

# Memorandum



**Date:** May 3, 2011

Agenda Item No. 1(F)4

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the sender.

**Subject:** Sunset Review of County Boards for 2011 – Agricultural Practices Advisory Board

---

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2011 Sunset Review of County Boards Report for the Agricultural Practices Advisory Board. The Board approved the attached report at its meeting of January 5, 2011 and has recommended the continuation of its board.

A handwritten signature in black ink, appearing to read "Alex Muñoz", written over a horizontal line.

Alex Muñoz  
Assistant County Manager

cmo06111

**Date:** January 5, 2011  
**To:** George M. Burgess  
County Manager  
**From:** James Humble  
Chairperson, Agricultural Practices Advisory Board  
**Subject:** Sunset Review of County Boards 2011 - Agricultural Practices Advisory Board

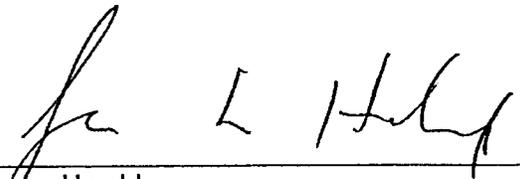
---

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2011 Sunset Review of County Boards Report for the Agricultural Practices Advisory Board for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of January 5, 2011.

It is recommended that the BCC approve the continuation of the Agricultural Practices Advisory Board.

**BACKGROUND**

The Agricultural Practices Advisory Board (APAB) was created on January 17, 1995. The purpose of the Board is to conduct a review of the regulations regarding agricultural practices in Miami-Dade County and provide recommendations to the BCC with regard to such regulations. The APAB continues to review regulations and legislation pertaining to agriculture, and provide recommendations to the BCC. In 2008, Sections 2-931, 2-932 and 2-933 of the Miami-Dade County Code, which created the APAB, were amended, and Sections 2-934 through 2-936 were created to update and clarify the APAB organizational structure and purpose. This Board provides a vital service for the Miami-Dade County agricultural community and should continue to function.

  
\_\_\_\_\_  
James Humble  
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2011**

**I. GENERAL INFORMATION**

1. Name of Board reporting: Agricultural Practices Advisory Board
2. Indicate number of board members, terms of office, and number of vacancies:  
Number of Board Members: Thirteen  
Terms of Office: Four Years  
Number of Vacancies: None. Three members' terms will expire in December 2010 and will be considered for renewal and/or replacement.
3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2009** through **December 31, 2010**):  
Number of Meetings: 24  
Number of Meetings with a Quorum: 23  
Attendance Records: See Attachment
4. What is the source of your funding? General Fund
5. Date of Board Creation: January 17, 1995
6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).  
See Attachment
7. Include the Board's Mission Statement or state its purpose:  
The purpose of the APAB shall be to review proposed or existing regulations or legislation pertaining to agricultural practices in Miami-Dade County and to provide recommendations to the Board of County Commissioners (BCC) with regard to such regulations and legislation.
8. Attach the Board's standard operating procedures, if any. N/A
9. Attach a copy of the Board's By-Laws, if any. N/A
10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, **including a vote of the membership**.  
See Attachment

**II. EVALUATION CRITERIA**

1. Is the Board serving the purpose for which it was created? (Please provide detailed information)  
Yes, the APAB serves the purpose of reviewing and commenting on regulations and legislation that affects agriculture in Miami-Dade County. For example, their review and comments on a proposed amendment to the agricultural language in the Comprehensive Development Master Plan (CDMP) regarding uses ancillary to agriculture led to significant changes in the amendment.
2. Is the Board serving current community needs? (Please provide detailed information)

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2011**

As stated above, the purpose of the APAB is to review regulations and legislation, which they do on a regular basis. Their intimate knowledge on agricultural issues ensures that the agricultural community's views are heard.

3. What are the Board's major accomplishments?

a. Last 24 months

- The Board, in conjunction with the Planning Director, began a comprehensive review of the five Open Land-designated areas of the CDMP with the objective of amending the text to delete the term 'seasonal agriculture' from the CDMP. Concurrent with this review, a private application to amend the CDMP (Application No. 9, October 2009 Cycle) was submitted to remove the reference to "seasonal agriculture" from Open Land Subarea 1 and to allow nurseries, tree farms, agricultural production and the limited raising of livestock. The BCC adopted the text amendment on (Ordinance 10-68; October 6, 2010).
- Similarly, as stated above, the Department of Planning and Zoning filed an application (Application No. 5; April 2010 Cycle) to amend the CDMP to remove the reference to "seasonal agriculture" from Open Land Subarea 4 to allow tree farms, nurseries, agricultural production and the limited raising of livestock. Final adoption of the proposed text amendment is scheduled for April 2011.
- The Board continues to serve as a liaison between farmers and residents in the Las Palmas Community (the former 8-½ Square Mile Area) and the Department of Environmental Resources Management (DERM) to address wetlands violations for illegal fill material on individual landowners' properties.
- The Board continues to work with the Property Appraisers Office to address the Property Appraisers methodology for the classification of small farms and the documentation required to receive agricultural exemptions.
- The Board reviewed and commented on the following ordinances proposed by the Department of Planning and Zoning: authorization of agricultural production on lots less than five acres in the AU (Agricultural) zoning district; authorization of certain 'point-of-sale' signs in the AU zoning district; and authorization of plant nurseries within utility easements and railroad rights-of-way in BU (Business) and IU (Industrial) zoning districts.

b. Since established:

Please refer to previous annual reports for an overview of the APAB's major accomplishments between 1995 and 2010.

4. Is there any other board, either public or private, which would better serve the function of this board?

No. There are no other public or private boards which act as reviewers of agricultural regulations and as liaisons between agricultural interests and the BCC.

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2011**

5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes)  
In 2008, Miami-Dade County Code Sections 2-931, 2-932 and 2-933, which created the APAB, were amended and Sections 2-934 through 2-936 were created. Section 2-931 was updated and amended to clarify the APAB purpose, Sections 2-932 through 2-935 were amended and/or created to modify membership terms and qualifications, member replacement provisions, and sub-committee creation, and Section 2-936 addresses the staff support for, and administration of, the APAB.
6. Should the Board's membership requirements be modified?  
Currently, Article LXVIII, Section 2-934 of the County Code specifies that individuals are only allowed to serve for a maximum of two 4-year terms. The Board has expressed their desire to amend this provision and remove term limits from the ordinance, citing the limited number of persons within the agricultural community that are willing and able to serve as volunteers on this Board.
7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2009 and FY 2010)  
2009: \$11,474  
2010: \$12,791
8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.  
The APAB's performance is gauged by comparing its activities to its purpose and charge as outlined in Section 2-931 of the Code of Miami-Dade County. A review of the APAB's activities in 2009 and 2010 indicates that it continues to serve its purpose.

