between March and October 2011, to 143,579, the vast majority of those records had been submitted by one agency, the Department of Veterans Affairs. Even fewer federal agencies are reporting drug abusers. Only three agencies — the FBI, the U.S. Coast Guard, and the Court Services and Offenders Supervision Agency (CSOSA), the probation and parole services agency for the District of Columbia — have submitted any substance abuse records, and the vast majority of federal agencies, including the Drug Enforcement Administration, have not submitted a single substance abuse record. The president should issue an executive order requiring all federal agency heads to certify twice annually, in writing, to the U.S. Attorney General that their agency has submitted all relevant records to NICS.

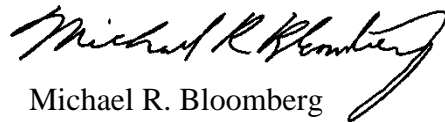
- **Repeal remaining Tiahrt restrictions:** While Mayors Against Illegal Guns and our law enforcement allies have made progress in relaxing the “Tiahrt restrictions,” which are riders to the federal budget that restrict access to federal gun data, some still remain. These remaining restrictions keep the public, particularly researchers and elected officials, in the dark about gun traffickers – specifically, who they are and how they operate. It also requires the FBI to destroy records of approved NICS background checks within 24 hours. That makes it harder to detect law-breaking dealers who fake their records, or to identify straw buyers who undergo the checks on behalf of someone who couldn’t pass. The Tiahrt Amendments also say ATF can’t require dealers to inspect their inventory, which could reduce the tens of thousands of guns that go missing or are stolen each year. Finally, the police and other law enforcement agencies that get trace data can’t use it in license revocation proceedings or in civil litigation. The administration should repeal these restrictions in its next budget.

In the past few days, the American people came together in a national outpouring of grief and sympathy for the families of victims slain in the mass shooting in Newtown. We share in that grief. But our constituents are also outraged and looking for leadership from the White House. We look forward to working with you to find a solution to gun violence in our country.

Sincerely,



Thomas M. Menino  
Mayor of Boston  
Coalition Co-Chair



Michael R. Bloomberg  
Mayor of New York City  
Coalition Co-Chair

**CC: Majority Leader Harry Reid, U.S. Senate**  
**Minority Leader Mitch McConnell**  
**Speaker John Boehner, U.S. House of Representatives**  
**Minority Leader Nancy Pelosi, U.S. House of Representatives**

**Signed by the Members of Mayors Against Illegal Guns:**

Mayor Samuel L. Jones, Mobile, Alabama  
Mayor Omar Neal, Tuskegee, Alabama  
Mayor Satish I. Hiremath, Oro Valley, Arizona  
Mayor Greg Stanton, Phoenix, Arizona  
Mayor Jennifer Eckstrom, South Tucson, Arizona  
Mayor Jonathan Rothschild, Tucson, Arizona  
Mayor Larry S. Bryant, Forrest City, Arkansas  
Mayor Arnell Willis, Helena, Arkansas  
Mayor Lawrence Owens, Hughes, Arkansas  
Mayor Patrick Hays, North Little Rock, Arkansas  
Mayor Carl A. Redus, Pine Bluff, Arkansas  
Mayor McKinzie Riley, Wrightsville, Arkansas  
Mayor Marie L. Gilmore, Alameda, California  
Mayor Tom Bates, Berkeley, California  
Mayor Cheryl Cox, Chula Vista, California  
Mayor Eugene Montanez, Corona, California  
Mayor Jennifer West, Emeryville, California

Mayor Gus Morrison, Fremont, California  
Mayor Maria Orozco, Gonzales, California  
Mayor James T. Butts, Jr., Inglewood, California  
Mayor Sukhee Kang, Irvine, California  
Mayor Bob Foster, Long Beach, California  
Mayor Antonio Villaraigosa, Los Angeles, California  
Mayor Lou La Monte, Malibu, California  
Mayor Rob Schroder, Martinez, California  
Mayor Paul Eaton, Montclair, California  
Mayor R Michael Kasperzak Jr., Mountain View, California  
Mayor Jean Quan, Oakland, California  
Mayor Stephen P. Pougnet, Palm Springs, California  
Mayor Bill Bogaard, Pasadena, California  
Mayor Luis I. Molina, Patterson, California  
Mayor David Glass, Petaluma, California  
Mayor L. Dennis Michael, Rancho Cucamonga, California  
Mayor Gayle McLaughlin, Richmond, California

Mayor Kevin Johnson, Sacramento, California  
 Mayor Patrick J. Morris, San Bernardino, California  
 Mayor Edwin M. Lee, San Francisco, California  
 Mayor Andrew F. Kotyuk, San Jacinto, California  
 Mayor Chuck Reed, San Jose, California  
 Mayor Stephen H. Cassidy, San Leandro, California  
 Mayor Miguel Pulido, Santa Ana, California  
 Mayor Helene Schneider, Santa Barbara, California  
 Mayor Don Lane, Santa Cruz, California  
 Mayor Larry Forester, Signal Hill, California  
 Mayor Ann Johnston, Stockton, California  
 Mayor Jeffrey Prang, West Hollywood, California  
 Mayor Christopher Cabaldon, West Sacramento, California  
 Mayor Matthew Appelbaum, Boulder, Colorado  
 Mayor Michael B. Hancock, Denver, Colorado  
 Mayor Randy P. Penn, Englewood, Colorado  
 Mayor Marjorie Sloan, Golden, Colorado  
 Mayor Carolyn Cutler, Lafayette, Colorado  
 Mayor Bob Murphy, Lakewood, Colorado  
 Mayor Robert Muckle, Louisville, Colorado  
 Mayor Marc A. Snyder, Manitou Springs, Colorado  
 Mayor Joe Gierlach, Nederland, Colorado  
 Mayor Joyce Downing, Northglenn, Colorado  
 Mayor Don Stephens, Salida, Colorado  
 Mayor Andrew Muckle, Superior, Colorado  
 Mayor Stuart Fraser, Telluride, Colorado  
 Mayor Adam Salina, Berlin, Connecticut  
 Mayor Bill Finch, Bridgeport, Connecticut  
 Mayor Scott D. Jackson, Hamden, Connecticut  
 Mayor Pedro E. Segarra, Hartford, Connecticut  
 Mayor Daniel Drew, Middletown, Connecticut  
 Mayor John DeStefano, New Haven, Connecticut  
 Mayor Daryl Justin Finizio, New London, Connecticut  
 Mayor Richard A. Moccia, Norwalk, Connecticut  
 Mayor Ryan Bingham, Torrington, Connecticut  
 Mayor Neil M. O'Leary, Waterbury, Connecticut  
 Mayor Scott Slifka, West Hartford, Connecticut  
 Mayor John M. Picard, West Haven, Connecticut  
 Mayor Vincent C. Gray, Washington, DC  
 Mayor Michael J. Smith, Blades, Delaware  
 Mayor John P. Buchheit III, Delaware City, Delaware  
 Mayor Diane C. Hanson, Dewey Beach, Delaware  
 Mayor James L. Ford III, Lewes, Delaware  
 Mayor Kenneth Branner, Middletown, Delaware  
 Mayor Susan Gottlieb, Aventura, Florida  
 Mayor Jean Rosenfield, Bal Harbour, Florida  
 Mayor Woodrow L. Hay, Boynton Beach, Florida  
 Mayor Marilyn Gerber, Coconut Creek, Florida  
 Mayor James C. Cason, Coral Gables, Florida  
 Mayor Peggy Noland, Deerfield Beach, Florida  
 Mayor Bruce B. Mount, Eatonville, Florida  
 Mayor Craig Lowe, Gainesville, Florida  
 Mayor Glenn Singer, Golden Beach, Florida  
 Mayor Charles Sanders, Greenwood, Florida  
 Mayor Joy Cooper, Hallandale Beach, Florida  
 Mayor Peter J. M. Bober, Hollywood, Florida  
 Mayor Kenneth M. Shultz, Hypoluxo, Florida  
 Mayor Mary Lou Hildreth, Keystone Heights, Florida  
 Mayor Gow B. Fields, Lakeland, Florida  
 Mayor Patricia Gerard, Largo, Florida  
 Mayor Barrington Russell, Lauderdale Lakes, Florida  
 Mayor Richard Kaplan, Lauderhill, Florida  
 Mayor Howard A. Schieferdecker, Maitland, Florida  
 Mayor Tomas Regalado, Miami, Florida  
 Mayor Matti H. Bower, Miami Beach, Florida  
 Mayor Lori C. Moseley, Miramar, Florida  
 Mayor Connie Leon Kreps, North Bay Village, Florida  
 Mayor John Brady, North Lauderdale, Florida  
 Mayor Andre Pierre, North Miami, Florida  
 Mayor Buddy Dyer, Orlando, Florida  
 Mayor Myra L. Taylor, Opa-Locka, Florida  
 Mayor Dominic Persampiere, Oviedo, Florida  
 Mayor James P. Sasser, Pahokee, Florida  
 Mayor Greg Brudnicki, Panama City, Florida  
 Mayor Frank C. Ortis, Pembroke Pines, Florida  
 Mayor Joe LaCascia, Polk City, Florida  
 Mayor Thomas A. Masters, Riviera Beach, Florida  
 Mayor Norman S. Edelcup, Sunny Isles Beach, Florida  
 Mayor Michael J. Ryan, Sunrise, Florida  
 Mayor Daniel Dietch, Surfside, Florida  
 Mayor John Marks III, Tallahassee, Florida  
 Mayor Beth Talabisco, Tamarac, Florida  
 Mayor Jeri Muoio, West Palm Beach, Florida  
 Mayor Gary Resnick, Wilton Manors, Florida  
 Mayor Kasim Reed, Atlanta, Georgia  
 Mayor Deke Copenhaver, Augusta, Georgia  
 Mayor William F. Floyd, Decatur, Georgia  
 Mayor Donna Pittman, Doraville, Georgia  
 Mayor Earnestine D. Pittman, East Point, Georgia  
 Mayor James Thomas, Jr., Hinesville, Georgia  
 Mayor Robert A. B. Reichert, Macon, Georgia  
 Mayor June D. Bradfield, McRae, Georgia  
 Mayor Kathie deNobriga, PineLake, Georgia  
 Mayor Jere Wood, Roswell, Georgia  
 Mayor Patricia Wheeler, Stone Mountain, Georgia  
 Mayor Ralph Moore, Union City, Georgia  
 Mayor William P. Kenoi, Hilo, Hawaii  
 Mayor Peter Carlisle, Honolulu, Hawaii  
 Mayor Bernard P. Carvalho, Jr., Kauai, Hawaii  
 Mayor Larry Hartwig, Addison, Illinois  
 Mayor Arlene J. Mulder, Arlington Heights, Illinois  
 Mayor Rahm Emanuel, Chicago, Illinois  
 Mayor Elizabeth Tisdahl, Evanston, Illinois  
 Mayor Henderson Yarbrough, Sr., Maywood, Illinois  
 Mayor Christopher Koos, Normal, Illinois  
 Mayor Leon Rockingham, Jr., North Chicago, Illinois  
 Mayor Lawrence J. Morrissey, Rockford, Illinois  
 Mayor Robert Sabonjian, Waukegan, Illinois  
 Mayor Richard Hickman, Angola, Indiana  
 Mayor Mark Kruzan, Bloomington, Indiana  
 Mayor Tom C. Henry, Fort Wayne, Indiana  
 Mayor Karen Freeman-Wilson, Gary, Indiana

