

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve addendum to Lee County Resolution No.02-06-19 creating the Animal Trust Fund and Oversight Committee *By Resolution, Amending AC 2-21. JAO*

**WHY ACTION IS NECESSARY:** Board of County Commissioners' approval is required to adopt an addendum to a Resolution.

**WHAT ACTION ACCOMPLISHES:** Finalizes the objectives and structure of the Animal Care Trust Fund Oversight Committee.

**2. DEPARTMENTAL CATEGORY:**  
**COMMISSION DISTRICT**

*C6F*

**3. MEETING DATE:**

*08-06-2002*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
*(Specify)*

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER-  
Addendum A.C.  
2-21.

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Animal Services
- C. DIVISION
- BY: Scott Trebatoski

**7. BACKGROUND:**

On June 11, 2002 the Board of County Commissioners adopted Lee County Resolution No. 02-09-19 (Administrative Code 2-21) creating an Animal Care Trust Fund and Oversight Committee (Blue Sheet No. 20020622). The purpose of the trust fund was to facilitate donations for the benefit of the animals of Lee County served by Lee County Animal Services. The trust established guidelines for Animal Services in accepting donations and in using funds placed in the trust account. The trust was to be administered by an Oversight Committee, which was approved and to be appointed by the Board.

By way of addendum, staff seeks to finalize the objectives and criteria for Oversight Committee membership to assist the Board of County Commissioners in their selection and appointment of the five (5) members, and to provide guidance to the Committee members for their function as Trustees for the Fund.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>Storabski</i> <i>7/3/02</i>	n/a	n/a	<del>_____</del> <i>N/A</i>	<i>hlt</i> <i>7/8/02</i>	OA <i>7/8/02</i>	OM <i>7/12/02</i>	RISK <i>7/15</i>	GC <i>7/15</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by *Coffey*  
Date: *7/5/02*  
Time: *3:35pm*  
Forwarded To:  
*Budget*  
*7-8-02 9:25*

RECEIVED BY  
COUNTY ADMIN.  
*7/8/02*  
*10:30am*  
*CA*  
*HS*

*7/15*

LEE COUNTY RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

**WHEREAS**, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

**WHEREAS**, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed

amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

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

**COMMISSIONERS THAT:**

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code AC2-21(attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, being put to a vote, the vote was as follows:

ROBERT JANES \_\_\_\_\_  
DOUGLAS ST. CERNY \_\_\_\_\_  
RAY JUDAH \_\_\_\_\_  
ANDREW COY \_\_\_\_\_  
JOHN E. ALBION \_\_\_\_\_

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**  
**CHARLIE GREEN, CLERK**

**BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Office of the County Attorney

**ANIMAL CARE TRUST FUND ("FUND") OVERSIGHT COMMITTEE**

**K. OBJECTIVES:**

The Animal Care Trust Fund Oversight Committee shall provide guidance for the use of Donated Trust Funds and to assist Lee County Animal Services. The Committee shall:

1. Establish procedures for the application and use of Fund monies by qualified pet owners who cannot afford to pay for services, criteria for use and investment of funds in accordance with the provisions of this code, advise concerning fund-raising activities, and develop quarterly meeting protocols. The procedures shall be reviewed and approved by the Board of County Commissioners.
2. Establish and maintain an application form, approval and monitoring process for requesting funds for indigent or economically disadvantaged persons from the Animal Care Trust Fund.
3. Review requests for disbursements, and provide recommendations concerning the use of donations, including recommendations regarding funds with specified or restricted uses.
4. Provide periodic input and updates regarding the Fund and its usage to the Director of Animal Services. These reports shall be no less often than quarterly, but may be required as requested by the Director of Animal Services, County Manager, or Board of County Commissioners.
5. Disseminate information concerning the Fund and related guidelines as requested.
6. Coordinate with and assist as necessary Lee County staff regarding the use of the Fund.
7. Offer suggestions regarding amendments and/or modifications to the Fund as deemed necessary to effectively and successfully implement the Animal Care Trust Fund and its objectives.