**AGRICULTURAL PRACTICES ADVISORY BOARD ATTENDANCE RECORD 2009**

	1/7	2/4	3/4	4/1	5/6	6/3	7/1	8/5	9/2	10/7	11/4	12/3
Jorge Abreu												
Nursery Industry Representative #2	P	P	EA	EA	P	P	P	EA	P	P	P	EA
Sam Accursio												
Vegetable Industry Representative #1	-	-	-	-	P	P	P	P	P	P	P	P
Teena Borek												
Vegetable Industry Representative #2	P	P	P	P	P	P	EA	P	A	P	P	A
Jonathan Borghi												
Agri-Banking Representative	P	P	P	P	P	P	P	P	P	P	P	P
Larry Caudle												
Allied Agri-business Representative	P	P	P	P	P	P	P	P	P	P	P	P
John DeMott												
South Dade Soil & Water Conservation District Representative	P	P	EA	P	P	P	P	P	P	P	EA	P
Arie de Zwart												
Tropical Fruit Crop Representative #1	-	-	-	-	P	P	EA	EA	P	EA	EA	P
Gary J Dufek												
At-Large Representative	-	-	-	-	-	P	P	P	P	P	P	P
James Humble												
Citizens' Association Representative	P	P	P	P	P	P	P	P	P	P	P	P
Bill Losner												
Tropical Fruit Crop Representative #2	P	P	P	P	-	-	-	-	-	-	-	-
Martin Motes												
Nursery Industry Representative #2	-	-	-	-	-	P	P	EA	P	P	EA	P
Diego Rodriguez												
Vegetable Industry Representative #1	-	-	-	-	P	P	P	P	P	A	P	P
Dave Romney												
Farm Labor Representative	P	P	EA	-	-	-	-	-	-	-	-	-
Robert Thompson												
Nursery Industry Representative #1	P	P	P	P	P	EA	P	P	P	P	P	P
Erik Tietig												
Ornamental Aquaculture Representative	P	EA	P	EA	EA	P	EA	P	P	P	EA	P

**KEY**  
Present: P  
Unexcused Absence: A  
Excused Absence: EA  
Resigned: R  
Term Expired: TE  
Canceled Meeting: C  
No Quorum: NQ  
Not a Board Member: -

**AGRICULTURAL PRACTICES ADVISORY BOARD ATTENDANCE RECORD 2010**

	1/6	2/3	3/3	4/7	5/5	6/2	7/7	8/4	9/1	10/6	11/3	12/1
Jorge Abreu	NQ	P	A	EA	P	P	EA	A	P	A	A	A
Sam Accursio	NQ	P	P	P	P	P	A	P	P	P	P	P
Teena Borek	NQ	EA	P	A	A	A	EA	P	A	A	A	P
Jonathan Borghi	NQ	P	P	P	P	P	P	EA	P	P	P	P
Larry Caudle	NQ	P	P	P	P	P	P	P	A	P	P	EA
John DeMott	NQ	P	P	A	P	P	P	P	P	P	P	P
Gary J Dufek	NQ	P	P	P	P	P	P	P	P	P	P	P
James Humble	NQ	P	P	P	P	P	P	P	P	P	P	P
Martin Motes	NQ	P	A	P	P	P	P	P	A	P	P	EA
Diego Rodriguez	NQ	P	P	P	P	P	P	P	P	P	P	P
Robert Thompson	NQ	P	P	P	A	P	P	P	P	EA	P	P
Erik Tielig	NQ	P	P	P	A	P	P	P	P	P	P	EA
Arie de Zwart	NQ	P	A	P	P	A	A	P	P	P	P	P

**KEY**

- Present: P
- Unexcused Absence: A
- Excused Absence: EA
- Resigned: R
- Term Expired: TE
- Canceled Meeting: C
- No Quorum: NQ
- Not a Board Member: -

**2011 SUNSET REVIEW OF COUNTY BOARDS**

**AGRICULTURAL PRACTICES ADVISORY BOARD**

Attached Ordinances:

- Ordinance No. 95-03
- Ordinance No. 96-14
- Ordinance No. 96-181
- Ordinance No. 98-16
- Ordinance No. 99-79
- Ordinance No. 08-101

**PART III CODE OF ORDINANCES**  
**CHAPTER 2 ADMINISTRATION**  
**ARTICLE LXVIII AGRICULTURAL PRACTICES STUDY ADVISORY BOARD**

**ARTICLE LXVIII. AGRICULTURAL PRACTICES STUDY ADVISORY BOARD\***

\*Editor's note--Ord. No. 95-03, adopted Jan. 17, 1995, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. LXVIII, §§ 2-931-2-933.

**Sec. 2-931. Creation; purpose; duties.**

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Miami-Dade County, review the Agricultural Land Use Study and to provide recommendations to the Board of County Commissioners with regard to such regulations and Agricultural Land Use Study.

In order to fulfill its purpose, the Board shall prepare and submit to the Board of County Commissioners an annual report addressing the following:

- (a) An overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Miami-Dade County;
- (b) Recommendations for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;
- (c) Recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals;
- (d) Recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and
- (e) An analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

(Ord. No. 95-03, § 1, 1-17-95; Ord. No. 96-14, § 1, 1-16-96; Ord. No. 96-181, § 1, 12-3-96; Ord. No. 98-16, § 1, 2-3-98)

**Sec. 2-932. Membership; qualifications.**

There shall be a total of thirteen (13) members appointed by the Board of County Commissioners as follows:

- (a) Two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by Florida Lime and Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida and Florida's Tropical Fruit Advisory Council;
- (b) Two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nurserymen and Growers Association;
- (c) Two (2) representatives from the vegetable industry, recommended by the Miami-Dade County Farm Bureau;
- (d) One (1) representative of the aquaculture industry, recommended by the ornamental Aquaculture Association of South Florida;

(e) One (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;

(f) One (1) representative of allied agribusiness, recommended by the Miami-Dade AgriCouncil;

(g) One (1) representative of agri-banking, recommended by the Homestead-Florida City Chamber of Commerce;

(h) One (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers Organizations;

(i) One (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and

(j) One (1) at large representative recommended by the Miami-Dade Agricultural Practices Study Advisory Board.

(Ord. No. 95-03, § 1, 1-17-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 99-79, § 1, 7-13-99)

#### **Sec. 2-933. Terms; staff support.**

Members shall have a major portion of their income from or work time devoted to production agriculture in Miami-Dade County, and shall be appointed for terms of three (3) years, with none serving more than two (2) consecutive terms in the same position. The County Manager shall designate representatives from the Department of Planning and Zoning to provide appropriate staff support to the Board.

(a) Transition. In the year 2000 (Transition Year 1) there will be two (2) at-large representatives, one (1) appointed for the regular three (3) year term and one (1) appointed for one (1) year only. There will therefore be a total of fourteen (14) members in Transition Year 1 only. Otherwise, the transition from the current board to the new board and three (3) year term rotations shall occur as follows:

##### **Year 1 Transitions and Term Rotations:**

1. Florida Lime & Avocado Committee (replacing current Tropical Fruit Growers of South Florida position)
2. At-large representative (replacing current Tropical Fruit Growers of South Florida position)
3. Farm labor (replacing current Tropical Fruit and Vegetable position)
4. Nursery representative #2 (replacing current Tropical Fruit Advisory Council position)
5. Citizens' Association

##### **Year 2 Transitions and Term Rotations:**

1. Tropical Fruit representative (replacing current Florida Mango forum position)
2. Vegetable representative #1
3. South Dade Soil & Water Conservation District
4. Allied Agribusiness

Year 3 Transition and Term Rotations:

1. Nursery representative #1
2. Vegetable representative #2
3. Agri-banking
4. Aquaculture.

(Ord. No. 95-03, § 1, 1-17-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 98-16, § 2, 2-3-98; Ord. No. 98-125, § 38, 9-3-98; Ord. No. 99-79, § 2, 7-13-99)

[Note: (RI, 4-30-2003) Section 2-932 includes another paragraph that has inadvertently been deleted from the published and on-line versions of the County Code, but which the Clerk's office has been notified to correct. Per County Ordinance 95-03, this paragraph reads:

If a vacancy occurs, it shall be filled by the Board of County Commissioners from a slate of nominees selected by the County Manager through a selection process implemented by the Planning and Zoning Department. Nominees shall be members of recognized agricultural interest organizations and shall have a demonstrated interest in the agricultural industry in Miami-Dade County.]