Mayor John A. Wilkes, Linton, Indiana  
 Mayor Dennis Tyler, Muncie, Indiana  
 Mayor William E. Gluba, Davenport, Iowa  
 Mayor T.M. Franklin Cownie, Des Moines, Iowa  
 Mayor Roy D. Buol, Dubuque, Iowa  
 Mayor Robert E. Scott, Sioux City, Iowa  
 Mayor Buck Clark, Waterloo, Iowa  
 Mayor Carl Brewer, Wichita, Kansas  
 Mayor Gene McMurry, Carrollton, Kentucky  
 Mayor Greg Fischer, Louisville, Kentucky  
 Mayor Melvin "Kip" Holden, Baton Rouge, Louisiana  
 Mayor Mitchell J. Landrieu, New Orleans, Louisiana  
 Mayor Rodney A. Grogan, Patterson, Louisiana  
 Mayor Cedric B. Glover, Shreveport, Louisiana  
 Mayor William R. Stokes, Augusta, Maine  
 Mayor Charlotte M. Warren, Hallowell, Maine  
 Mayor Michael Brennan, Portland, Maine  
 Mayor Joshua J. Cohen, Annapolis, Maryland  
 Mayor Stephanie Rawlings-Blake, Baltimore, Maryland  
 Mayor Andrew M. Fellows, College Park, Maryland  
 Mayor Brian K. Grim, Cumberland, Maryland  
 Mayor Robert C. Willey, Easton, Maryland  
 Mayor Peter Benjamin, Garrett Park, Maryland  
 Mayor Dennis J. Scheessele, Indian Head, Maryland  
 Mayor Craig A. Moe, Laurel, Maryland  
 Mayor Phyllis Marcuccio, Rockville, Maryland  
 Mayor James Ireton, Jr, Salisbury, Maryland  
 Mayor Jeffrey Slavin, Somerset, Maryland  
 Mayor Bruce R. Williams, Takoma Park, Maryland  
 Mayor Thatcher W. Kezer III, Amesbury, Massachusetts  
 Mayor Kevin J. Dumas, Attleboro, Massachusetts  
 Mayor William F. Scanlon, Jr., Beverly, Massachusetts  
 Mayor Thomas Menino, Boston, Massachusetts  
 Mayor Joseph C. Sullivan, Braintree, Massachusetts  
 Mayor Carlo DeMaria Jr., Everett, Massachusetts  
 Mayor Lisa A. Wong, Fitchburg, Massachusetts  
 Mayor Alex Morse, Holyoke, Massachusetts  
 Mayor Patrick O. Murphy, Lowell, Massachusetts  
 Mayor Gary Christenson, Malden, Massachusetts  
 Mayor Michael J. McGlynn, Medford, Massachusetts  
 Mayor Robert J. Dolan, Melrose, Massachusetts  
 Mayor Setti D. Warren, Newton, Massachusetts  
 Mayor David J. Narkewicz, Northampton, Massachusetts  
 Mayor Edward A. Bettencourt Jr., Peabody, Massachusetts  
 Mayor Thomas Koch, Quincy, Massachusetts  
 Mayor Daniel Rizzo, Revere, Massachusetts  
 Mayor Kimberley Driscoll, Salem, Massachusetts  
 Mayor Joseph A. Curtatone, Somerville, Massachusetts  
 Mayor Domenic Sarno, Springfield, Massachusetts  
 Mayor Susan M. Kay, Weymouth, Massachusetts  
 Mayor Scott Galvin, Woburn, Massachusetts  
 Mayor John Hieftje, Ann Arbor, Michigan  
 Mayor John B. O'Reilly, Jr., Dearborn, Michigan  
 Mayor Dave Bing, Detroit, Michigan  
 Mayor Dayne Walling, Flint, Michigan  
 Mayor George Hartwell, Grand Rapids, Michigan  
 Mayor Karen Majewski, Hamtramck, Michigan  
 Mayor Virg Bernero, Lansing, Michigan  
 Mayor Gretchen Driskell, Saline, Michigan  
 Mayor Brenda L. Lawrence, Southfield, Michigan  
 Mayor Paul T. Schreiber, Ypsilanti, Michigan  
 Mayor Don Ness, Duluth, Minnesota  
 Mayor R.T. Rybak, Minneapolis, Minnesota  
 Mayor Chris Coleman, Saint Paul, Minnesota  
 Mayor Johnny DuPree, Hattiesburg, Mississippi  
 Mayor Harvey Johnson, Jackson, Mississippi  
 Mayor Sylvester "Sly" James, Kansas City, Missouri  
 Mayor Randall L. Rhoads, Lee's Summit, Missouri  
 Mayor Francis Slay, St. Louis, Missouri  
 Mayor Shelley Welsch, University City, Missouri  
 Mayor Chris Beutler, Lincoln, Nebraska  
 Mayor Jim Suttle, Omaha, Nebraska  
 Mayor Donald A. Groesser, Ralston, Nebraska  
 Mayor Dean Trefethen, Dover, New Hampshire  
 Mayor Ed Johnson, Asbury Park, New Jersey  
 Mayor Lorenzo T. Langford, Atlantic City, New Jersey  
 Mayor Mark Smith, Bayonne, New Jersey  
 Mayor Patrick H. McHale, Bogota, New Jersey  
 Mayor Albert B. Kelly, Bridgeton, New Jersey  
 Mayor Dana L. Redd, Camden, New Jersey  
 Mayor Chuck Cahn, Cherry Hill, New Jersey  
 Mayor Sophie Heymann, Closter, New Jersey  
 Mayor M. James Maley, Jr., Collingswood, New Jersey  
 Mayor Carol Foster, Corbin City, New Jersey  
 Mayor Joseph R. Smith, East Newark, New Jersey  
 Mayor Robert L. Bowser, East Orange, New Jersey  
 Mayor Antonia Ricigliano, Edison, New Jersey  
 Mayor J. Christian Bollwage, Elizabeth, New Jersey  
 Mayor Carlos Colina, Emerson, New Jersey  
 Mayor Colleen Mahr, Fanwood, New Jersey  
 Mayor Gerald R. Drasheff, Guttenberg, New Jersey  
 Mayor Maria DiGiovanni, Hackettstown, New Jersey  
 Mayor Domenick Stampone, Haledon, New Jersey  
 Mayor Raymond J. McDonough, Harrison, New Jersey  
 Mayor Richard S. Goldberg, Hawthorne, New Jersey  
 Mayor David L. Tinker, Hazlet, New Jersey  
 Mayor Dawn Zimmer, Hoboken, New Jersey  
 Mayor Timothy McDonough, Hope, New Jersey  
 Mayor Paul Anzano, Hopewell, New Jersey  
 Mayor Robert M. Giordano, Independence, New Jersey  
 Mayor Wayne Smith, Irvington, New Jersey  
 Mayor Jerramiah Healy, Jersey City, New Jersey  
 Mayor David M. DelVecchio, Lambertville, New Jersey  
 Mayor Richard J. Gerbounka, Linden, New Jersey  
 Mayor Mauro D. Raguseo, Little Ferry, New Jersey  
 Mayor Stephen Santola, Livingston, New Jersey  
 Mayor Frank W. Minor, Logan Township, New Jersey  
 Mayor Nicholas Russo, Longport, New Jersey  
 Mayor Michael E. Beck, Lower Township, New Jersey  
 Mayor William Laforet, Mahwah, New Jersey  
 Mayor Michael Fressola, Manchester Twnshp, New Jersey  
 Mayor Victor DeLuca, Maplewood, New Jersey