**L. MEMBERSHIP:**

The Board of County Commissioners shall appoint five (5) members to the Animal Care Trust Fund Oversight Committee. It is the intent to establish an oversight committee with a balance of animal welfare advocates, animal care providers, concerned citizens, business and government interests in Lee County. The Board upon consensus vote will establish the membership after a review of recommendations of appointees. Each Board member shall nominate one (1) member to the Committee. A voting member of the Committee shall not have a conflict of interest either direct or indirect with respect to matters coming before the

Committee, nor shall any member receive any financial benefit from the actions of the Committee.

1. The Committee may consist of:
  - (A) One person currently practicing veterinary medicine or working for an organization with a practicing veterinarian;
  - (B) One person employed by a not-for-profit organization in the animal care/welfare field.
  - (C) One retired veterinarian;
  - (D) Two other members who own property in Lee County and demonstrate an interest in domestic animals, health and welfare;
2.
  - (A) All members must be Lee County residents.
  - (B) No more than two (2) veterinarians licensed in the State of Florida, whether practicing or not, shall serve on the Committee.
3. Appointees must provide a record of animals owned and/or kept at their residence, list associations with animal care/welfare groups, and must abide by all animal control ordinances/laws/regulations. Failure to provide accurate information and/or animal control violations may result in disapproval of a nominee or removal from the Committee, if appointed.

**M. TERM OF MEMBERSHIP:**

The members of the Animal Care Trust Fund Oversight Committee shall be appointed by the Board for a term of two (2) years. The Board shall make all subsequent appointments or re-appointments in the same manner as the original appointments.

Members may be replaced subject to the confirmation of the Board. Unless otherwise provided by the Board, replacement members shall serve the unexpired term.

The Board may remove any member who has missed three (3) consecutive meetings, upon a recommendation from the Oversight Committee.

The Oversight Committee shall elect by simple majority vote a Chairperson, Vice-Chairperson, and Secretary. The Chairperson shall preside at all meetings, call special meetings and perform other traditional duties of a chairperson and any duties pursuant to Lee County Administrative Code AC-2-3. The Vice-Chairperson shall preside in the absence of the Chairperson. The Secretary shall be responsible for the minutes of all meetings, post public notices of meetings and perform those traditional duties of Secretary and any duties provided for in Lee County Administrative Code AC-2-3. Officers shall serve for one (1) year. Upon a vacancy in any office for any reason, an election shall occur at the next regular meeting to fill the office for the unexpired term.

The County Administrator or designee shall serve as staff advisor to the Committee, provide technical support as required and serve as, or appoint a recording secretary to the Committee.

**N. RULES OF PROCEDURE:**

1. The Animal Care Trust Fund Oversight Committee and its members shall comply with all applicable requirements of the laws of the State of Florida and the ordinances of Lee County; including but not limited to the Florida Government in the Sunshine Law (including the advertising of all meetings), Public Records Law, Financial Disclosure Requirements (if required) and the Lee County Lobbying Ordinance.
2. The Committee may adopt additional procedures of operation provided there is no conflict in law and such procedures fulfill the intent of the fund.
3. Roberts Rules of Order shall dictate parliamentary procedure.
4. All members shall serve without compensation.
5. The Committee shall adopt and publish a meeting schedule consistent with the effective implementation and operation of the program and the objectives of the fund. Regardless, in no event will the committee meet less than quarterly unless such revised schedule is first approved by the Board. The committee adopted meeting schedule or revisions thereto shall be forwarded to the Director of Animal Services and the Board of County Commissioners.
6. The Committee shall keep accurate minutes and submit those minutes to the Clerk of Courts and Lee County Animal services in a timely manner.

**O. TERMINATION OF THE ANIMAL CARE TRUST FUND:**

The Lee County Animal Care Trust Fund Account shall continue to exist unless terminated by official action of the Board of County Commissioners. If, by action of the Board of County Commissioners, the Animal Care Trust Fund Account is discontinued for any reason all existing funds shall be used for animal care and/or for the specified purpose of the donation. The Committee shall report the encumbered funds and funds donated for specific purposes. The Committee shall recommend for Board approval the final disbursement of funds should the fund be ended for any reason.