0:17

5.0

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

**MEMORANDUM** Agenda Item No. 7(B)

TO: Hon. Chairperson and Members  
Board of County Commissioners

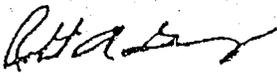
DATE: (Public Hearing 1-17-95)  
November 15, 1994

SUBJECT: Agricultural Practices  
Study Advisory Board

FROM: Robert A. Ginsburg  
County Attorney

95-03

The attached ordinance is placed on the agenda at the request of Commissioner Katy Sorenson.

  
Robert A. Ginsburg  
County Attorney

RAG\JAC\bc  
Attachment

0. 0. 18

Agenda Item No. 7(E)  
1-17-95

ORDINANCE NO. 95-03

ORDINANCE CREATING AGRICULTURAL PRACTICES  
STUDY ADVISORY BOARD; PROVIDING PURPOSE AND  
DUTIES; PROVIDING FOR MEMBERSHIP,  
QUALIFICATIONS, TERMS AND STAFF SUPPORT;  
PROVIDING SEVERABILITY, INCLUSION IN THE CODE  
AND AN EFFECTIVE DATE

WHEREAS, this Board by Resolution No. R-1635-93 established  
an Ad-Hoc Committee to study the regulation of agricultural  
practices in Dade County, and by Resolution No. R-537-94 extended  
the existence of the Committee through December 13, 1994; and

WHEREAS, the magnitude of the task assigned to the Committee  
requires that additional time be afforded to properly complete  
it;

NOW; THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Sec. \_\_\_\_ - Sec. \_\_\_\_ of the Code of  
Metropolitan Dade County are hereby created to read as follows:

Sec. \_\_\_\_ . Creation; purpose; duties.

There is hereby created and established an  
advisory board to be known as the Agricultural  
Practices Study Advisory Board. Its purpose shall be  
to conduct a study of the regulation of agricultural  
practices in Dade County and to provide recommendations  
to the Board of County Commissioners with regard to  
such regulations.

In order to fulfill its purpose, the Board shall  
prepare and submit to the Board of County Commissioners

no later than December 31, 1995, a report including the following:

- (a) an overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;
- (b) recommendations for eliminating or reducing duplication of effort when two or more governmental entities administer similar regulatory programs;
- (c) recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals; and
- (d) recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry.

Sec. \_\_\_\_\_ Membership: qualifications.

There shall be a total of thirteen (13) members appointed as follows:

- (a) The initial thirteen (13) members shall be comprised of the members of the Dade County Ad-Hoc Committee created to study regulation of agricultural practices in the county.
- (b) If a vacancy occurs, it shall be filled by the Board of County Commissioners from a slate of nominees selected by the County Manager through a selection process implemented by the Planning Department. Nominees shall be members of recognized agricultural interest organizations and shall have a demonstrated interest in the agricultural industry in Dade County.

5. 0. 20

Agenda Item No. 7(E)  
Page No. 3

Sec. \_\_\_\_ . TERMS; staff support.

Members of the Board shall serve until the submission of the Board's report to the Board of County Commissioners.

The County Manager shall designate representatives from the Planning Department to provide appropriate staff support to the Board.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED JAN 17 1995

Approved by County Attorney as  
to form and legal sufficiency. MAG

Prepared by: JAC

Sponsored by Commissioner Katy Sorenson

4

0.0.21

**MEMORANDUM**

Supplement to  
Agenda Item No. 7(E)

10/07-17A up 100-1000-100-100-100

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** January 17, 1995

**FROM:** *Armando Vidal*  
Armando Vidal, P.E.  
County Manager

**SUBJECT:** Statement of Fiscal  
Impact of the Proposed  
Agricultural Practices  
Study Advisory Board  
Ordinance

95-03

It is estimated that the annual cost of Planning Department support to the proposed Agricultural Practices Study Advisory Board is estimated to be \$13,025, based upon anticipated labor-hour requirements at appropriate planning staff rates. This commitment could be absorbed within existing staff resources.

CM83 eam

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



MEMORANDUM

Agenda Item No. 7(F)

TO: Honorable Chairperson and Members,  
Board of County Commissioners

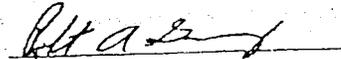
DATE: (Public Hearing 1-16-96)  
December 5, 1995

SUBJECT: Agricultural Practices Study  
Advisory Board

FROM: Robert A. Ginsburg  
County Attorney

96-14

The attached ordinance was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.

  
Robert A. Ginsburg  
Dade County Attorney

RAG/mkd  
Attachment

01/01/2004 15:11

ORDINANCE NO. 96-14

ORDINANCE EXTENDING EXISTENCE OF  
AGRICULTURAL PRACTICES STUDY ADVISORY BOARD;  
MODIFYING DUTIES; PROVIDING SEVERABILITY,  
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board by Resolution No. R-1635-93 established an Ad-Hoc Committee to study the regulation of agricultural practices in Dade County, and by Resolution No. R-536-94 and Ordinance No. 95-03 extended the existence of the Committee through December 31, 1995; and

WHEREAS, the magnitude of the task assigned to the Committee requires that additional time be afforded to properly complete it;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-931 of the Code of Metropolitan Dade County is hereby amended to read as follows:

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Dade County and to provide recommendations to the Board of County Commissioners with regard to such regulations.

Words stricken through shall be deleted. Underscored words constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

In order to fulfill its purpose, the Board shall prepare and submit to the Board of County Commissioners no later than December 31, 1996, a report including the following:

- (a) an overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;
- (b) recommendations for eliminating or reducing duplication of effort when two or more governmental entities administer similar regulatory programs;
- (c) recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals; and
- (d) recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and
- (e) an analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

Section 2. This ordinance does not contain a sunset provision.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any Sunset provision, shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED: JAN 16 1996

Approved by County Attorney as  
to form and legal sufficiency. RAG

Prepared by: JAC

Sponsored by Commissioner Katy Sorenson

C. KRISTENSEN

4



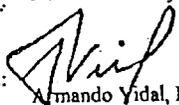
MEMORANDUM

Supplement to  
Agenda Item No. 7(F)

107.27-11A METRO FISCAL IMPACT STUDY

TO: Honorable Chairperson and Member  
Board of County Commissioners

DATE: January 16, 1996

FROM:   
Armando Yidal, P.E.  
County Manager

SUBJECT: Statement of Fiscal Impact  
of the Agricultural  
Practices Study Advisory  
Board Ordinance

It is estimated that the annual cost of support from the Department of Planning, Development and Regulation's Planning Division, to the Agricultural Practices Study Advisory Board is \$15,475.28, based upon anticipated labor-hour requirements at appropriate planning staff rates. This commitment could be absorbed within existing staff resources.



