MEMORANDUM

Agenda Item No. 8(M)(6)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	January 22, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution authorizing the disbursement of $381,808.00 from the Tree Trust Fund to the Environmentally Endangered Lands (EEL) Program for restoration of the Holiday Hammock EEL Preserve

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsor Vice Chair Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the Disbursement of $381,808.00 from the Tree Trust Fund to the Environmentally Endangered Lands (EEL) Program for Restoration of the Holiday Hammock EEL Preserve Including the Planting of Trees and the Long-Term Management of the Natural Forest Community

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Recommendation

It is recommended that the Board approve the attached resolution authorizing the disbursement of $381,808.00 from the Tree Trust Fund to the Environmentally Endangered Lands (EEL) Program for restoration of the Holiday Hammock EEL Preserve including the planting of trees at the site and the long-term management of the natural forest community for the reasons set forth below.

Scope

The Holiday Hammock EEL Preserve is located in Commission District 9 (Commissioner Moss) near the main entrance to Everglades National Park at theoretical SW 400 Street and SW 207 Avenue.

Fiscal Impact/Funding Source

This resolution authorizes the disbursement of funds from the Tree Trust Fund for tree planting and for restoration and management activities, consistent with Section 24-39 of the Code that requires the Tree Trust Fund to be used for the acquisition, maintenance, management and protection of natural forest communities and for the planting of trees on public property. As of September 30, 2013, the available unencumbered balance of all Tree Trust Fund index codes was $1,933,391.00. The available unencumbered balance of the Tree Trust Fund specifically earmarked for hardwood hammock restoration and planting trees on public property (Index Codes 997432, 997441 and 997445) on September 30, 2013 was $810,173.00.

Track Record / Monitor

Michael Spinelli, Environmental Resources Project Supervisor within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, will monitor the disbursement of funds for this project.

Background

Upon adoption of Ordinance No. 89-9, the Tree and Forest Protection Ordinance, the Tree Trust Fund was established for the purposes of acquiring, protecting and maintaining public and private natural forest communities and planting trees on public property. The Tree Trust Fund is funded by (1) mitigation contributions received pursuant to conditions specified in a tree removal permit, (2) grants and donations, and (3) fines and penalties for environmental damages to tree and forest resources,. Except as otherwise specified in Section 24-39(3) of the Code, disbursements from the Tree Trust Fund require approval of the Board of County Commissioners.

Disbursements from the Tree Trust Fund are used to protect and enhance Miami-Dade County's most important upland tree resources, specifically, natural forest communities, pinelands and

hammocks and for planting of trees on public property. The Holiday Hammock EEL Preserve is a publicly owned natural area managed by the Miami-Dade County EEL Program that is almost entirely a designated natural forest community.

Proposed work includes earthwork to clear the exotic vegetation and prepare the land for restoration, removal of the exotic vegetation through burning, planting of native vegetation including trees, follow-up treatments and monitoring of the restoration project.

Depending on site conditions, modifications to the restoration proposal may be necessary but will be subject to review and approval by the Department Director or his designee, and shall not exceed the approved disbursement amount of $381,808.00 except as otherwise allowed and specified in permit conditions pursuant to Section 24-39(3) of the Code.

All monies authorized under this disbursement will be encumbered and deposited into the EEL Management Trust Fund.

In accordance with Section 24-39(3) of the Code of Miami-Dade County, I have received and considered the attached recommendation of the Director of the Department of Regulatory and Economic Resources and I recommend approval of the attached resolution.

Jack Osterholt, Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: November 22, 2013

To: Carlos A. Gimenez
Mayor

From: Jack Osterholt, Deputy Mayor / Director
Department of Regulatory and Economic Resources

Subject: Recommendation for Disbursement of Funds from the Miami-Dade County Tree Trust Fund to the Environmentally Endangered Lands (EEL) Program for Restoration of the Holiday Hammock EEL Preserve Including the Planting of Trees and the Long-Term Management of the Natural Forest Community

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Pursuant to Section 24-39(3) of the Code of Miami-Dade County, I am recommending the disbursement of $381,808.00 from the Tree Trust Fund to the Environmentally Endangered Lands (EEL) Program for restoration of the Holiday Hammock EEL Preserve including the planting of trees at this site and the long-term management of the natural forest community.

Section 24-39 of the Code allows for money from the Tree Trust Fund to be used for the acquisition, maintenance, management and protection of natural forest communities, or for planting trees on public property.

The Holiday Hammock EEL Preserve is a publicly owned natural area managed by the Miami-Dade County EEL Program that is a designated natural forest community. Proceeds from the Tree Trust Fund will be used to conduct earthwork to clear exotic vegetation, plant native vegetation including trees, perform follow-up treatments and monitor the restoration project.

Therefore, the proposed use of the requested funds from the Tree Trust Fund is appropriate and in accordance with the provisions of Section 24-39(3) of the Code of Miami-Dade County.

There are sufficient unencumbered funds currently available in the Tree Trust Fund to fulfill this request.

All monies authorized under this disbursement will be deposited into the EEL Management Trust Fund for the purposes specified herein.

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 22, 2014

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

SUBJECT: Agenda Item No. 8(M)(6)

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 Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M)(6)
1-22-14

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE DISBURSEMENT OF $381,808.00 FROM THE TREE TRUST FUND TO THE ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM FOR RESTORATION OF THE HOLIDAY HAMMOCK EEL PRESERVE INCLUDING THE PLANTING OF TREES AND THE LONG-TERM MANAGEMENT OF THE NATURAL FOREST COMMUNITY

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 having considered all the applicable requirements contained within Section 24-39 of the Code of Miami-Dade County, hereby approves the disbursement of $381,808.00 from the Tree Trust Fund to the Miami-Dade County Environmentally Endangered Lands (EEL) Program for restoration of the Holiday Hammock EEL Preserve including the planting of trees and the long-term management of the natural forest community; and authorizes the County Mayor or County Mayor's designee to deposit the funds disbursed in accordance with this Resolution into the EEL Management Trust Fund, subject to the conditions set forth in the memorandum from the Mayor of Miami-Dade County, a copy of which is attached hereto and made a part hereof.

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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

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

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2014. 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.

Abbie Schwaderer-Raurell