Mayor Frank M. North, Merchantville, New Jersey  
Mayor Patrick O'Hagan, Midland Park, New Jersey  
Mayor James A. Gallos, Milford, New Jersey  
Mayor Dennis Vaccaro, Moonachie, New Jersey  
Mayor J. Randy Bishop, Neptune, New Jersey  
Mayor Cory Booker, Newark, New Jersey  
Mayor Peter C. Massa, North Arlington, New Jersey  
Mayor Francis M. Womack III, N. Brunswick, New Jersey  
Mayor Randy George, North Haledon, New Jersey  
Mayor Owen Henry, Old Bridge, New Jersey  
Mayor James R. Barberio, Parsippany-Troy Hills, New Jersey  
Mayor Alex D. Blanco, Passaic, New Jersey  
Mayor Jeffrey Jones, Paterson, New Jersey  
Mayor Wilda Diaz, Perth Amboy, New Jersey  
Mayor Harry L. Wyant, Phillipsburg, New Jersey  
Mayor Sharon M. Robinson-Briggs, Plainfield, New Jersey  
Mayor Jesse L. Tweedle Sr., Pleasantville, New Jersey  
Mayor Gary Giberson, Port Republic, New Jersey  
Mayor Pasquale Menna, Red Bank, New Jersey  
Mayor Sandy Moscaritolo, River Edge, New Jersey  
Mayor Jamel C. Holley, Roselle, New Jersey  
Mayor Robert L. Davis, Salem, New Jersey  
Mayor Brian P. Stack, Union City, New Jersey  
Mayor Betty Simmons, Victory Gardens, New Jersey  
Mayor Robert Romano, Vineland, New Jersey  
Mayor Robert D. Parisi, West Orange, New Jersey  
Mayor Shing-Fu Hsueh, West Windsor, New Jersey  
Mayor John E. McCormac, Woodbridge, New Jersey  
Mayor Keith Kazmark, Woodland Park, New Jersey  
Mayor Joe Murrietta, Grants, New Mexico  
Mayor Kenneth D. Miyagishima, Las Cruces, New Mexico  
Mayor Ray Alborn, Ruidoso, New Mexico  
Mayor David Coss, Santa Fe, New Mexico  
Mayor Albert Campos Jr., Santa Rosa, New Mexico  
Mayor Gloria J. Chavez, Tijeras, New Mexico  
Mayor Gerald Jennings, Albany, New York  
Mayor James Gaughan, Altamont, New York  
Mayor Ann Thane, Amsterdam, New York  
Mayor Peter R. Porcino, Ardsley, New York  
Mayor Andrea Smallwood, Athens, New York  
Mayor Randy Casale, Beacon, New York  
Mayor Matthew T. Ryan, Binghamton, New York  
Mayor Eugene Christopher, Broadalbin, New York  
Mayor Byron Brown, Buffalo, New York  
Mayor G. Wayne McIlroy, Carthage, New York  
Mayor Jerome Kobre, Chestnut Ridge, New York  
Mayor John A. Lane, Clinton, New York  
Mayor John McDonald, Cohoes, New York  
Mayor Mark Evans, Cossackie, New York  
Mayor Robert J. Foster, Deferiet, New York  
Mayor Steven P. Hoffman, Depew, New York  
Mayor Sally E. Burns, Delanson, New York  
Mayor Randy Sterling, Dryden, New York  
Mayor Allan A. Kasprzak, East Aurora, New York  
Mayor Paul Rickenbach, East Hampton, New York

Mayor Henry Doerr, Elbridge, New York  
Mayor Jeffrey Kaplan, Ellenville, New York  
Mayor James Matthews, Ellisburg, New York  
Mayor Stephen G. Sommers, Fabius, New York  
Mayor Mark Olson, Fayetteville, New York  
Mayor James J. Miccio, Fishkill, New York  
Mayor Andrew Hardwick, Freeport, New York  
Mayor Donald T. Brudie, Garden City, New York  
Mayor John Diamond, Glens Falls, New York  
Mayor Dayton J. King, Gloversville, New York  
Mayor Jean A. Celender, Great Neck Plaza, New York  
Mayor Ralph J. Kreitzman, Great Neck Village, New York  
Mayor Barbara Moore, Greenwood Lake, New York  
Mayor Martin Natoli, Hagaman, New York  
Mayor Emery Cummings Jr., Hammondsport, New York  
Mayor Peter Swiderski, Hastings-on-Hudson, New York  
Mayor Michael Kohut, Haverstraw, New York  
Mayor Natale J. Tartamella, Head of the Harbor, New York  
Mayor Wayne J. Hall Sr., Hempstead, New York  
Mayor Richard Beirman Sr., Herrings, New York  
Mayor Bernard Jackson, Hillburn, New York  
Mayor Joseph M. Lee, Hilton, New York  
Mayor Richard B. Milne, Honeoye Falls, New York  
Mayor Shawn Hogan, Hornell, New York  
Mayor Brian C. Smith, Irvington, New York  
Mayor Svante L. Myrick, Ithaca, New York  
Mayor Samuel Teresi, Jamestown, New York  
Mayor Susan Lopatkin, Kensington, New York  
Mayor Shayne R. Gallo, Kingston, New York  
Mayor Robert Blais, Lake George, New York  
Mayor Ronald S. Cooper, Lake Success, New York  
Mayor Anne H. McAndrews, Larchmont, New York  
Mayor Martin Oliner, Lawrence, New York  
Mayor Carl Luft, Lima, New York  
Mayor Norman L. Marsh, Little Valley, New York  
Mayor Corrine Kleisle, Lyons, New York  
Mayor Barbara Clark, Madison, New York  
Mayor Patricia McDonald, Malverne, New York  
Mayor Mark-Paul Serafin, Manlius, New York  
Mayor James F. Hidy, Massena, New York  
Mayor Dennis Leahy, Maybrook, New York  
Mayor Anthony Sylvester, Mechanicville, New York  
Mayor Terry Grimshaw, Mexico, New York  
Mayor Richard Donovan, Minoa, New York  
Mayor James C. Purcell, Monroe, New York  
Mayor Jeffrey Oppenheim, Montebello, New York  
Mayor Gordon Jenkins, Monticello, New York  
Mayor Ernest D. Davis, Mount Vernon, New York  
Mayor Peter M. Blandino, Newark, New York  
Mayor Judith L. Kennedy, Newburgh, New York  
Mayor Donald J. Ryan, New Hartford, New York  
Mayor Noam Bramson, New Rochelle, New York  
Mayor Michael Bloomberg, New York, New York  
Mayor Paul A. Dyster, Niagara Falls, New York  
Mayor Laura Nolan, North Haven, New York