### Miami-Dade Legislative Item File Number: 963451

File Number: 963451      File Type: Ordinance      Status: Adopted  
 Version: 0      Reference: 96-181      Control: County Commission  
 File Name: AGRICULTURAL PRACTICES STUDY ADVISORY BOARD      Introduced: 11/13/1996  
 Requester: NONE      Cost:      Final Action: 12/3/1996  
 Agenda Date: 12/3/1996 Agenda Item Number: 4J

Notes: Title: ORDINANCE EXTENDING TIME FOR REPORT OF AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Indexes: AGRICULTURAL Sponsors: Katy Sorenson, Prime Sponsor

Sunset Provision: No      Effective Date:      Expiration Date:  
Registered Lobbyist: None Listed

#### Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
Board of County Commissioners	12/3/1996	4J	Adopted				P
Board of County Commissioners	11/19/1996	9D	Adopted on first reading		12/3/1996		P

#### Legislative Text

**TITLE**

ORDINANCE EXTENDING TIME FOR REPORT OF AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BODY**

WHEREAS, this Board by Resolution No. R-1635-93 established an Ad-Hoc Committee to study the

regulation of agricultural practices in Dade County, and by Resolution No. R-537-94 extended the Committee's existence through December 13, 1994; and by Ordinance Nos. 95-03 and 96-14 extended the time for the Committee's report through December 31, 1996; and

WHEREAS, the magnitude of the task assigned to the Committee requires that additional time be afforded to properly complete it;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-931 of the Code of Metropolitan Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purposes shall be to conduct a study of the regulation of agricultural practices in Dade County; review the Agricultural Land Use Study and to provide recommendations to the Board of County Commissioners with regard to such regulations and Agricultural Land Use Study.

In order to fulfill its purposes, the Board shall prepare and submit to the Board of County Commissioners no later than December 31, ~~[[1996]]~~ >>1997<<, a report including the following:

(a) An overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;

(b) Recommendations for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;

(c) Recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals;

(d) Recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and

(e) An analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 5. This ordinance does not contain a sunset provision.

<sup>1</sup> Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

□

[Home](#) | [Agendas](#) | [Minutes](#) | [Legislative Search](#) | [Lobbyist Registration](#) | [Legislative Reports](#)  
[2010 BCC Meeting Calendar](#) | [Miami-Dade County Code of Ordinances](#) | [ADA Notice](#) |

[Home](#) | [Using Our Site](#) | [About](#) | [Phone Directory](#) | [Privacy](#) | [Disclaimer](#)

---

E-mail your comments, questions and suggestions to [Webmaster](#)

Web Site © 2010 Miami-Dade County.  
All rights reserved.

24



**Miami-Dade Legislative Item  
File Number: 974491**

File Number: 974491      File Type: Ordinance      Status: Adopted  
 Version: 0      Reference: 98-16      Control: County Commission  
 File Name: AGRICULTURAL PRACTICES STUDY ADVISORY BOARD      Introduced: 1/5/1998  
 Requester: NONE      Cost:      Final Action: 2/3/1998  
 Agenda Date: 2/3/1998 Agenda Item Number: 4E

Notes: Title: ORDINANCE PERTAINING TO AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING FOR ANNUAL REPORTING; PROVIDING FOR TERM OF FOUR YEARS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Indexes: AGRICULTURAL Sponsors: Katy Sorenson, Prime Sponsor

Sunset Provision: No      Effective Date:      Expiration Date:  
 Registered Lobbyist: None Listed

**Legislative History**

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned Pass/Fail
Board of County Commissioners	2/3/1998	4E	Adopted			P
Board of County Commissioners	1/13/1998	9N	Adopted on first reading		2/3/1998	P
County Attorney	1/5/1998		Assigned	Joni Coffey		1/5/1998

**Legislative Text**

**TITLE**  
 ORDINANCE PERTAINING TO AGRICULTURAL PRACTICES STUDY ADVISORY BOARD;  
 PROVIDING FOR ANNUAL REPORTING; PROVIDING FOR TERM OF FOUR YEARS;

25

PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BODY**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-931 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Dade County, review the Agricultural Land Use Study and to provide recommendations to the Board of County Commissioners with regard to such regulations and Agricultural Land Use Study.

In order to fulfill its purpose, the Board shall prepare and submit to the Board of County Commissioners [[no later than December 31, 1997, a]] >>an annual<< report [[including]] >>addressing<< the following:

- (a) An overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;
- (b) Recommendations for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;
- (c) Recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals;
- (d) Recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and
- (e) An analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

Section 2. Section 2-933 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 2-933. Terms; staff support.

Members of the board shall serve [[until the submission of the Board's report to the Board of County Commissioners]] >>a term of four years<<. The County Manager shall designate representatives from the Department of Planning, Development and Regulation to provide appropriate staff support to the Board.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other

appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 6. This ordinance does not contain a sunset provision.

Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

1

---

[Home](#) | [Agendas](#) | [Minutes](#) | [Legislative Search](#) | [Lobbyist Registration](#) | [Legislative Reports](#)  
[2010 BCC Meeting Calendar](#) | [Miami-Dade County Code of Ordinances](#) | [ADA Notice](#) |

[Home](#) | [Using Our Site](#) | [About](#) | [Phone Directory](#) | [Privacy](#) | [Disclaimer](#)

---

E-mail your comments, questions and suggestions to [Webmaster](#)

Web Site © 2010 Miami-Dade County.  
All rights reserved.

27



# Miami-Dade Legislative Item File Number: 991820

**File Number:** 991820      **File Type:** Ordinance      **Status:** Adopted  
**Version:** 0      **Reference:** 99-79      **Control:** County Commission  
**File Name:** AGRICULTURAL PRACTICES STUDY ADVISORY BOARD      **Introduced:** 7/6/1999  
**Requester:** NONE      **Cost:**      **Final Action:** 7/13/1999  
**Agenda Date:** 7/13/1999 **Agenda Item Number:** 4BSUBSTITUTE

**Notes:** Title: ORDINANCE AMENDING SECTION 2-931, ET. SEQ., OF THE CODE OF MIAMI-DADE COUNTY TO CHANGE THE COMPOSITION AND TERMS OF THE MIAMI-DADE COUNTY AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**Indexes:** AGRICULTURAL      **Sponsors:** Katy Sorenson, Prime Sponsor

**Sunset Provision:** No      **Effective Date:**      **Expiration Date:**

**Registered Lobbyist:** None Listed

### Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned Pass/Fail
Board of County Commissioners	7/13/1999	4B SUBSTITUTE	Adopted			P
County Attorney	7/6/1999		Assigned	Augusto Maxwell		

### Legislative Text

**TITLE**  
 ORDINANCE AMENDING SECTION 2-931, ET. SEQ., OF THE CODE OF MIAMI-DADE COUNTY TO CHANGE THE COMPOSITION AND TERMS OF THE MIAMI-DADE COUNTY AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

28

**BODY**

WHEREAS, Sections 2-931, 2-932 and 2-933 of the Code of Miami-Dade County provide for the creation, composition, terms, purpose, and duties of the Agricultural Practices Study Advisory Board; and

WHEREAS, a purpose of the Advisory Board is to study the regulation of agricultural practices in Miami-Dade County and to provide recommendations to the Board of County Commissioners with regard to such regulations; and

WHEREAS, the Advisory Board should appropriately represent the various sectors of agriculture in Miami-Dade County; and

WHEREAS, the Advisory Board recognizes the increasing economic impact of the nursery industry in Miami-Dade County; and

WHEREAS, to accomplish these goals, the Advisory Board has recommended this Board amend Section 2-931, et. seq. of the Code of Miami-Dade County to restructure the Advisory Board;

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

Section 1. Section 2-932 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:1

Sec. 2-932. Membership; qualifications.

There shall be a total of thirteen (13) members appointed >>by the Board of County Commissioners<< as follows:

(a) [[The initial thirteen (13) members shall be comprised of the members of the Dade County Ad-Hoc Committee created to study regulation of agricultural practices in the County.]]

