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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 1, 2009

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

SUBJECT: Resolution urging the
Florida Legislature to allow
proceeds from the existing \$5
surcharge on civil penalties
for violating animal control
and cruelty ordinances to be
used for animal shelter
operating expenses

Resolution No. R-1074-09

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

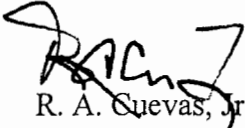


MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 1, 2009

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

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

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 Mayor'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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
9-1-09

RESOLUTION NO. R-1074-09

**RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ALLOW PROCEEDS FROM THE EXISTING \$5 SURCHARGE
ON CIVIL PENALTIES FOR VIOLATING ANIMAL
CONTROL AND CRUELTY ORDINANCES TO BE USED FOR
ANIMAL SHELTER OPERATING EXPENSES**

WHEREAS, section 828.27, Florida Statutes, currently authorizes counties and municipalities to impose a \$5 surcharge on civil penalties for animal control and cruelty ordinances; and

WHEREAS, the statute currently requires the proceeds from this existing \$5 surcharge to be used solely to pay the costs of training for animal control officers; and

WHEREAS, city and county animal services departments have come under increasing budget pressures in recent years; and

WHEREAS, expanding the uses of the existing \$5 surcharge so that it could be used for shelter operating expenses in addition to training of Animal Control Officers and other enforcement related duties, can greatly assist city and county animal control departments in carrying out their mission,

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 allow proceeds from the existing \$5 surcharge on civil penalties for violating animal control and cruelty ordinances to be used for animal shelter operating expenses in addition to training of Animal Control Officers and other enforcement related duties.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Chair and Members of the Miami-Dade County State Legislative Delegation, and the Executive Directors of the Florida Association of Counties and the Florida League of Cities.

Section 3. Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs that the 2010 State Legislative Package be amended to include this item.

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

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

The Chairman thereupon declared the resolution duly passed and adopted this 1st day of September, 2009. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty