MEMORANDUM

Agenda Item No. 11(A)(10)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	December 15, 2015
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution urging the Florida Legislature to enact legislation that would authorize counties to impose, following approval in a voter referendum, a sales tax surcharge on pet food and other pet items for the purpose of funding animal services and No Kill Policies

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

Abigail Price-Williams
County Attorney

APW/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 15, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

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**

_____ **Statement of social equity 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
Veto _____
Override _____

Agenda Item No. 11(A)(10)
12-15-15

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD AUTHORIZE COUNTIES TO IMPOSE, FOLLOWING APPROVAL IN A VOTER REFERENDUM, A SALES TAX SURCHARGE ON PET FOOD AND OTHER PET ITEMS FOR THE PURPOSE OF FUNDING ANIMAL SERVICES AND NO KILL POLICIES

WHEREAS, according to the American Society for the Prevention of Cruelty to Animals, approximately 2.7 million animals are euthanized each year nationwide; and

WHEREAS, responsible pet ownership is one way to help lower the high rate of euthanized animals, animal overpopulation, and stray animals; and

WHEREAS, according to the American Pet Products Association, many stray animals are lost pets who were not kept properly indoors or provided with identification by their owners; and

WHEREAS, considering these statistics and the issues that Miami-Dade County continues to encounter, this Board has sought to improve animal services programs in Miami-Dade County and establish a No Kill policy in its animal shelter; and

WHEREAS, on July 3, 2012, this Board adopted Resolution No. R-583-12 directing the Mayor to develop a program for Miami-Dade County with the goal of becoming a No Kill shelter and providing for a financially feasible strategic plan to implement lifesaving programs and services at the Miami-Dade County Animal Services Department; and

WHEREAS, on June 18, 2013, this Board adopted Resolution No. R-476-13 accepting the Animal Services Department Report of Recommendations for attaining a No Kill shelter; and

WHEREAS, the Animal Services Department's report outlined a comprehensive plan for saving the lives of the thousands of animals in the community, including adoption and foster programs and events, as well as improved rescue strategies; and

WHEREAS, this Board recognizes that other counties encounter similar problems as Miami-Dade County and may have similar objectives; and

WHEREAS, this Board would like the Florida Legislature to provide authority to allow voters to approve by referendum a surcharge on pet food and other pet items to achieve the objective of attaining a No Kill shelter; and

WHEREAS, unless provided by general law, counties have no authority to levy taxes other than ad valorem taxes; and

WHEREAS, counties do not currently have the authority to tax pet food and other pet items; and

WHEREAS, the Florida Legislature should enact legislation authorizing counties to conduct a voter referendum on the imposition of a sales tax surcharge on pet food and other pet items,

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

Section 1. Urges the Florida Legislature to enact legislation that would authorize counties to impose, following approval in a voter referendum, a sales tax surcharge on pet food and other pet items for the purpose of funding animal services and No Kill policies.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. APP

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