>>two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by Florida Lime and Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida and Florida's Tropical Fruit Advisory Council;

two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nurserymen & Growers Association;

two (2) representatives from the vegetable industry, recommended by the Dade County Farm Bureau; one (1) representative of the aquaculture industry, recommended by the ornamental Aquaculture Association of South Florida;

one (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;

one (1) representative of allied agribusiness, recommended by the Miami-Dade AgriCouncil;

one (1) representative of agri-banking, recommended by the Homestead-Florida City Chamber of Commerce;

one (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers Organizations;

one (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and

one (1) at large representative recommended by the Miami-Dade Agricultural Practices Study Advisory Board.<<

\* \* \*

Section 2. Section 2-933 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-933. Terms, staff support

[[Members of the Board shall serve until the submission of the Board's report to the Board of County Commissioners.]] >>Members shall have a major portion of their income from or work time devoted to production agriculture in Miami-Dade County, and shall be appointed for terms of three (3) years, with none serving more than two (2) consecutive terms in the same position. << The County Manager shall designate representatives from the Department of Planning[[, Development and Regulation]] >>and Zoning<< to provide appropriate staff support to the Board.

>>(a) Transition - In the year 2000 (Transition Year 1) there will be two at-large representatives, one (1) appointed for the regular three (3) year term and one appointed for one (1) year only. There will therefore be a total of fourteen (14) members in Transition Year 1 only. Otherwise, the transition from the current board to the new board and three year term rotations shall occur as follows:

Year 1 Transitions and Term Rotations:

- 1. Florida Lime & Avocado Committee (replacing current Tropical Fruit Growers of South Florida position)
- 2. At-Large Representative (replacing current Tropical Fruit Growers of South Florida position)
- 3. Farm Labor (replacing current Tropical Fruit and Vegetable position)
- 4. Nursery Representative #2 (replacing current Tropical Fruit Advisory Council position)
- 5. Citizens' Association

Year 2 Transitions and Term Rotations:

- 1. Tropical Fruit Representative (replacing current Florida Mango forum position)
- 2. Vegetable Representative #1
- 3. South Dade Soil & Water Conservation District
- 4. Allied Agribusiness

Year 3 Transition and Term Rotations:

- 1. Nursery Representative #1
- 2. Vegetable Representative # 2
- 3. Agri-banking
- 4. Aquaculture.<<

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered

to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 6. This ordinance does not contain a sunset provision.

1 Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

□

---

[Home](#) | [Agendas](#) | [Minutes](#) | [Legislative Search](#) | [Lobbyist Registration](#) | [Legislative Reports](#)  
[2010 BCC Meeting Calendar](#) | [Miami-Dade County Code of Ordinances](#) | [ADA Notice](#) |

[Home](#) | [Using Our Site](#) | [About](#) | [Phone Directory](#) | [Privacy](#) | [Disclaimer](#)

---

E-mail your comments, questions and suggestions to [Webmaster](#)

Web Site © 2010 Miami-Dade County.  
All rights reserved.



# Miami-Dade Legislative Item File Number: 082578

Clerk's Official Copy

**File Number:** 082578    **File Type:** Ordinance    **Status:** Adopted  
**Version:** 0    **Reference:** 08-101    **Control:** Board of County Commissioners  
**File Name:** AMEND SEC 2-931-2-933 AGRICULTURAL PRACTICES STUDY BD    **Introduced:** 9/4/2008  
**Requester:** NONE    **Cost:**    **Final Action:** 9/2/2008  
**Agenda Date:** 9/2/2008 **Agenda Item Number:** 7E

**Notes:** THIS IS FINAL VERSION AS ADOPTED. ALSO SEE #082132.    **Title:** ORDINANCE AMENDING ARTICLE LXVIII SECTIONS 2-931 THROUGH 2-933 AND CREATING SECTIONS 2-934 THROUGH 2-936 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE), PERTAINING TO THE AGRICULTURAL PRACTICES STUDY ADVISORY BOARD (BOARD); PROVIDING DEFINITIONS; ELECTION OF OFFICERS, AND FORMATION OF COMMITTEES; MODIFYING TERMS OF OFFICE AND FILLING OF VACANCIES; EXPANDING BOARD'S AUTHORITY TO MAKE RECOMMENDATIONS ON PROPOSED OR EXISTING REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 082132, 081855]

**Indexes:** ADVISORY BOARD  
 AGRICULTURAL PRACTICES STUDY  
 ADVISORY BOARD

**Sponsors:** Katy Sorenson, Prime Sponsor  
 Rebeca Sosa, Co-Sponsor  
 Sen. Javier D. Souto, Co-Sponsor

**Sunset Provision:** No    **Effective Date:**    **Expiration Date:**  
**Registered Lobbyist:** None Listed

### Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
County	9/4/2008		Assigned	Leigh			

32

Attorney

Macdonald

Board of 9/2/2008 7E Amended Adopted as  
County amended  
Commissioners

P

**REPORT:** First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record. Commissioner Seijas noted Section 2-931.(g) was unnecessary. She suggested the Agricultural Practices Advisory Board provide reports to the Commission. Commissioner Sorenson pointed out the Agricultural Practices Advisory Board already provided reports to the Commission. Following discussion among Commissioners Sorenson and Seijas and Mr. Charles LaPradd, Agricultural Manager, Department of Planning and Zoning, regarding the reports submitted by the Agricultural Practices Advisory Board, Commissioner Sorenson amended this proposed ordinance to delete Section 2-931.(g). Assistant County Attorney Leigh Macdonald advised that, pursuant to Commissioner Sorenson's amendment to delete Section 2-931.(g), Section 2-936.(2) should be deleted as well. Hearing no other questions or comments, the Commission proceeded to vote on this proposed ordinance as amended to delete Sections 2-931.(g) and 2-936.(2).

### Legislative Text

#### TITLE

ORDINANCE AMENDING ARTICLE LXVIII SECTIONS 2-931 THROUGH 2-933 AND CREATING SECTIONS 2-934 THROUGH 2-936 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE), PERTAINING TO THE AGRICULTURAL PRACTICES STUDY ADVISORY BOARD (BOARD); PROVIDING DEFINITIONS; ELECTION OF OFFICERS, AND FORMATION OF COMMITTEES; MODIFYING TERMS OF OFFICE AND FILLING OF VACANCIES; EXPANDING BOARD'S AUTHORITY TO MAKE RECOMMENDATIONS ON PROPOSED OR EXISTING REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

#### BODY

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Article LXVIII Sections 2-931 through 2-933 of the Code of Miami-Dade County, Florida, are hereby amended to read as follows1:

#### ARTICLE LXVIII. AGRICULTURAL PRACTICES [[STUDY]] ADVISORY BOARD

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices [[Study]] Advisory Board. Its purpose shall be to >>review proposed or existing<< [[conduct a study of the]] regulation>>s or legislation pertaining to<< [[of]] agricultural practices in Miami-Dade County [[, review the Agricultural Land Use Study]], and to provide recommendations to the Board of County Commissioners with regard to such regulations >>and legislation<< [[and Agricultural Land Use Study]].

