



MEMORANDUM

Agenda Item No. 8(H) (2)

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

DATE: May 1, 2012

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

SUBJECT: Resolution authorizing establishment
of the Street Tree Replacement Trust
Fund to accept funds collected from
insurance companies and other
entities for the replacement of trees
and other landscaping materials in
County road right-of-ways

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

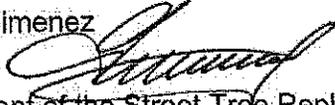


R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: May 1, 2012
To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
From: Carlos A. Gimenez
Mayor 
Subject: Establishment of the Street Tree Replacement Trust Fund

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the establishment of the Street Tree Replacement Trust Fund (Trust Fund) to accept funds collected from insurance companies and other entities for the replacement of street trees and other landscaping plantings along Miami-Dade County (County) maintained road right-of-ways. The Trust Fund would allow funds collected to roll over from one fiscal year to the next, allowing for more efficient and effective use of funds.

Scope

The Parks, Recreation and Open Spaces Department's (PROS) Right-of-Way Assets and Aesthetics Management Division (RAAM) maintains Countywide right-of-way areas, the scope is therefore Countywide.

Fiscal Impact/Funding Source

There will be a positive fiscal impact from the creation of the Trust Fund. A total of 1,479 vehicular accident reports were filed From FY2006-2007 to FY2010-2011, and \$488,431.00 have been recovered from insurance companies and transferred to the County for tree replacement needs.

Track Record/Monitor

The PROS department's Finance and RAAM Division Managers will monitor the expenditures from the Trust Fund.

Background

PROS is currently responsible for the maintenance of over seventy two thousand (72,000) trees located throughout the County's road right-of-ways. The maintenance includes: fertilization, watering, structural trimming and inventory control. The majority of the tree inventory is located in close proximity to heavily traveled roadways and thereby is subject to damage caused by vehicular accidents. In most cases the funding is received from insurance companies in a lump sum when the claims are closed; however, there have been claims where the funds are received sporadically and in installment payments. The PROS Beautification Program installs trees during the months of April through September, which coincides with the rainy season and thereby increases the survivability of the replacement trees installed.

The Trust Fund would allow funds collected to roll-over from one fiscal year to the next. The trust fund will allow for more efficient management of staff and equipment for the replacement, inspection and monitoring of the trees. Expenditures from the trust fund will be restricted, and will only be used for replacement of trees and other landscaping materials damaged and/or destroyed in the County's road right-of-ways.



Lisa Martinez, Senior Advisor
Office of the Mayor



MEMORANDUM

(Revised)

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

DATE: May 1, 2012

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

SUBJECT: Agenda Item No. 8(H)(2)

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
- Ordinance creating a new board requires detailed County Manager'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

Agenda Item No. 8(H) (2)

Veto _____

5-1-12

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ESTABLISHMENT OF THE STREET TREE REPLACEMENT TRUST FUND TO ACCEPT FUNDS COLLECTED FROM INSURANCE COMPANIES AND OTHER ENTITIES FOR THE REPLACEMENT OF TREES AND OTHER LANDSCAPING MATERIALS IN COUNTY ROAD RIGHT-OF-WAYS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves the establishment of the Street Tree Replacement Trust Fund to accept funds collected from insurance companies and other entities for the replacement of trees, shrubs and other landscaping materials in County road right-of-ways, and such funds in the trust fund will only be used for replacement of trees and other landscaping materials damaged and/or destroyed in the County's road right-of-ways.

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

Joe A. Martinez, Chairman

Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro

Esteban L. Bovo, Jr.

Sally A. Heyman

Jean Monestime

Rebeca Sosa

Xavier L. Suarez

Lynda Bell

Jose "Pepe" Diaz

Barbara J. Jordan

Dennis C. Moss

Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of May, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Monica Rizo