Mayor Marvin Natiss, North Hills, New York  
Mayor Robert G. Ortt, North Tonawanda, New York  
Mayor Joseph Maiurano, Norwich, New York  
Mayor Linda L. Witte, Olean, New York  
Mayor Richard P. Miller Jr., Oneonta, New York  
Mayor William R. Hanauer, Ossining, New York  
Mayor Brian Wona, Otisville, New York  
Mayor Paul Pontieri, Patchogue, New York  
Mayor Mary Foster, Peekskill, New York  
Mayor Anthony Fratto, Phoenix, New York  
Mayor Christopher Sanders, Piermont, New York  
Mayor Donald M. Kasprzak, Plattsburgh, New York  
Mayor Robert Weitzner, Port Washington, New York  
Mayor John Tkazyik, Poughkeepsie, New York  
Mayor John Bruno, Ravena, New York  
Mayor Daniel J. Dwyer, Rensselaer, New York  
Mayor Kevin Neary, Richmondville, New York  
Mayor John Durkin, Roslyn, New York  
Mayor Matthew Bloomfield, Russell Gardens, New York  
Mayor Jeffrey L. Pond, Salamanca, New York  
Mayor Grant Rohmoser, Sandy Creek, New York  
Mayor Clyde Rabideau, Saranac Lake, New York  
Mayor Gregge Harrian, Savona, New York  
Mayor Gary R. McCarthy, Schenectady, New York  
Mayor Paul F. Gee, Scottsville, New York  
Mayor Omer Cousineau, Sharon Springs, New York  
Mayor John Patterson, Sherman, New York  
Mayor Leonard Szymanski, Sloan, New York  
Mayor Karen Strickland, South Dayton, New York  
Mayor Geoffrey N. Prime, South Floral Park, New York  
Mayor Patricia DuBow, South Nyack, New York  
Mayor Mark Epley, Southampton, New York  
Mayor Letty J. Rudes, Spectulator, New York  
Mayor Joyce Lobene, Spencerport, New York  
Mayor Noramie F. Jasmin, Spring Valley, New York  
Mayor Dagan LaCorte, Suffern, New York  
Mayor Edward Stewart III, Sylvan Beach, New York  
Mayor Stephanie A. Miner, Syracuse, New York  
Mayor Ronald Pillozzi, Tonawanda, New York  
Mayor Louis A. Rosamilia, Troy, New York  
Mayor A. Martin Petrovic, Trumansburg, New York  
Mayor Beth Greenwood, Tully, New York  
Mayor Michael Esmay, Upper Nyack, New York  
Mayor Theodore H. Young, Waterloo, New York  
Mayor Michael P. Manning, Watervliet, New York  
Mayor Brian D. McCoy, Wayland, New York  
Mayor David Carr, Westfield, New York  
Mayor John Ramundo Jr., West Haverstraw, New York  
Mayor David Goldsmith, Wesley Hills, New York  
Mayor Scott M. Burto, West Carthage, New York  
Mayor Thomas M. Roach, White Plains, New York  
Mayor Anthony C. Leone, Jr., Yorkville, New York  
Mayor Mark Chilton, Carrboro, North Carolina  
Mayor Mark Kleinschmidt, Chapel Hill, North Carolina  
Mayor Bill Bell, Durham, North Carolina  
Mayor Jackie Holcombe, Morrisville, North Carolina

Mayor Miles Atkins, Mooresville, North Carolina  
Mayor Nancy McFarlane, Raleigh, North Carolina  
Mayor Victor Varela, Ronda, North Carolina  
Mayor Dennis Walaker, Fargo, North Dakota  
Mayor Dan Pillow, Addyston, Ohio  
Mayor Donald Plusquellic, Akron, Ohio  
Mayor Bernard Baranowsko, Andover, Ohio  
Mayor Ronald A. Bischof, Barnesville, Ohio  
Mayor Merle S. Gorden, Beachwood, Ohio  
Mayor Daniel Pocek, Bedford, Ohio  
Mayor Fletcher Berger, Bedford Heights, Ohio  
Mayor John Licastro, Bratenahl, Ohio  
Mayor Samuel J. Alai, Broadview Heights, Ohio  
Mayor David Seagraves, Brookville, Ohio  
Mayor Lowell E. Anderson, Caldwell, Ohio  
Mayor William J. Healy II, Canton, Ohio  
Mayor Tammy D. Drobina, Carroll, Ohio  
Mayor Diana Stockmaster, Centerburg, Ohio  
Mayor Mark Mallory, Cincinnati, Ohio  
Mayor Frank Jackson, Cleveland, Ohio  
Mayor Edward Kelley, Cleveland Heights, Ohio  
Mayor Danny Stacy, Cleves, Ohio  
Mayor Michael Coleman, Columbus, Ohio  
Mayor William Armentrout, Creston, Ohio  
Mayor Gary D. Leitzell, Dayton, Ohio  
Mayor Gary L. Comer, DeGraff, Ohio  
Mayor Terry L. Lindeman, Doylestown, Ohio  
Mayor Gary Norton, East Cleveland, Ohio  
Mayor Ted Andrzejewski, East Lake, Ohio  
Mayor James P. Swoger, East Liverpool, Ohio  
Mayor Patricia Burnside, Englewood, Ohio  
Mayor Bill Cervenik, Euclid, Ohio  
Mayor Thomas H. Nagel, Fairborn, Ohio  
Mayor Charles H. Johnson, Forest Park, Ohio  
Mayor Gary Middlemus, Frazeytsburg, Ohio  
Mayor Kirk Emmert, Gambier, Ohio  
Mayor Dave Nelson, Geneva-on-the-Lake, Ohio  
Mayor Mark Williams, Genoa, Ohio  
Mayor Alan Zaffiro, Golf Manor, Ohio  
Mayor Ray E. DeGraw, Grandview Heights, Ohio  
Mayor Gary Lee Young, Greenville, Ohio  
Mayor Lance Westcamp, Groveport, Ohio  
Mayor Richard L. Verga, Harveysburg, Ohio  
Mayor Clifford Mason, Hebron, Ohio  
Mayor Lou Bertrand, Hiram, Ohio  
Mayor Susan J. Pelkowski, Holloway, Ohio  
Mayor William A. Currin, Hudson, Ohio  
Mayor Rich Blankenship, Ironton, Ohio  
Mayor Jerry Fiala, Kent, Ohio  
Mayor Deborah Neale, Lakeline, Ohio  
Mayor David J. Berger, Lima, Ohio  
Mayor Jo Ann Toczec, Linndale, Ohio  
Mayor Patricia A. Fallot, Louisville, Ohio  
Mayor Joseph M. Cicero Jr., Lyndhurst, Ohio  
Mayor Donald Kuchta, Macedonia, Ohio  
Mayor Steve Adams, Malvern, Ohio