[[In order to fulfill purpose, the]] >>The duties of<< the Board shall >>be to:<< [[prepare and submit to the Board of County Commissioners an annual report addressing the following:]]

(a) >>Evaluate<< [[An overview]] >>on an ongoing basis<>existing or proposed federal,<< state, regional>>,<< and local regulations, statutes, ordinances>>,<< and policies>> concerning or impacting [[agriculture]] >>the agricultural industry<< in Miami-Dade County;

(b) >>Provide recommendations<< [[Recommendations]] for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;

(c) >>Provide recommendations<< [[Recommendations]] for eliminating or modifying >>language in the Code of Miami-Dade County and/or<< regulatory activities that have mutually exclusive or contradictory criteria or goals;

(d)

(d) >>Provide recommendations<< [[Recommendations]] for eliminating or modifying >>language in the Code of Miami-Dade County and/or<< regulatory activities that create undue burden or hardship on the agricultural industry; [[and]]

(e) >>Provide recommendations<< [[Recommendations]] for modifying or implementing provisions >>from any future or previously conducted study or plan that has the ability to impact the agricultural industry<< [[in the Agricultural Land Use Study]]; and

>>(f) Prepare draft language to the Board of County Commissioners amending relevant sections of the Code of Miami-Dade County.<<

[[Sec. 2-932. Membership; qualifications.

(a) There shall be a total of thirteen (13) members appointed by the Board of County Commissioners as follows:

(1) Two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by Florida Lime and Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida and Florida's Tropical Fruit Advisory Council;

(2) Two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nurserymen and Growers Association;

(3) Two (2) representatives from the vegetable industry, recommended by the Miami-Dade County Farm Bureau;

(4) One (1) representative of the aquaculture industry, recommended by the ornamental Aquaculture Association of South Florida;

(5) One (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;

(6) One (1) representative of allied agribusiness, recommended by the Miami-Dade AgriCouncil;

(7) One (1) representative of agri-banking, recommended by the Homestead-Florida City Chamber of Commerce;

(8) One (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers Organizations;

(9) One (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and

(10) One (1) at large representative recommended by the Miami-Dade Agricultural Practices Study Advisory Board.

(b) If a vacancy occurs, it shall be filled by the Board of County Commissioners from a slate of nominees selected by the County Manager through a selection process implemented by the Planning Department. Nominees shall be members of recognized agricultural interest organizations and shall have a demonstrated interest in the agricultural industry in Miami-Dade County.]]

>>Sec. 2-932. Definitions

For the purposes of this article, the following definitions apply:

Allied Agribusiness – a proprietorship, partnership, or other firm that provides goods, services, or supplies to those actively engaged in bona fide agriculture.

Board - the Agricultural Practices Advisory Board.

Director - the Director of the Department of Planning and Zoning or his or her designee.

Legislation -- statutes, ordinances, resolutions, and policies.<<

[[Sec. 2-933. Terms; staff support.

Members shall have a major portion of their income from or work time devoted to production agriculture in Miami-Dade County, and shall be appointed for terms of three (3) years, with none serving more than two (2) consecutive terms in the same position. The County Manager shall designate representatives from the Department of Planning and Zoning to provide appropriate staff support to the Board.

(a) Transition. In the year 2000 (Transition Year 1) there will be two (2) at-large representatives, one (1) appointed for the regular three (3) year term and one (1) appointed for one (1) year only. There will therefore be a total of fourteen (14) members in Transition Year 1 only. Otherwise, the transition from the current board to the new board and three (3) year term rotations shall occur as follows:

Year 1 Transitions and Term Rotations:

1. Florida Lime & Avocado Committee (replacing current Tropical Fruit Growers of South Florida position)
2. At-large representative (replacing current Tropical Fruit Growers of South Florida position)
3. Farm labor (replacing current Tropical Fruit and Vegetable position)
4. Nursery representative #2 (replacing current Tropical Fruit Advisory Council position)

35

5. Citizens' Association

Year 2 Transitions and Term Rotations:

1. Tropical Fruit representative (replacing current Florida Mango forum position)
2. Vegetable representative #1
3. South Dade Soil & Water Conservation District
4. Allied Agribusiness

Year 3 Transition and Term Rotations:

1. Nursery representative #1
2. Vegetable representative #2
3. Agri-banking
4. Aquaculture.]]

>>Sec. 2-933. Membership; qualifications.

There shall be a total of thirteen (13) members appointed by the Board of County Commissioners as follows:

- (1) Two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by the Florida Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida, Inc.;
- (2) Two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nursery Growers & Landscape Association;
- (3) Two (2) representatives from the vegetable industry, recommended by the Dade County Farm Bureau;
- (4) One (1) representative of the aquaculture industry, recommended by the Ornamental Aquaculture Association of South Florida;

36

- (5) One (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;
- (6) One (1) representative of allied agribusiness recommended by the Dade AgriCouncil;
- (7) One (1) representative of agri-banking, >>agri-financial consulting, or agri-lending<< recommended by the Homestead-Florida City Chamber of Commerce;
- (8) One (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers Organizations;
- (9) One (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and
- (10) One (1) at large representative recommended by the Miami-Dade Agricultural Practices Advisory Board.

Members shall have a majority of their income from or work time devoted to production agriculture in Miami-Dade County, hold membership in recognized agricultural organizations, or have a demonstrated interest in the agricultural industry in Miami-Dade County. <<

Section 2. Sections 2-934 through 2-936 of the Code of Miami-Dade County are hereby created to read as follows:

>>Sec. 2-934. Terms; Term Limits

Members shall be appointed for terms of four years, and no member may serve more than two terms, consecutive or otherwise. Members of the Board as of the effective date of this ordinance ("Current Members") shall serve out the terms for which they were appointed. Thereafter, Current Members who have served only one term may be reappointed for one four-year term. Current members who have served two or more terms may not be reappointed to the Board.<<

>>Sec. 2-935 Vacancies; election of officers; committees; meetings and records.

(a) Vacancies. If a vacancy occurs, it shall be filled by the Board of County Commissioners. The designated organizations listed in Section 2-933 shall submit at least one nominee from their respective organizations, including the nominee's resume and the minutes of the board meeting approving the nominee to the County Manager, who shall forward the nominee to the Board of County Commissioners in a timely manner. In the case where a member organization fails to submit a nomination for a replacement member within 45 days of notification of a vacancy, the Board shall propose a nominee to fill the vacancy. The nominee shall be approved at a meeting of the Board, and the Board shall forward the minutes approving such nominee, together with the nominee's resume, to

37

the County Manager, who shall forward the nominee to the Board of County Commissioners in a timely manner.

(b) Election of officers. The Board shall annually elect a Chairperson and Vice-Chairperson from among its members at the Board's last meeting of each calendar year, or at the first Board meeting after a vacancy may occur in such positions. The Chairperson shall preside at all meetings at which he or she is present. The Vice-Chairperson shall act as Chairperson in the absence or inability of the Chairperson.

(c) Committees. The Board may establish or eliminate committees at its discretion; however, only two such committees may be in existence at any time. In no instance shall the authority to act or speak in the name of the Board be delegated to any committee. The Chairperson shall nominate and appoint the chairperson and members of such committees as the Board shall find helpful to their mission. The committee chairperson shall schedule committee meetings, set the agenda, establish guidelines for discussion at committee meetings, and ensure that committee meeting minutes are properly recorded. Committees shall consist of at least three (3) members appointed by the Chairperson. Fifty-one percent of a committee's membership shall constitute a quorum.

(d) Meetings. The Board shall hold regular meetings at least bimonthly and at other times in consultation with the Director.<<

>>Sec. 2-936 Staff support.

(1) The Director shall designate representatives from the Department of Planning and Zoning to prepare meeting agendas, advertise meeting dates, record minutes from meetings of the Board, reserve meeting locations, arrange for speakers, administer the filling of vacancies, prepare and forward resolutions adopted by the Board to the County Manager, and provide the Board with a monthly update of the progress of such resolutions as they move through the legislative process.

