

MEMORANDUM

Agenda Item No. 11(A)(4)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** October 22, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution supporting Mayors  
Against Illegal Guns in urging  
the United States Congress to  
extend comprehensive and  
enforceable background checks  
to cover private firearms sales,  
including gun shows and over  
the internet

Resolution No. R-861-13

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** October 22, 2013

**FROM:**   
R. A. Cuevas, Jr.  
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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(4)

Veto \_\_\_\_\_

10-22-13

Override \_\_\_\_\_

RESOLUTION NO. R-861-13

RESOLUTION SUPPORTING MAYORS AGAINST ILLEGAL GUNS IN URGING THE UNITED STATES CONGRESS TO EXTEND COMPREHENSIVE AND ENFORCEABLE BACKGROUND CHECKS TO COVER PRIVATE FIREARMS SALES, INCLUDING GUN SHOWS AND OVER THE INTERNET

**WHEREAS**, under current federal law, only licensed firearms dealers are required to conduct background checks on buyers; and

**WHEREAS**, in Florida and 32 other states, criminals and other prohibited purchasers can avoid background checks simply by buying firearms from unlicensed private sellers who are not required by law to conduct background checks; and

**WHEREAS**, such private sales of firearms typically occur at gun shows, at flea markets or over the internet; and

**WHEREAS**, an estimated 6.6 million firearms are transferred each year in the United States without background checks; and

**WHEREAS**, Mayors Against Illegal Guns is a coalition of more than a thousand mayors from big cities and small towns from across the country who are determined to fight crime by stopping criminals from getting firearms, while at the same time respecting the Second Amendment and protecting the rights of law-abiding citizens to own firearms; and

**WHEREAS**, Mayor Carlos A. Gimenez recently announced that he had joined Mayors Against Illegal Guns; and

**WHEREAS**, among the coalition's top priorities is extending comprehensive and enforceable background checks to cover private gun sales, including at gun shows and over the internet; and

**WHEREAS**, this Board would like to express its support for Mayors Against Illegal Guns in urging the United States Congress to extend comprehensive and enforceable background checks to cover private firearms sales, including gun shows and over the internet,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Supports Mayors Against Illegal Guns in urging the United States Congress to extend comprehensive and enforceable background checks to cover private firearms sales, including gun shows and over the internet.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Delegation and the Co-Chairs of Mayors Against Illegal Guns.

**Section 3.** Directs the County's federal lobbyists to advocate for the legislation set forth above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

|                      |                         |                      |               |
|----------------------|-------------------------|----------------------|---------------|
|                      | Rebeca Sosa, Chairwoman |                      | <b>aye</b>    |
|                      | Lynda Bell, Vice Chair  |                      | <b>nay</b>    |
| Bruno A. Barreiro    | <b>aye</b>              | Esteban L. Bovo, Jr. | <b>aye</b>    |
| Jose "Pepe" Diaz     | <b>nay</b>              | Audrey M. Edmonson   | <b>aye</b>    |
| Sally A. Heyman      | <b>absent</b>           | Barbara J. Jordan    | <b>aye</b>    |
| Jean Monestime       | <b>absent</b>           | Dennis C. Moss       | <b>aye</b>    |
| Sen. Javier D. Souto | <b>aye</b>              | Xavier L. Suarez     | <b>absent</b> |
| Juan C. Zapata       | <b>nay</b>              |                      |               |

The Chairperson thereupon declared the resolution duly passed and adopted this 22<sup>nd</sup> day of October, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Jess M. McCarty