Mayor Jeffrey A. Lansky, Maple Heights, Ohio  
Mayor Joe A. Matthews, Marietta, Ohio  
Mayor Bruce G. Rinker, Mayfield Village, Ohio  
Mayor Robert Schwab, McComb, Ohio  
Mayor Glenn W. Holmes, McDonald, Ohio  
Mayor Richard Cain, Mineral City, Ohio  
Mayor James B. Waller, Minerva, Ohio  
Mayor Steven L. Yagelski, Montpelier, Ohio  
Mayor Susan Renda, Moreland Hills, Ohio  
Mayor Charles Neff, Mount Sterling, Ohio  
Mayor Mike Porter, Mt. Gilead, Ohio  
Mayor Jeffrey C. Wherley, Nellie, Ohio  
Mayor James A. Friel, Newcomerstown, Ohio  
Mayor Daniel R. Brooks, North College Hill, Ohio  
Mayor Terrance J. McConnell, North Kingsville, Ohio  
Mayor Ed Klco, North Perry, Ohio  
Mayor Kathy Mulcahy, Orange Village, Ohio  
Mayor David T. Handwerk, Orrville, Ohio  
Mayor Richard M. Bain, Pepper Pike, Ohio  
Mayor Billy R. Spencer, Piqueton, Ohio  
Mayor Timothy Redden, Plymouth, Ohio  
Mayor Timothy Sicafuse, Poland, Ohio  
Mayor David A. Malone, Portsmouth, Ohio  
Mayor Daniel J. Ursu, Richmond Heights, Ohio  
Mayor William Nibert, Richwood, Ohio  
Mayor William R. Flaute, Riverside, Ohio  
Mayor John Berlin, Salem, Ohio  
Mayor Earl M. Leiken, Shaker Heights, Ohio  
Mayor Patrick C. Monahan, Shawnee Hills, Ohio  
Mayor John Smith, Silverton, Ohio  
Mayor Georgine Welo, South Euclid, Ohio  
Mayor Matthew Brett, South Russell, Ohio  
Mayor Warren Copeland, Springfield, Ohio  
Mayor William C. Burkhardt, St. Bernard, Ohio  
Mayor Domenick Mucci, Jr., Steubenville, Ohio  
Mayor Clayton Weller, Sugarcreek, Ohio  
Mayor Michael P. Bell, Toledo, Ohio  
Mayor Mary Myers, Verona, Ohio  
Mayor Daniel V. Wilczynski, Walbridge, Ohio  
Mayor Doug Franklin, Warren, Ohio  
Mayor Doug Shaw, Wauseon, Ohio  
Mayor Allen Patchin, West Farmington, Ohio  
Mayor Ann Schreiner, West Millgrove, Ohio  
Mayor Kim Maggard, Whitehall, Ohio  
Mayor William A. Margalis, Wickliffe, Ohio  
Mayor Richard J. Bonde, Willowick, Ohio  
Mayor Chuck Sammarone, Youngstown, Ohio  
Mayor Jeff Tilton, Zanesville, Ohio  
Mayor Kitty Piercy, Eugene, Oregon  
Mayor Sam Adams, Portland, Oregon  
Mayor James Hopely, Aldan, Pennsylvania  
Mayor Ed Pawlowski, Allentown, Pennsylvania  
Mayor Charles T. Wahl, Ambler, Pennsylvania  
Mayor Gretchen Dosch, Applewold, Pennsylvania  
Mayor Bernard Killian, Aspinwall, Pennsylvania  
Mayor Alexander Bennett, Jr, Baldwin, Pennsylvania

Mayor Phillip Ferrizzi, Bally, Pennsylvania  
Mayor Donald L. Wunderler, Bath, Pennsylvania  
Mayor Cloyd W. Wagner, Beavertown, Pennsylvania  
Mayor Stanley Goldman, Bellefonte, Pennsylvania  
Mayor Robin J. Gochenauer, Bendersville, Pennsylvania  
Mayor Gail Stoudt, Bernville, Pennsylvania  
Mayor John B. Callahan, Bethlehem, Pennsylvania  
Mayor Robert M. Myers, Birdsboro, Pennsylvania  
Mayor Everett W. Saxton, Bolivar, Pennsylvania  
Mayor Vincent H. Liebel, Boswell, Pennsylvania  
Mayor Marianne Deery, Boyertown, Pennsylvania  
Mayor Kenneth Lockhart, Brentwood, Pennsylvania  
Mayor Verncel L. Creveling, Briar Creek, Pennsylvania  
Mayor David Wonderling, Brookville, Pennsylvania  
Mayor Lester J. Ward, Brownsville, Pennsylvania  
Mayor Anna Marie Quader, Burgettstown, Pennsylvania  
Mayor Loyce Harpster, Burnham, Pennsylvania  
Mayor Margaret Stock, Butler, Pennsylvania  
Mayor David H. Rhome, Canonsburg, Pennsylvania  
Mayor Justin M. Taylor, Carbondale, Pennsylvania  
Mayor Donald Baumgarten, Castle Shannon, Pennsylvania  
Mayor Barbara A. Schlegel, Catasauqua, Pennsylvania  
Mayor James S. Perry, Chalfant, Pennsylvania  
Mayor Marilyn J. Becker, Chalfont, Pennsylvania  
Mayor Peter Lagiovane, Chambersburg, Pennsylvania  
Mayor Ronald W. Lockwood, Cherry Valley, Pennsylvania  
Mayor John A. Linder, Chester, Pennsylvania  
Mayor Paul H. McKenna, Churchill, Pennsylvania  
Mayor Richard L. Lattanzi, Clairton, Pennsylvania  
Mayor Andrea J. Estadt, Clarion, Pennsylvania  
Mayor Harry Kelly, Clarks Summit, Pennsylvania  
Mayor James P. Schell, Clearfield, Pennsylvania  
Mayor John Hartman, Cleona, Pennsylvania  
Mayor Frank C. Kelly, Collingdale, Pennsylvania  
Mayor Daniel Rutland, Colwyn, Pennsylvania  
Mayor Allen Gyorko, Confluence, Pennsylvania  
Mayor Joseph Carrelli, Conyngham, Pennsylvania  
Mayor Anthony G. Celeste, Coraopolis, Pennsylvania  
Mayor Mark J. Thomas, Cornwall, Pennsylvania  
Mayor Timothy J. Carroll, Dallas, Pennsylvania  
Mayor Helen Thomas, Darby, Pennsylvania  
Mayor Thomas R. Lloyd, Dormont, Pennsylvania  
Mayor John Lignelli, Donora, Pennsylvania  
Mayor Josh Maxwell, Downingtown, Pennsylvania  
Mayor Libby White, Doylestown, Pennsylvania  
Mayor Philip Krivacek, Duquesne, Pennsylvania  
Mayor Betty M. Hays, Eagles Mere, Pennsylvania  
Mayor Salvatore J. Panto, Jr., Easton, Pennsylvania  
Mayor Louis J. Payne, East Pittsburgh, Pennsylvania  
Mayor Mark A. Pacilla, East Washington, Pennsylvania  
Mayor J. Edward Cook, Edgewood, Pennsylvania  
Mayor Wayne T. Murphy, Edgeworth, Pennsylvania  
Mayor Ray Plummer, Ehrenfeld, Pennsylvania  
Mayor Joseph J. Cisco, Ellport, Pennsylvania  
Mayor Anthony J. Court, Ellwood City, Pennsylvania  
Mayor Winfield Iobst, Emmaus, Pennsylvania