(2) Representatives from the Department of Planning and Zoning shall prepare draft ordinances and correspondence. <<

Section 3. If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days from the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

1 Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

??

---

E-mail your comments, questions and suggestions to [Webmaster](#)

Web Site © 2010 Miami-Dade County.  
All rights reserved.

39

**AGRICULTURAL PRACTICES ADVISORY BOARD  
MEETING SUMMARY**

John D. Campbell Agricultural Center Auditorium  
18710 SW 288 Street, Homestead, Florida  
January 5, 2011

**Board Members Present**

James Humble (Chair), Jorge Abreu, Sam Accursio, Jonathan Borghi,\* Larry Caudle, John DeMott, Gary Dufek, Martin Motes, Diego Rodriguez, Robert Thompson, Erik Tietig\* and Arie de Zwart

\*Member's appointment expired on December 31, 2010 and is in the process of being renominated.

**Board Members Absent**

Vegetable Industry Representative # 2 (Vacant)

**Department of Planning and Zoning (DP&Z) Staff**

Mark Dorsey, James Byers and Tom Gomez

**Other Miami-Dade County and Government Staff**

Miami-Dade Police Department: Capt. Steven Rasmussen

Agriculture Manager: Charles LaPradd, Director

Board of County Commissioners (BCC): Dallas Manuel, Aide to Commissioner Moss

Mayor Alvarez, South Dade Office: Chris Himmel

Office of the Property Appraiser: Elier Fernandez

Department of Housing and Community Development: Sheila Martinez, Cordella Ingram and Clarence D. Brown

University of Florida—Institute of Food and Agricultural Sciences (IFAS): Adrian Hunsberger and Mary Lamberts

University of Florida—Tropical Research and Education Center (TREC): Catherine Mannion

Florida Department of Agriculture and Consumer Services/Office of Agricultural Water Policy (FDACS/OAWP): Rebecca Elliott

**Public Attendance**

Debbie Brady, Dade County Farm Bureau

Arturo Lopez, Council of Florida Farmworker Organizations (COFFO)

Alice Pena, Las Palmas Community Association, Inc.

Don Pybas

**Adoption of Minutes**

Board Member Thompson made a motion to adopt the December 2010 minutes; the motion was seconded by Board Member Rodriguez.

**Reports**

Chair's Report

Chair Humble called the January 2011 meeting of the Agricultural Practices Advisory Board (Board) to order at 9:15 AM. The Chair waived his report.

#### Coordinator's Report

Mark Dorsey stated that he has been working on the reappointments of Board Members' Borghi and Tietig whose terms expired on December 31, 2010. He said that documents received from their respective organizations in support of their reappointments will be forwarded to the County Manager, who will then make a recommendation for approval by the BCC. Mr. Dorsey said that he has also received nominations from the Farm Bureau to replace Ms. Borek, whose term also expired in December 2010. Mr. Dorsey also said that the Board will review, finalize and vote on the 2011 Sunset Review package at today's meeting.

#### Agricultural Patrol Report

Capt. Steve Rasmussen stated that the Agricultural Patrol responded to 152 calls for service during the month of December 2010 and made 39 arrests, including 6 felonies. He said there were 8 reported thefts, and emphasized "reported" given that some people do not call the police when they are victimized. Capt. Rasmussen said the thefts included 3 pieces of equipment, 2 tractors, avocados, beehives and plants; one incident involved two suspects caught stealing a Bobcat (Front-End Loader) at a nursery near SW 184 Street and SW 167 Avenue. He said that December was a slow month for agriculture-related crimes. Capt. Rasmussen provided year-to-date 2010 statistics, which showed a 9% decrease in calls for service, a 14% decrease in targeted crimes (258 in 2009 and 220 in 2010), and an 8.24% decrease in thefts (182 in 2009 and 167 in 2010). He asked the Board to continue placing watch orders, including an end date, which is helpful to the police.

#### Agricultural Manager's Report

Charles LaPradd presented a copy of the new BCC committee assignments and said that Planning & Zoning (and the Ag Board), Water & Sewer, the Agricultural Manager and other departments will be under the Infrastructure & Land Use Committee (previously the Budget Planning & Sustainability Committee) to be chaired by Commissioner Seijas and Co-Chaired by Commissioner Jordan. Mr. LaPradd said the governor signed two orders yesterday that may interest the Board: the first withholds all new government regulations from enactment until certain issues are resolved; the second requires that all state employees and government contractors go through the Federal 'E-Verification' system. He also said the sign ordinance had passed and is now moving forward with code changes in the C-9 Basin; he hopes the proposed code changes are submitted to this Board before adoption. Mr. LaPradd added that Adam Putnam was sworn in as Agriculture Commissioner and the Florida Department of Agriculture and Consumer Services web address has changed to [www.freshfromflorida.com](http://www.freshfromflorida.com).

Chair Humble commended Mr. LaPradd and thanked him for his work. He said that the Board passed several difficult items last year, and that people should present their ideas to the Board. Chair Humble said that Ms. Sylvia Gordon's issues, presented to the Board last month, were resolved that day and he does not want to prohibit residents from presenting to the Board if they have an issue with a County department or other concerns. Other board members agreed. Board Member DeMott suggested that the Board send a letter to each organization (e.g. FNGLA, DCFB) regarding the Boards' purpose and function(s), and to identify their Board representatives and let them know they may bring their concerns to this Board.

#### **New Business**

#### Consideration of Farm Workers as a Neighborhood Service Area

Ms. Sheila Martinez, Interim Director of the Community and Economic Development Division, Department of Housing and Community Development (DHCD) introduced Ms. Cordella Ingram

and Mr. Clarence Brown, also of DHCD. Ms. Martinez stated that her attendance at this meeting is to gain an understanding of the Board's concerns and to return at a later date with answers to their questions.

Board Member Thompson said the DHCD Request for Applications (RFA) "point" process offers a 10 point bonus to applicants located within a Neighborhood Revitalization Strategy Area (NRSA), whereas applicants not located within an NRSA have a 10 point disadvantage when filing an application. Before addressing the issue, Ms. Martinez said the Federal government allocates funds to "entitlement communities" in the U.S., and that Miami-Dade County receives \$8 million annually for HOME and \$17 to \$18 million annually for CDBG based on census and income data. Ms. Martinez said that NRSA's are neighborhoods where 70% of the population have an income that is 51% or below the area median income—\$52,000 for a family of four in Miami-Dade County—and that there are eight NRSA's in Miami-Dade County. Ms. Martinez said this discussion may help address the Board's concerns given that a new RFA will be completed in May 2011, and that DHCD is encouraged to present new policies to the BCC prior to developing a new RFA. She said other avenues of funding are available, such as eligible block groups—which address broader areas—and job grants for low and moderate income people. However, Ms. Martinez acknowledged that grants and programs are traditionally applied to urban areas, and said there is a more competitive RFA for multi-family developers that sell or rent to low income residents.

Mr. Arturo Lopez, of the Council of Florida Farmworker Organizations (COFFO) stated that the RFA process is complicated and non-profits are unable to be competitive because their offices are located in Homestead or Florida City, but the farmworkers they serve live in NRSA's. Mr. Lopez said that in the past, DHCD staff has requested that his office provide them with 50% of their records to prove they are serving residents in Perrine, Goulds and other NRSA's. He believes the process is geared to non-profit organizations that are already in the system as they are given points for being in the system, and are given points if they receive a good evaluation. Mr. Lopez said that many non-profit organizations do not apply as they enter into the application process 15-20 points less, even if they have a perfect application because applicants must have a tri-partite board (comprised of one-third each elected officials, community and businesses members), and the cash flow for non-profits is also difficult because they cannot afford to be reimbursed for monies spent.

