

MEMORANDUM

Agenda Item No. 11(A)(2)

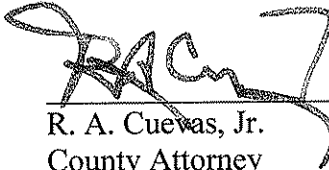
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2012

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

SUBJECT: Resolution directing the Mayor to review real property owned and leased by Miami-Dade County, determine if any land can be made available to the South Florida Society for the Prevention of Cruelty to Animals

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2012

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County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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 Manager'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
Veto _____
Override _____

Agenda Item No. 11(A)(2)
2-7-12

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR DESIGNEE TO REVIEW REAL PROPERTY OWNED AND LEASED BY MIAMI-DADE COUNTY, DETERMINE IF ANY LAND CAN BE MADE AVAILABLE TO THE SOUTH FLORIDA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO FACILITATE THE CARE OF ABANDONED, NEGLECTED, AND ABUSED HORSES AND LARGE ANIMALS, AND REPORT BACK TO THE BOARD OF COUNTY COMMISSIONERS IN 60 DAYS

WHEREAS, the State of Florida has an incredibly large horse population of over half a million, which ranks as the third largest in the United States; and

WHEREAS, some of these horses are regrettably subject to heinous acts of neglect, abuse, abandonment, or slaughter; and

WHEREAS, there is a definitive need in Miami-Dade County for services to protect and rehabilitate these animals; and

WHEREAS, the South Florida Society for the Prevention of Cruelty to Animals (SFSPCA) is a non-profit organization that has served the community in this endeavor since 1992 by organizing the rescue of over 1,700 horses and livestock animals, providing shelter, food, veterinary care, training, and rehabilitation to animals in their care, and attempting to secure adoptive homes, when appropriate; and

WHEREAS, the SFSPCA also performs a valuable public service by moving large stray animals to their facility and away from public streets and highways where the animals could endanger the lives of citizens; and

WHEREAS, the SFSPCA is presently partnered with Miami-Dade County to handle the transport, impound, and care of large animals in the County that are victims of abuse and neglect,

thereby allowing the County to comply with its obligations under Florida Statutes §§ 588.21 and 588.22 in an economically efficient manner that ensures considerable savings to Miami-Dade taxpayers; and

WHEREAS, these difficult economic times have diminished the budgets for animal rescue organizations across the board, while simultaneously creating a greater need for these services as more horses and large animals are abandoned or neglected by owners facing financial hardship; and

WHEREAS, the SFSPCA presently faces the daunting task of performing this valuable service while having rising expenses that exceed their diminishing funds; and

WHEREAS, the County incurs maintenance costs on property it owns but does not occupy or use for County purposes; and

WHEREAS, the County could reduce some of these maintenance costs by conveying or leasing these properties to non-profit organizations, like the SFSPCA, that need operating space to provide much-needed services; and

WHEREAS, the SFSPCA could potentially reduce their operating budgets or increase their level of service by receiving or leasing space from the County at a nominal or reduced rate; and

WHEREAS, Florida Statutes § 125.38 provides a mechanism by which County-owned property may be conveyed or leased to non-profit organization at a nominal or reduced rate; and

WHEREAS, if any County land were found to be available for these purposes, the SFSPCA could then apply to the Board of County Commissioner for conveyance or lease of such property pursuant to Florida Statutes § 125.38,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The County Mayor or Mayor's designee is hereby directed to review real property owned or leased by Miami-Dade County.

Section 2. The County Mayor or Mayor's designee is directed to determine if any land can be made available to the South Florida Society for the Prevention of Cruelty to Animals to facilitate the care of abandoned, neglected, and abused horses and large animals, .

Section 3. The County Mayor or Mayor's designee is directed to report back to the Board of County Commissioners within sixty (60) days with the results of that review.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of February, 2012. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MBV

Michael B. Valdes