Mayor Dorothy H. Quinn, Emsworth, Pennsylvania  
 Mayor Joseph Sinnott, Erie, Pennsylvania  
 Mayor Gary Foster, Evans City, Pennsylvania  
 Mayor D. Gary Evans, Factoryville, Pennsylvania  
 Mayor Charles Moore, Falls Creek, Pennsylvania  
 Mayor Olive McKeithan, Farrell, Pennsylvania  
 Mayor Gary McBrien, Felton, Pennsylvania  
 Mayor Robert P. Frey, Folcroft, Pennsylvania  
 Mayor Kim Phillips, Frackville, Pennsylvania  
 Mayor Fred C. Moyer, Jr., Freeburg, Pennsylvania  
 Mayor Gerald C. Yob, Freemansburg, Pennsylvania  
 Mayor Edward F. Burns, Girardville, Pennsylvania  
 Mayor Arnie Bowser, Greensboro, Pennsylvania  
 Mayor Roy Del Rosario, Hamburg, Pennsylvania  
 Mayor Linda Thompson, Harrisburg, Pennsylvania  
 Mayor Norm Hawkes, Hatboro, Pennsylvania  
 Mayor Ronald Cyphert, Hawthorn, Pennsylvania  
 Mayor John Hoerner, Highspire, Pennsylvania  
 Mayor Joseph R. Dodson, Hollidaysburg, Pennsylvania  
 Mayor Betty Esper, Homestead, Pennsylvania  
 Mayor Tim McGuire, Homewood Borough, Pennsylvania  
 Mayor Dee Dee Brown, Huntingdon Borough, Pennsylvania  
 Mayor George E. Hood, Indiana, Pennsylvania  
 Mayor Nicholas Yanosich, Industry, Pennsylvania  
 Mayor Gerald C. Croushore, Ingram, Pennsylvania  
 Mayor Charles Ritter, Ivyland, Pennsylvania  
 Mayor James C. Sanders, Jefferson, Pennsylvania  
 Mayor Ed Foley, Jenkintown, Pennsylvania  
 Mayor Wm. Dennis Buttorff, Jersey Shore, Pennsylvania  
 Mayor Donald Bosh, Knoxville, Pennsylvania  
 Mayor Sandra Green, Kutztown, Pennsylvania  
 Mayor Joseph Legnasky, Lake City, Pennsylvania  
 Mayor Rick Gray, Lancaster, Pennsylvania  
 Mayor Christopher Blaydon, Langhorne, Pennsylvania  
 Mayor Jayne C. Young, Lansdowne, Pennsylvania  
 Mayor Fred Feltenberger, Laureldale, Pennsylvania  
 Mayor Pete Poninsky, Leetsdale, Pennsylvania  
 Mayor Donald L. Rehrig, Lehigh, Pennsylvania  
 Mayor Deborah A. Bargo, Lewiston, Pennsylvania  
 Mayor Nick Vay, Lincoln, Pennsylvania  
 Mayor John L. Mark, Liverpool, Pennsylvania  
 Mayor William D. Hart, Lykens, Pennsylvania  
 Mayor Randy Schlegel, Lyons, Pennsylvania  
 Mayor Thomas A. Bell, Mahaffey, Pennsylvania  
 Mayor Gerard J. McGlone, Jr., Malvern, Pennsylvania  
 Mayor Eric B. Phillips, Manheim, Pennsylvania  
 Mayor David Sturgess, Manor, Pennsylvania  
 Mayor Jeremy A. Berardinelli, Marianna, Pennsylvania  
 Mayor Alexander J. Chelik, Mayfield, Pennsylvania  
 Mayor Terry S. Bennett, McDonald, Pennsylvania  
 Mayor Weslee A. Clapper-Krepps, McKean, Pennsylvania  
 Mayor John Christopher Soff, Meadville, Pennsylvania  
 Mayor Bob McMahan, Media, Pennsylvania  
 Mayor Ethel I. Kellerman, Milesburg, Pennsylvania  
 Mayor Thomas S. Kramer, Millbourne, Pennsylvania  
 Mayor John P. Antoline, Monaca, Pennsylvania  
 Mayor Mary Jo Smith, Monessen, Pennsylvania  
 Mayor John Dorin, Montoursville, Pennsylvania  
 Mayor Maureen A. Piselli, Morton, Pennsylvania  
 Mayor Timothy M. Allison, Mount Union, Pennsylvania  
 Mayor Raymond Bodnar, Munhall, Pennsylvania  
 Mayor Thomas Lush, Myerstown, Pennsylvania  
 Mayor Stephen Szymusiak, Nanty-Glo, Pennsylvania  
 Mayor Joseph Taylor, New Milford, Pennsylvania  
 Mayor Frances Tkach, New Philadelphia, Pennsylvania  
 Mayor Mary M. Hetrick, Newport, Pennsylvania  
 Mayor Grace Angotti, New Salem, Pennsylvania  
 Mayor Nicholas W. DeSantis, New Stanton, Pennsylvania  
 Mayor Lee I. Hall, North Charleroi, Pennsylvania  
 Mayor George F. McCloskey, Norwood, Pennsylvania  
 Mayor Thomas Reenock, Northampton, Pennsylvania  
 Mayor Michele Petrini Avvisato, Old Forge, Pennsylvania  
 Mayor Austin Scandiber, Orwigsburg, Pennsylvania  
 Mayor Lewis Paul Cowher, Osceola Mills, Pennsylvania  
 Mayor Geoffrey L. Henry, Oxford, Pennsylvania  
 Mayor Fred Carpenter, Palmyra, Pennsylvania  
 Mayor William McCall, Parker, Pennsylvania  
 Mayor Ardele R. Gordon, Parkside, Pennsylvania  
 Mayor Robert Winkler, Penndel, Pennsylvania  
 Mayor Michael Nutter, Philadelphia, Pennsylvania  
 Mayor Luke Ravenstahl, Pittsburgh, Pennsylvania  
 Mayor Bonnie Heath, Pottstown, Pennsylvania  
 Mayor John D.W. Reiley, Pottsville, Pennsylvania  
 Mayor Vaughn D. Spencer, Reading, Pennsylvania  
 Mayor Guillermo Udarbe, Ridgway, Pennsylvania  
 Mayor Desiree D. DeNicola, Roseto, Pennsylvania  
 Mayor Edwin W. Rosenberry, Saxton, Pennsylvania  
 Mayor Thomas C. Hufnagle, Sellersville, Pennsylvania  
 Mayor Anthony Hajjar, Seward, Pennsylvania  
 Mayor Joseph McGranghan, Shamokin Dam, Pennsylvania  
 Mayor Robert O'Neil, Sharon Hill, Pennsylvania  
 Mayor Richard Panza, Sharpsburg, Pennsylvania  
 Mayor Bruce Hockersmith, Shippensburg, Pennsylvania  
 Mayor Boyd Paul, Snow Shoe, Pennsylvania  
 Mayor William Meyer, Somerset, Pennsylvania  
 Mayor John Reynolds, Souderton, Pennsylvania  
 Mayor James C. Kennedy, South Coatesville, Pennsylvania  
 Mayor Clyde R. Wadsworth, South Fork, Pennsylvania  
 Mayor Elizabeth A. Goreham, State College, Pennsylvania  
 Mayor Thomas F. Acri, Steelton, Pennsylvania  
 Mayor Sherman Metzgar, Stockertown, Pennsylvania  
 Mayor William A. Boyd, Stoystown, Pennsylvania  
 Mayor Charles Baughman, Stroudsburg, Pennsylvania  
 Mayor Paul R. McArdle, Summit Hill, Pennsylvania  
 Mayor David L. Persing, Sunbury, Pennsylvania  
 Mayor Richard H. Lowe, Swarthmore, Pennsylvania  
 Mayor Luke Duignam, Tatamy, Pennsylvania  
 Mayor Jay R. Stover, Telford, Pennsylvania  
 Mayor Charles Harper, Three Springs, Pennsylvania  
 Mayor Kenneth Danser, Timblin, Pennsylvania  
 Mayor Francis B. Zalewski, Trainer, Pennsylvania