Ms. Martinez said that she will return to the Board to present suggestions. Chair Humble recommended that she meet with Board Member Thompson, Mr. Lopez and Mr. LaPradd.

#### Zoning Improvement Permit Process

Jim Byers, Chief of the Zoning Permitting Division (DP&Z), discussed the Zoning Improvement Permit, or ZIP, process. Mr. Byers said that ZIPs, relative to agriculture, are required for buildings that support 'bona fide' farm uses, such as: shade houses, barns, stables and pole barns. He said pet horse stables, or similar uses, are not included in the ZIP category and would require a building permit. ZIPs are also required to establish a new farm business such as a plant nursery, and required site plans which show parking, building locations, building setbacks, accessory structures, and other site features. Mr. Byers said the ZIP process includes completion of the (green) permit application, and a site plan or survey indicating any new or recent construction. He said that Zoning and DERM reviews (showing well locations, elevation plans, potable water, etc.) are also required.

The Board discussed Chickee's and asked if they are exempt from permits. Mr. Byers said that Miccosukee and Seminole Indians are exempt from Florida Building Code requirements when

constructing Chickee's, but they do require a ZIP; non-Indians are required to follow the building code and require a ZIP. However, he said most Indians pull ZIP permits because Chickee construction is their livelihood. He said the total cost of a ZIP process is approximately \$200.00 and includes a \$51.50 zoning fee, an \$89.00 zoning inspection fee (to confirm an applicant's 'bona fide' agricultural use) and a \$51.50 DERM fee. Mr. Byers said that ZIP's are also needed to replace 50% or more of a farm fence. Mr. LaPradd added that point-of-sale signs also require a ZIP, and that DERM requires that any enclosed farm building with a floor meet FEMA flood criteria.

#### Animal and Plant Health Inspection Service (APHIS) Mandates

Board Member DeMott discussed the minutes from the 'Nursery Growers Meeting Concerning Florida Exports' (January 9, 2008). He said the group was working on an economic study with UF-TREC to show that horticultural exports are dwindling due to shipping prohibitions on Florida exports due to pests (e.g.: pink mealy bug, spider mites, lethal yellowing, etc). Board Member DeMott added that phytosanitaries are now required for shipping to at least 6 states. He suggested that interested members reactivate this group and request that TREC complete the study. Board Member Rodriguez said he has encountered problems shipping products to California. He said inspectors have classified some of his shipments as Q-rated and have prohibited them from entering the state; they later that find his products were C-rated, but the perishable shipments result in financial loss.

Ms. Catherine Mannion, UF-TREC, said there are state and federal pest lists. However, there is a lack of well-trained people qualified to make accurate determinations as to what are considered pests, and this is a problem in every state. Ms. Mannion said the impact of regulations continues to grow and is ever changing, particularly given the level of international trade. She believes that most regulations are valid, but agrees they can be revised. Ms. Mannion added that the University is unable to affect regulations, but they can conduct research and provide recommendations for policymakers. Board Member DeMott said added that he attended a university seminar in Gainesville, which was well represented by chemical companies. After the meeting, he realized that he could no longer use biological controls (e.g.: predator mites) to reduce pests since Texas mandates the use of miticides for imported products. He added that phytosanitary permits, available for purchase only at Miami International Airport, should be made available in the Agricultural area.

#### 2011 Sunset Review of County Boards

Mr. Dorsey asked the Board to look at the Sunset Review questionnaire, No. 3, which states the Board's accomplishments and asked if they had any additional suggestions. He also said that No. 6 addresses modifications of membership requirements, and if the Board wanted to modify the ordinance regarding term limits for Board members. Mr. Dorsey said the current ordinance restricts Board members to a maximum of two consecutive four-year terms and asked if they wanted to retain this recommendation, as stated in the 2009 Sunset Review Questionnaire, to modify the ordinance to remove term limits. Chair Humble stated that this Board has a perfect attendance record and the Board agreed that the Agricultural community is relatively small and the number of volunteers is limited, and there will be a diminished membership as time proceeds. The Board agreed to recommend the removal of term limits from the Ordinance.

Board Member Thompson made a motion to recommend the removal of term limits from the Ordinance; the motion was seconded by Board Member DeMott. The motion passed unanimously as follows:

Jorge Abreu	Yes	James Humble (Chair)	Yes
Sam Accursio	Yes	Martin Motes	Yes
Jonathan Borghi	Non-voting	Diego Rodriguez	Yes
Larry Caudle	Yes	Robert Thompson	Yes
John DeMott	Yes	Erik Tietig	Non-voting
Gary Dufek	Yes	Arie de Zwart	Yes

Board Member Motes made a motion to approve transmittal of the 2011 Sunset Review of County Boards package to the County Manager; the motion was seconded by Board Member DeMott. The motion passed unanimously as follows:

Jorge Abreu	Yes	James Humble (Chair)	Yes
Sam Accursio	Yes	Martin Motes	Yes
Jonathan Borghi	Non-voting	Diego Rodriguez	Yes
Larry Caudle	Yes	Robert Thompson	Yes
John DeMott	Yes	Erik Tietig	Non-voting
Gary Dufek	Yes	Arie de Zwart	Yes

#### Old Business

##### Evaluation of Small Farm Agricultural Classifications

Mr. Elier Fernandez, Office of the Property Appraiser (PA), presented data regarding the number of Agricultural Classification approvals and denials from 2007 to 2010. Mr. Fernandez provided the following data:

Year	Number of Applications	Full Denials	Percent Full Denials	Full Approvals	Partial Approvals
2007	1,372	629	46%	481	262
2008	1,110	564	51%	274	272
2009	911	546	60%	160	208
2010	870	358	41%	253	259

He added that 96% of approximately 8,000 properties that applied for an agricultural exemption were approved in 2006. Mr. Fernandez said the Number of Applications reflect those applications that were received by the PA's office as of March 1. He said the PA is required to send Partial Approval letters if an applicant does not receive a Full Approval on 100% percent of the property. He gave an example of a 5-acre property that may receive an agricultural classification on 4-acres is thus considered a Full Denial or Partial Approval.

Board Member Motes said that his intention was for Mr. Fernandez to give a year to year assessment of those applicants that were denied, had reapplied and were eventually accepted for an agricultural classification. Mr. Fernandez said he would attempt to provide the information, but it will require tracking property information from year to year, including Value Adjustment Board records, which are typically from the previous year.

Chairman Humble suggested that Board Member Motes narrow his request given there are not many complaints on this issue. The Board agreed and suggested that persons experiencing

denials appear before the Board. Board Member Motes said the Board should recommend that the PA's Office use only the criteria outlined in the state statute to justify 'bona fide' agricultural use. Board Member Motes and Chair Humble decided to meet with Mr. Fernandez to further discuss the issue.

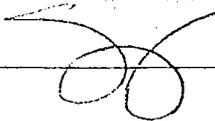
**Public Comment**

Ms. Debbie Brady, Dade County Farm Bureau, informed the Board that Florida Farm Bureau President John Hoblick will address an international trade task force at MIA on January 27, 2011. Ms. Brady said that attendance is by invitation only, but will invite one Board member and Ms. Mannion. Board Member DeMott said he will attend if approved.

**Set Agenda**

**Adjournment**

With no further discussion, the meeting was adjourned at 11:18 AM.

  
\_\_\_\_\_  
Mark Dorsey, Coordinator