



# VILLAGE OF KEY BISCAIYNE

## Office of the Village Manager

### *Village Council*

Robert L. Vernon, *Mayor*  
Jorge E. Mendia, *Vice Mayor*  
Michael Davey  
Enrique Garcia  
Steve Liedman  
Thomas Thornton  
Patricia Weinman

### *Village Manager*

Genaro "Chip" Iglesias

DT: September 26, 2007

TO: The Honorable Mayor and Members of the Village Council

FR: Village Manager Genaro "Chip" Iglesias

RE: **Police Department – Acquisition of Semi-automatic Assault Rifles**

### **Recommendation:**

It is recommended that the Village support this resolution that will allow the police department to utilize State Law Enforcement Trust Funds. This expenditure of an aggregate amount will not exceed \$9,000.00 for the acquisition of semi-automatic assault rifles used to offset subjects armed in the same manner. With an increasing proliferation of these types of weapons it is in the best interest of the police department to have the means necessary to protect themselves.

### **Background:**

Recent violent confrontations between law enforcement officers and criminals heavily armed with semi-automatic assault weapons have created the need for police officers to be better protected in order to meet the increased violence. In addition, several high profile active shooter situations necessitates police organizations to be equipped to respond immediately in order to neutralize the perpetrator without waiting for specially equipped units such as SWAT to mobilize and arrive at the scene. The purchase of this equipment will allow officers trained in rapid deployment to maintain the edge against those heavily armed subjects looking to cause mass casualties.

The purchase of this equipment is not currently a part of the departments' operational budget and is an authorized expenditure of the Florida Contraband Forfeiture Act, at no cost to our residents.

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

**A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED NINE-THOUSAND DOLLARS (\$9,000.00), FROM THE LAW ENFORCEMENT TRUST FUND FOR THE PURCHASE OF SIX (6) COLT AR-15 M4 SEMI-AUTOMATIC .223 CALIBER RIFLES FROM SRT SUPPLY; PROVIDING FOR EFFECTIVE DATE**

**WHEREAS**, it has become commonplace for criminals to utilize semiautomatic assault weapons; and

**WHEREAS**, the military features of semiautomatic assault weapons are designed to enhance their capacity to shoot multiple targets very rapidly making them especially desired by violent criminals; and

**WHEREAS**, because of their high firepower, assault weapons in the hands of the criminal element may leave the police badly outgunned; and

**WHEREAS**, recently a gunman opened fire on four Miami-Dade Police Officers with an assault rifle, killing one and injuring the other three; and

**WHEREAS**, as a result of this confrontation, and statistics from the City of Miami, a community that borders the Village, that state fifteen (15) out of its seventy-nine (79) homicides last year involved assault weapons; and

**WHEREAS**, it has become apparent over the last year that Village of Key Biscayne officers need the option of more powerful weapons; and

**WHEREAS**, the Village of Key Biscayne Police Department has specially trained members who are trained and prepared to take action in response to any reports of armed aggressive behavior that may occur at any school or other multiple victim location; and

**WHEREAS**, to reduce probability of injury or death to our officers as a result of a confrontation with an assault rifle-wielding suspect, the department is proposing the purchase of six (6) Colt AR-15 M4 Semi-Automatic .223 rifles to ensure an adequate supply is available to those officers who have demonstrated proficiency with these type of firearms; and

**WHEREAS**, this expenditure is an officer safety purchase which was not included in the Police Department's operating budget costs/police equipment line item; and

**WHEREAS**, the Police Department has in excess of \$ 22,000.00 in the Law Enforcement Trust Fund Account; and

**WHEREAS**, these monies are the result of seized assets from joint investigations between the Village of Key Biscayne Police Department and other local Law Enforcement Agencies; not from tax revenue; and

**WHEREAS**, since this expenditure is from said forfeited properties; this Police Department need may be satisfied at no cost to our residents; and

**WHEREAS**, the Chief of Police attests he has obtained quotes from three reputable dealers and SRT Supply has tendered the lowest bid based upon existing governments contracts ; and

**WHEREAS**, pursuant to Village Code Section 2-86 , this transaction is exempt from formal competitive bidding, since it is based upon another government's contract, and in any event, is hereby found to be exempt from further competitive bidding under Village Code Section 2-85, as it is impractical to delay the purchase for formal bidding procedures ;and

**WHEREAS**, the Chief of Police has recommended to purchase this equipment using funds from the Village's Law Enforcement Trust Fund; and

**WHEREAS**, costs for "Other Law Enforcement Purposes" is an authorized expenditure of the Florida Contraband Forfeiture Act, and;

**WHEREAS**, the Chief of Police has recommended adoption of this Resolution and determined that the proposed expenditure complies with F.S.S. § 932.7055, the Florida Contraband Forfeiture Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF KEY BISCAIYNE, FLORIDA AS FOLLOWS:**

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

**Section 2.**     **Purchase Authorized.** That the Chief of Police is hereby authorized to purchase the Colt AR-15 M4 semi-automatic .223 rifles from SRT Supply for a total expenditure not to exceed \$ 9,000.00. The funds for this purchase will come from the Law Enforcement Trust Fund Account.

**Section 3.**     **Effective Date:** That this Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of September, 2007.

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**MAYOR ROBERT VERNON**

ATTEST:

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**CONCHITA H. ALVAREZ, CMC,  
VILLAGE CLERK**

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

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**VILLAGE ATTORNEY**