Mayor William Allar, Tremont, Pennsylvania  
 Mayor J. David Cutchineal, Tullytown, Pennsylvania  
 Mayor LeAnn Hritz, Tunnelhill, Pennsylvania  
 Mayor Adam R. Forgie, Turtle Creek, Pennsylvania  
 Mayor Thomas Micozzie, Upper Darby, Pennsylvania  
 Mayor Jeffrey Steffler, Wampum, Pennsylvania  
 Mayor Ester Cotner, Washingtonville, Pennsylvania  
 Mayor Richard A. Starliper, Waynesboro, Pennsylvania  
 Mayor Carolyn T. Comitta, West Chester, Pennsylvania  
 Mayor Gerald W. Gross, West Easton, Pennsylvania  
 Mayor Ralph Harrington, West Elizabeth, Pennsylvania  
 Mayor Dick Vargeson, Westfield, Pennsylvania  
 Mayor Frank Schmidt, West Hazleton, Pennsylvania  
 Mayor John W. Dindak, West Homestead, Pennsylvania  
 Mayor Mary E. Popovich, West Newton, Pennsylvania  
 Mayor John Henry, West View, Pennsylvania  
 Mayor James F. Nowalk, Whitehall Borough,  
 Pennsylvania  
 Mayor Edward D. Hozza, Jr., Whitehall Township,  
 Pennsylvania  
 Mayor Thomas M. Leighton, Wilkes-Barre, Pennsylvania  
 Mayor John A. Thompson, Wilkesburg, Pennsylvania  
 Mayor David Perruso, Wilson, Pennsylvania  
 Mayor Larry Markel, Windsor, Pennsylvania  
 Mayor Dolores Jones-Butler, Yeadon, Pennsylvania  
 Mayor John Sanford, Yoe, Pennsylvania  
 Mayor C. Kim Bracey, York, Pennsylvania  
 Mayor Alford Shull, York Springs, Pennsylvania  
 Mayor Joan Derco, Youngwood, Pennsylvania  
 Mayor Charles Lombardi, North Providence, Rhode Island  
 Mayor Angel Taveras, Providence, Rhode Island  
 Mayor Joseph Riley, Charleston, South Carolina  
 Mayor Joseph T. McElveen, Jr., Sumter, South Carolina  
 Mayor Darrick Jackson, Timmons ville, South Carolina  
 Mayor Ron Littlefield, Chattanooga, Tennessee  
 Mayor Thomas W. Taylor, Maryville, Tennessee  
 Mayor A C Wharton, Memphis, Tennessee  
 Mayor Tom Beehan, Oak Ridge, Tennessee  
 Mayor Bill Lusk, Signal Hill, Tennessee  
 Mayor Lee Leffingwell, Austin, Texas  
 Mayor Tony Martinez, Brownsville, Texas  
 Mayor Carl D. Sherman, DeSoto, Texas  
 Mayor Richard Ward, Hurst, Texas  
 Mayor Dana Williams, Park City, Utah  
 Mayor Bob Kiss, Burlington, Vermont  
 Mayor Christopher C. Louras, Rutland City, Vermont  
 Mayor William B. Euille, Alexandria, Virginia  
 Mayor Faye Prichard, Ashland, Virginia  
 Mayor Paul D. Fraim, Norfolk, Virginia  
 Mayor Brian A. Moore, Petersburg, Virginia  
 Mayor Dwight C. Jones, Richmond, Virginia  
 Mayor William D. Sessoms Jr, Virginia Beach, Virginia  
 Mayor H. Clarence Bauman, Chewelah, Washington  
 Mayor Garland D. Walton, Connell, Washington  
 Mayor Robert F. Sheckler, Des Moines, Washington  
 Mayor Will Ibershof, Duvall, Washington  
 Mayor Gary S. Jensen, Ferndale, Washington  
 Mayor Ron (Pete) Poulson, Kalama, Washington  
 Mayor David M. Ferguson, Mesa, Washington  
 Mayor Daniel N. Mork, Millwood, Washington  
 Mayor James F. Gerwig, Morton, Washington  
 Mayor Dennis Palmer, Oakesdale, Washington  
 Mayor Spencer Nichols, Pe Ell, Washington  
 Mayor Paul Warden, Prosser, Washington  
 Mayor Terry Anderson, SeaTac, Washington  
 Mayor Mike McGinn, Seattle, Washington  
 Mayor Dianne W. White, Stanwood, Washington  
 Mayor Marilyn Strickland, Tacoma, Washington  
 Mayor Soo Ing-Moody, Twisp, Washington  
 Mayor Harold H. Howell Jr., Madison, West Virginia  
 Mayor William C. Whalen, Ashland, Wisconsin  
 Mayor Larry MacDonald, Bayfield, Wisconsin  
 Mayor Keith G. Bosman, Kenosha, Wisconsin  
 Mayor Paul R. Soglin, Madison, Wisconsin  
 Mayor Justin M. Nickels, Manitowoc, Wisconsin  
 Mayor Chris L. Meyer, Marshfield, Wisconsin  
 Mayor Kurt Sonnentag, Middleton, Wisconsin  
 Mayor Tom Barrett, Milwaukee, Wisconsin  
 Mayor Steve Scaffidi, Oak Creek, Wisconsin  
 Mayor John Dickert, Racine, Wisconsin  
 Mayor James E. Tipple, Wausau, Wisconsin

RESOLUTION NO. 13-2130

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") CALLING ON THE FEDERAL GOVERNMENT TO REDUCE GUN VIOLENCE IN AMERICA AND HELP PREVENT FUTURE MASS SHOOTINGS THROUGH PASSAGE OF: THE FIX GUN CHECKS ACT, WHICH WOULD REQUIRE A BACKGROUND CHECK FOR EVERY GUN SALE AND ENSURE THAT ALL CRIMINALS AND OTHER DANGEROUS PEOPLE WHO ARE PROHIBITED FROM BUYING A GUN ARE LISTED IN THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; AS WELL AS LEGISLATION THAT WOULD KEEP MILITARY-STYLE WEAPONS AND HIGH-CAPACITY MAGAZINES OFF OUR STREETS, AND WOULD MAKE GUN TRAFFICKING A FEDERAL CRIME; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission is in support of the Fix Gun Checks Act and other measures to reduce gun violence; and

**WHEREAS**, the National Instant Criminal Background Check System (NICS) is an effective tool to keep guns out of the hands of criminals and other dangerous individuals, and this system has blocked 1.9 million illegal gun purchases and permit applications in the past two decades; and

**WHEREAS**, despite this success, the system is undermined by legal loopholes and missing records that enable too many dangerous individuals to obtain weapons they later use in crimes; and

**WHEREAS**, it is estimated that state and federal agencies have failed to report more than one million records of persons with dangerous mental illness into the NICS database; and

**WHEREAS**, on April 16, 2007, Seung-Hui Cho shot and killed 32 people at Virginia Tech with guns that were legally purchased because records of his mental health status were missing from the NICS; and

**WHEREAS**, on January 8, 2011, Jared Loughner, someone with a reported history of drug abuse and serious mental illness who should have been in the NICS database but was not, killed six Tucsonans – Christina-Taylor Green, Dorothy Morris, Judge John Roll, Dorwan Stoddard, Phyllis Schneck, and Gabe Zimmerman – and shot 13 others, including U.S. Congresswoman Gabrielle Giffords; and

**WHEREAS**, on July 20, 2012, James Holmes, using a semi-automatic rifle and other guns, allegedly shot and killed 12 people and injured at least 58 others in a movie theater in

Aurora, CO, using some of the thousands of rounds of ammunition that the shooter had recently purchased online without any background check; and

**WHEREAS**, on August 5, 2012, Wade Michael Page, using a semi-automatic handgun, allegedly shot and killed 6 people and injured 3 others at a Sikh temple in Oak Creek, WI; and

**WHEREAS**, on October 21, 2012, Radcliffe Haughton, using a semi-automatic handgun, shot and killed his estranged wife and two others; and though a restraining order had been issued against Haughton – making him a prohibited person under federal law – Haughton was able to avoid a background check by purchasing the gun from a private seller through armslist.com.; and

**WHEREAS**, in the wake of the Newtown shootings on December 14, 2012, Adam Lanza, using two semi-automatic handguns, shot and killed 27 people, including 20 children at Sandy Hook elementary school; and

**WHEREAS**, in the wake of the Virginia Tech shootings, Virginia and other states have submitted hundreds of thousands of new mental health records into the NICS database, yet 19 states have each submitted fewer than 100 mental health records since that massacre; and

**WHEREAS**, under federal law licensed gun dealers are mandated to conduct NICS checks before proceeding with a sale, but this requirement does not apply to so-called private sellers who are present in large numbers at gun shows and sell guns over the internet; and

**WHEREAS**, it is estimated that 6.5 million guns were sold privately in the U.S. between November 2011 and November 2012, and undercover investigations have shown that many private sellers at gun shows and online will proceed with sales even when they are made aware that prospective purchasers cannot pass a background check; and

**WHEREAS**, more than 12,000 Americans are murdered with guns every year, and too many of these crimes are committed by individuals who are barred from purchasing or possessing guns under Federal law; and

