**RESOLUTION NO.** R-2013-37

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE OFFICER MICHAEL CHIN IN RECOGNITION OF EIGHTEEN (18) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, Michael Chin was a Police Officer with the City of North Miami Police Department, who retired on March 1, 2013 with eighteen (18) years of service as a sworn law enforcement officer; and

**WHEREAS**, Retired Police Officer Chin was assigned a service firearm which he has utilized during his career as a Police Officer with the North Miami Police Department; and

**WHEREAS**, Retired Police Officer Chin has met Florida Department of Law Enforcement qualification standards with said firearm; and

**WHEREAS**, the Florida Department of Law Enforcement allows retired police officers/detectives to carry concealed firearms because it promotes public safety in the state and local municipalities; and

**WHEREAS**, Police Officer Chin retired in good standing and wishes to retain possession of his city-issued firearm (Sig Sauer P229, 40 caliber, serial number AM130113) effective on the date of his retirement, March 1, 2013; and

**WHEREAS**, the City of North Miami has no further use of the described firearm and wishes to award retired Police Officer Chin with the firearm in recognition of his service to the City of North Miami and as encouragement to other officers/detectives to have long term employment in the department.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.** **Authority to Award.** The Police Chief, by and through the City Manager, is authorized to award to Police Officer Chin, upon his retirement, his city-issued

# WAIVER OF LIABILITYAND HOLD HARMLESS AGREEMENT

ON THIS _____ day of _____, 2013, the undersigned Michael Chin does warrant and state the following:

WHEREAS, the undersigned was a Police Officer with the City of North Miami Police Department, who had eighteen (18) years of service as a sworn law enforcement officer; and

WHEREAS, the undersigned was assigned a service firearm which he has utilized during his career as a Police Officer with the North Miami Police Department; and

WHEREAS, the Florida Department of Law Enforcement allows retired police officers/detectives to carry concealed firearms because it promotes public safety in the state and local municipalities; and

WHEREAS, the undersigned has met Florida Department of Law Enforcement qualification standards with said firearm; and

WHEREAS, the undersigned retired in good standing and wishes to retain possession of his city-issued firearm (Sig Sauer P229, 40 caliber, serial number AM 130113), effective on the effective date of this resolution; and

WHEREAS, the City of North Miami has no further use of the described firearm and wishes to award the undersigned with the firearm in recognition of his service to the City of North Miami and as encouragement to other officers to have long term employment in the department.

The undersigned hereby agrees to indemnify and hold harmless the City of North Miami, Florida and the City of North Miami Police Department from and against any and

all claims of action, causes of action, damages and losses arising from or relating in any way to possession and usage of said firearm regardless if claims of action, causes of action, damages and losses are suffered by the undersigned or a third party.

The undersigned agrees to abide by any and all laws of the State of Florida governing possession of a firearm by a retired police officer including, but not limited to, taking any courses required to stay proficient in the use of said firearm.

The undersigned further agrees to carry in his possession identification as a retired City of North Miami law enforcement officer (i.e. retired police officer) while in possession of such firearm.

The undersigned, his assigns, successors and heirs, waives any claims, causes of action or losses which he has or may have in the future against the City of North Miami and/or the City of North Miami Police Department regarding the award of said firearm.

SIGNED AND WITNESSED on this _____ day of _____, 2013.

WITNESS:

_____
MICHAEL CHIN

_____

_____
Print Name

firearm in recognition of his eighteen (18) years of distinguished service to the City of North Miami and the North Miami Police Department.

**Section 2.** **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 9 day of April, 2013.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Vice Mayor Steril

Seconded by: Councilman Marcellus

**Vote:**

| | | |
|---|---|---|
| Mayor Andre D. Pierre, Esq. | x (Yes) | (No) |
| Vice Mayor Marie Erlande Steril | x (Yes) | (No) |
| Councilperson Michael R. Blynn, Esq. | x (Yes) | (No) |
| Councilperson Scott Galvin | x (Yes) | (No) |
| Councilperson Jean R. Marcellus | x (Yes) | (No) |