Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 9(A)(2)(A)
5-8-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-575-07

RESOLUTION ESTABLISHING DEPOSIT TO BE COLLECTED WITH AGREEMENT TO STERILIZE ANIMALS ADOPTED FROM COUNTY ANIMAL SHELTER AND WITH RENTAL OF CAT AND DOG TRAPS FROM DEPARTMENT; ESTABLISHING ANIMAL SERVICES DEPOSIT TRUST FUND TO RECEIVE DEPOSITS; ESTABLISHING TERMS AND CONDITIONS FOR DISBURSEMENTS FROM TRUST FUND; AND WAIVING ADMINISTRATIVE ORDER 3-38 WITH RESPECT TO SMALL PURCHASE ORDERS

WHEREAS, to prevent animal overpopulation and to prevent animals from becoming strays or suffering from privation, § 823.15, Florida Statutes, requires that animals adopted from the Animal Shelter (the "Shelter") operated by the Miami-Dade County Animal Services Department (the "Department") be sterilized prior to adoption or that the adopter sign an agreement to sterilize the animal and leave a sufficient deposit to guarantee compliance; and

WHEREAS, the Department allows constituents to borrow traps to capture stray dogs and cats because the Department does not have the resources to trap dogs and cats on a daily basis, and the Department must collect a deposit to defray the cost of traps that are vandalized, broken, or not returned; and

WHEREAS, it is the desire of this Board to establish the amounts of the deposits to be collected with agreements to sterilize an animal and with the borrowing of traps; and

WHEREAS, it is the further desire of this Board to establish a trust fund for receiving deposits collected by the Department in the course of providing animal services and to establish terms and conditions for disbursement of those monies that are not refunded; and

WHEREAS, the monies deposited in the trust fund that are not refunded shall be used to purchase supplies, food, and services related solely to the goals and objectives of the

Department, which includes providing services to animals kept at or adopted from the Shelter or animals that have been the victims of cruelty or neglect, and encouraging the sterilization of animals in Miami-Dade County; and

WHEREAS, the Board wishes to waive the County's formal bid and purchasing procedures in Administrative Order 3-38 with respect to small purchase orders in order to allow the Department to purchase supplies, food, and services in a timely manner in order to fulfill its goals, provided, each individual purchase does not exceed $10,000 and three quotes on the proposed purchase is obtained, if practicable or economically feasible,

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

Section 1. The amount of the deposit collected with an agreement to sterilize an animal adopted from the Shelter shall be $50.00. The amount of the deposit collected with the borrowing of a trap shall be $35.00 for a cat trap and $75.00 for a dog trap.

Section 2. The Finance Director is directed to establish the Animal Services Deposit Trust Fund (the "Trust Fund"), to be administered by the Department in accordance with this resolution and the County's investment policies for the sole purpose of receiving deposits collected by the Department in the course of providing animal services, including deposits collected with agreements to sterilize animals adopted from the Shelter and deposits collected with the borrowing of traps.

Section 3. The Trust Fund shall be kept and maintained in trust by the Department, and any monies that are not refunded, including interest earned on such monies, shall be used to purchase supplies, food, and services related solely to the goals and objectives of the Department, which includes providing services to animals kept at or adopted from the Shelter or animals that have been the victims of cruelty or neglect, and encouraging the sterilization of animals in Miami-Dade County.

Section 4. The County's formal bid and purchasing procedures in Administrative Order 3-38 with respect to small purchase orders are waived for purchases by the Department in accordance with this resolution, provided that each individual purchase does not exceed $10,000 and three quotes on the proposed purchase are obtained if practicable or economically feasible.

Section 5. The Department shall report at least annually to the County Manager, the Budget Department, and the Board of County Commissioners (the "BCC") as to expenditures from the Trust Fund.

The foregoing resolution was offered by Commissioner Joe A. Martinez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of May, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Dennis A. Kerbel

Memorandum

MIAMI-DADE COUNTY

Date: May 8, 2007

Agenda Item No. 9(A)(2)(A)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Establishing the Miami-Dade County Animal Services Deposit Trust Fund

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Recommendation

It is recommended that the Board approve the attached resolution authorizing the establishment of the Miami-Dade County Animal Services Deposit Trust Fund and waiving the procedures of Administrative Order 3-38. The purpose of the trust fund is to process refundable deposits that the department receives from constituents.

Scope

The Finance Department requires that internal control procedures be in place to process deposits required by the Animal Services department. These deposits cannot be co-mingled with proprietary funds, and must be segregated into a separate account. Currently, Animal Services does not have a separate account for the monies received as deposits.

Animal Services does not have the resources to trap dogs and cats on a daily basis. Because of this, the department allows constituents to borrow traps for that purpose. Due to the excessive number of traps that are vandalized, broken or not returned, a deposit of $35 for a cat trap and $75 for a dog trap are required. These deposits are refunded to the constituent once the trap is returned.

Deposits are also received from constituents when animals are adopted unsterilized. Florida Statute 823.15, and Miami Dade County Code, Section 5-2.1 dictate that the department is permitted to release animals unsterilized as long as a sufficient deposit is left by the adopter and they enter into a written agreement. That deposit is refunded when the pet is sterilized.

Fiscal Impact/Funding Source

There will be no fiscal impact to establish this Deposit Trust Fund. Any additional workload with regards to processing refunds will be absorbed by the current staff.

Track Record/Monitor

The Director of the Finance Department is hereby authorized to establish the trust fund and to receive monies therefore, and disperse monies from such trust fund in accordance with the provisions of this resolution.

Background

In October 2005, Animal Services became an independent department. A complete assessment of all shelter policies and procedures has been completed and any deficiencies are being addressed, to include all cash management procedures. Currently, deposits received for dog and cat traps are kept in a safe and returned to the constituent when the trap is returned. No deposits have yet been received for adopters signing the spay/neuter release since there was no separate account established.

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 9(A)(2)(A)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**