**WHEREAS**, other tragedies including the 1999 Columbine High School shooting in Colorado, the 2010 attack on law enforcement at the Pentagon, and the 2012 mass shooting at a Pittsburgh psychiatric clinic were perpetrated by individuals who obtained guns through unregulated private sales, with no paperwork required and no questions asked; and

**WHEREAS**, the Fix Gun Checks Act has been introduced in the U.S. Congress, and this legislation would address the two major flaws in the nation's gun background check system by improving compliance with federal record reporting requirements, and by requiring background checks for all U.S. gun sales; and

**WHEREAS**, 90 percent of Americans and 90 percent of gun owners support fixing gaps in the gun background check database, and 86 percent of Americans, 82 percent of gun owners nationwide, and 74 percent of NRA members support mandatory criminal background checks for all gun sales; and

**WHEREAS**, Surfside has been a strong advocate for common-sense policies that keep guns out of dangerous hands while respecting the rights of law-abiding gun owners, and strongly believes that Congress and state governments should take action to close deadly gaps in the NICS; and

**WHEREAS**, more than 50 national organizations support closing gaps in the gun background check database and requiring a background check for all gun sales, including the U.S. Conference of Mayors, National Urban League, National Association for the Advancement of Colored People, and the National Coalition Against Domestic Violence, the International Association of Chiefs of Police, the Major Cities Chiefs Association and the Police Executive Research Forum; and

**WHEREAS**, the Fix Gun Checks Act is strongly supported by Mayors Against Illegal Guns, a national, bipartisan coalition of more than 800 mayors, who represent more than 58 million Americans.

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

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Expression of Concern and Recommendations by the Town of Surfside Town Commission:**

- A.) Surfside urges immediate passage of The Fix Gun Checks Act in the United States Congress.
- B.) Surfside urges immediate passage of legislation that would get military-style weapons and high-capacity magazines away from our community and especially our schools.
- C.) Surfside urges immediate passage of legislation that would make gun trafficking a federal crime.
- D.) Surfside, echoing the call of gun violence survivors and family members, calls on both President Obama and the U.S. Congress to put in place concrete reforms to reduce gun violence nationwide and help prevent future mass shootings; and Surfside's Mayor and Commission will join with domestic violence prevention advocates, faith leaders, law enforcement officials, and other elected officials to make clear that failure to strengthen gun laws at the national level will continue to fuel gun violence in big and small cities throughout the country.

**Section 3. Direction to the Town Clerk.** The Town Clerk is hereby directed to send a certified copy of this resolution to all members of Florida's Congressional Delegation, and to the Obama administration.

**Section 4.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 15 day of January 2013.

Motion by Commissioner Graubart, second by Commissioner Olchyk.

FINAL VOTE ON ADOPTION

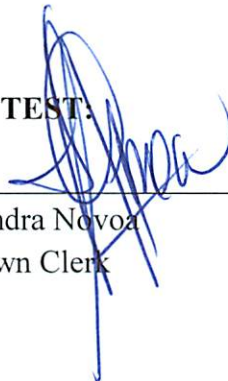
Commissioner Joseph Graubart  
Commissioner Michelle Kligman  
Commissioner Marta Olchyk  
Vice Mayor Michael Karukin  
Mayor Daniel Dietch

yes  
yes  
yes  
yes  
yes



\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra Novoa  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

  
\_\_\_\_\_  
Lynn M. Dannheisser, Town Attorney



RESOLUTION NO. 13 – 2162

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA ("TOWN") SUPPORTING EFFORTS TO REDUCE GUN VIOLENCE AND ILLEGAL GUN TRAFFICKING BY USING GOVERNMENT PURCHASING POWER TO INFLUENCE GUN MANUFACTURERS AND DISTRIBUTORS TO USE SALES PRACTICES THAT PREVENT GUNS FROM FALLING INTO CRIMINAL HANDS; DIRECTING THE SURFSIDE POLICE DEPARTMENT TO WORK WITH WEAPONS AND AMMUNITION SUPPLIERS TO LEVERAGE THIS PURCHASING POWER TO PRESS FOR MORE RESPONSIBLE PRACTICES IN THE GUN INDUSTRY BY ENCOURAGING THE IMPLEMENTATION OF SALES AND MARKETING SAFEGUARDS THAT PREVENT GUNS FROM FALLING INTO CRIMINAL HANDS; DIRECTING THE TOWN MANAGER TOGETHER WITH THE POLICE DEPARTMENT TO PARTNER WITH OTHER MUNICIPALITIES TO CREATE A COALITION IN SUPPORT OF THIS INITIATIVE; DIRECTING THE TOWN CLERK TO SEND A CERTIFIED COPY OF THIS RESOLUTION TO ALL SOUTH FLORIDA MUNICIPALITIES, THE FLORIDA LEAGUE OF CITIES, INC., ALL MEMBERS OF FLORIDA'S CONGRESSIONAL DELEGATION, AND TO THE OBAMA ADMINISTRATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Surfside is a member of Mayors Against Illegal Guns ("MAIG), a national, bipartisan coalition of more than 800 mayors, who represent more than 58 million Americans strongly support the Fix Gun Checks Act; and

**WHEREAS**, the Town Commission adopted Resolution No. 13-2130 calling on the Federal Government to reduce gun violence in America and to support the passage of the "Fix Gun Checks Act" and other measures to reduce gun violence; and

**WHEREAS**, Federally licensed gun dealers are one of the largest sources of illegally trafficked guns, according to a 2000 Alcohol, Tobacco, Firearms and Explosives (ATF) report; and

**WHEREAS**, local and state governments are among the gun industry's biggest customers, due to the bulk weapons and ammunition purchases made for law enforcement departments; and

**WHEREAS**, local law enforcement and elected officials can leverage this purchasing power to press for more responsible practices in the gun industry by working with gun manufacturers and distributors to implement sales and marketing safeguards that prevent guns from falling into criminal hands; and

**WHEREAS**, gun murders in Florida rose 38 percent from 2000-2011, (Florida Center for Investigative Reporting – FCIR); and

**WHEREAS**, guns are used in more than 70 percent of Florida homicides, up from 56 percent in 2000 (FCIR); and

**WHEREAS**, guns often fall into criminal hands through “straw purchases,” where a friend or family member of a criminal purchases a gun and passes it along; and

**WHEREAS**, MAIG and Wal-Mart have laid out a comprehensive plan to curb firearms illegal trafficking and reached an agreement which requires basic and sensible marketing safeguards such as the videotaping of gun sales, increased store security, and employee background checks (“Responsible Firearms Retailer Partnership”); and

**WHEREAS**, Surfside has been a strong advocate for common-sense policies that keep guns out of dangerous hands while respecting the rights of law-abiding gun owners, and strongly believes that local, state and federal government should take action to leverage this purchasing power to press for more responsible practices in the gun industry by working with gun manufacturers and distributors to implement sales and marketing safeguards that prevent guns from falling into criminal hands.

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

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Direction to Town Manager Together With The Surfside Police Department:**

- A. To partner with other municipalities to create a coalition in support of this initiative to influence gun manufacturers and distributors to use sales practices that prevent guns from falling into criminal hands.
- B. To work with weapons and ammunition suppliers to leverage this purchasing power to press for more responsible practices in the gun industry by encouraging the implementation of sales and marketing safeguards that prevent guns from falling into criminal hands.

**Section 3. Direction to the Town Clerk.** The Town Clerk is hereby directed to send a certified copy of this resolution to all South Florida municipalities, The Florida League of Cities, Inc., Members of Florida’s Congressional Delegation, and to the Obama Administration.

**Section 4.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of June 2013.

Motion by Commissioner Olchyk, second by Commissioner Graubart.

**FINAL VOTE ON ADOPTION**

Commissioner Joseph Graubart  
Commissioner Michelle Kligman  
Commissioner Marta Olchyk  
Vice Mayor Michael Karukin  
Mayor Daniel Dietch

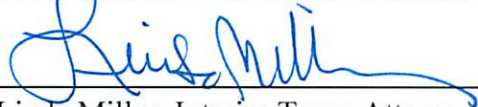
YES  
YES  
YES  
YES  
YES

  
\_\_\_\_\_  
Daniel Dietch, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk

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

  
\_\_\_\_\_  
Linda Miller, Interim Town Attorney