

MEMORANDUM

Agenda Item No. 11(A)(23)

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

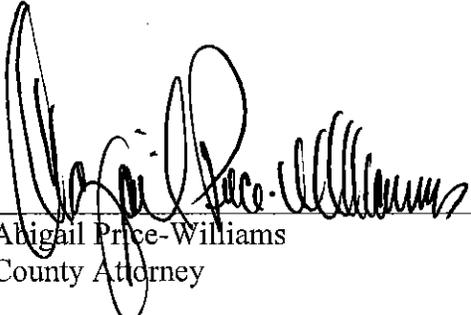
DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to investigate potential
receiving facilities for the
relocation of nuisance peafowl
from certain Miami-Dade County
neighborhoods

Resolution No. R-671-16

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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)(23)
7-6-16

RESOLUTION NO. R-671-16

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO INVESTIGATE POTENTIAL RECEIVING FACILITIES FOR THE RELOCATION OF NUISANCE PEAFOWL FROM CERTAIN MIAMI-DADE COUNTY NEIGHBORHOODS

WHEREAS, peafowl are a nonnative species of bird that live in several Counties throughout the State of Florida; and

WHEREAS, there has been a proliferation of peafowl in many Miami-Dade County neighborhoods; and

WHEREAS, while the Board is committed to the humane treatment of peafowl, many peafowl engage in a variety of nuisance behaviors, including emitting loud noises, destroying landscaping and damaging property; and

WHEREAS, the Miami-Dade County Code currently allows property owners to remove nuisance peafowl from their property, if done in a manner that does not injure the animal; and

WHEREAS, the Florida Administrative Code and the Florida Wildlife Commission prohibit the release and/or introduction of nonnative species, such as peafowl, within the State of Florida; therefore, in order for property owners to lawfully relocate nuisance peafowl from their property, there must be a secure facility willing to accept the relocated peafowl; and

WHEREAS, currently Miami-Dade County Animal Services does not respond to complaints about nuisance peafowl because no suitable facilities have yet been identified to accept the birds, if removed; and

WHEREAS, the Board desires to assist residents of the County who seek to have nuisance peafowl on their property humanely removed and relocated; and

WHEREAS, in order to facilitate the humane removal and relocation by Miami-Dade County Animal Services of nuisance peafowl at the request of property owners, this Board desires to identify potential facilities willing to accept these relocated peafowl that would also meet the requirements of the Florida Administrative Code and the Florida Wildlife Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or the County Mayor’s designee is directed to investigate potential receiving facilities for the relocation of nuisance peafowl removed by Miami-Dade County Animal Services at the request of property owners. The County Mayor or the County Mayor’s designee is directed to return to the Board within 90 days with a report identifying potential receiving facilities and recommendations for the best options for such receiving facilities. The report and recommendations described herein shall be placed on an agenda of the Board, in accordance with Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Jean Monestime, Chairman	aye	
	Esteban L. Bovo, Jr., Vice Chairman	aye	
Bruno A. Barreiro	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2016. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "Sabrina Levin", written over a horizontal line.

Sabrina Levin