

Memorandum



Date: June 6, 2017

To: Honorable Chairman Esteban Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez", written over the printed name of the Mayor.

Agenda Item No. 1(F)16

Subject: Sunset Review of County Boards for FY 2017 – 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 2017 Sunset Review of County Boards Report for the Agricultural Practices Advisory Board (Board).

The Board approved the attached report at its meeting of January 4, 2017 and has recommended the continuation of its board.

A handwritten signature in blue ink, appearing to read "Jack Osterholt", written above a horizontal line.

Jack Osterholt
Deputy Mayor

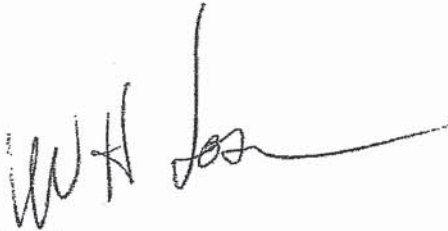
Date: January 10, 2017
To: Carlos A. Gimenez
Mayor
From: William H. Losner
Chairperson, Agricultural Practices Advisory Board
Subject: Sunset Review of County Boards for FY 2017 – Agricultural Practices Advisory Board

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2017 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 4, 2017.

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. In 2011, Section 2-934 was amended to eliminate term limits and provide for member to serve on the Board until his or her successor has been appointed. During the last two years the APAB has: provided recommendations to Commissioner Levine-Cava, District 8, in her efforts to amend the Code of Miami-Dade County for the removal of trees infected by Laurel Wilt; served as a resource and a clearinghouse for farmers during the Oriental Fruit Fly infestation; worked with the Office of the Property Appraiser to improve the agricultural exemption process; and addressed illegal dumps on a private property and illegal dumping in general. The Agricultural Practices Advisory Board provides a vital service for Miami-Dade County's agricultural community and should continue to function.



(William H. Losner)
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2017**

I. GENERAL INFORMATION

1. Name of Board reporting:

Agricultural Practices Advisory Board (APAB)

2. Indicate number of board members, terms of office, and number of vacancies:

Number of Board Members: 13
Terms of Office: Four years; No term limits
Number of Vacancies: 0

3. Identify number of meetings and members' attendance
(Attach records reflecting activity from **January 1, 2015** through **December 31, 2016**):

Number of Meetings: 24
Number of Meetings with a Quorum: 21
Attendance Records: See Attachments A and B

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 C

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.

Not Applicable

9. Attach a copy of the Board's By-Laws, if any.

Not Applicable

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.

See Attachment D: January 4, 2017 Meeting Summary

II. EVALUATION CRITERIA

1. Is the Board serving the purpose for which it was created? Please provide detailed information.

Yes. The Agricultural Practices Advisory Board (APAB) has reviews and comments on various regulations and legislation that affect agriculture and the agricultural community in Miami-Dade County. For example, the APAB has provided recommendations to Commissioner Daniella Levine-Cava, District 8, in her efforts to amend the Code (Code of Miami-Dade County) for the removal of trees infected by Laurel Wilt; the APAB, along with Cooperative Extension, served as a resource and a clearinghouse of information for farmers during the Oriental Fruit Fly infestation and resulting quarantine in 2015-16; the APAB has consistently worked with the Office of the Property Appraiser (OPA) to provide recommendations to improve and/or simplify the agricultural exemption process, and to encourage the OPA to provide more clarity in the identification of County-designated Natural Forest Communities. The APAB has also provided comments on roadway projects such as the Florida Department of Transportation's widening and reconstruction of Krome Avenue, the Miami-Dade Expressway Authority's proposed extension of State Road 836, and has requested the Miami-Dade County Department of Transportation and Public Works to address the proliferation of potholes and other dangerous roadway conditions outside of the Urban Development Boundary. Agricultural Practices Advisory Board meetings also serve as a public hearing for area residents to inform the APAB of individual and/or local issues of concern, including this past summer's most recent Zika virus outbreak, and the APAB has consistently proposed non-binding resolutions in support or opposition of such issues and concerns. And the APAB continues to address the issue of illegal dumping in the Agricultural area.

2. Is the Board serving current community needs? (Please provide detailed information)

Yes. Please refer to Questions 1 and 3.

3. What are the Board's major accomplishments?
 - a. Last 24 months

- Provided recommendations to Commissioner Levine-Cava on code language to address Laurel Wilt;
- Served as a resource and information clearinghouse for farmers during the Oriental Fruit Fly infestation and resulting quarantine;
- Provided recommendations and encouraged the Office of the Property Appraiser (PA) to clearly identify properties/folios containing Natural Forest Communities on the PA website;
- Supported and encouraged the Miami-Dade Police Department to fully restore the number of Agricultural Patrol officers;
- Submitted Resolution No. 15-01 (Invasive Pests) to ask the County to produce a Public Service Announcement video on the impact of invasive pests and disease and the importance of protecting agriculture, and the economic impact to farmers and taxpayers, and mandate that it be shown on MIA arrival flights and Port Miami cruise ships entering port (the resolution never gained a commission sponsorship);
- Recommended that the County Department of Transportation and Public Works conduct a study (BCC R-224-16; 3/8/16) of roadway conditions outside of the Urban Development Boundary;
- Provided feedback to the MDX regarding the proposed SR836 southwest extension;

- Worked to address illegal dumps on a private property and illegal dumping in general; helped one resident address DERM fines for clearing property; and
- Provided recommendations and encouraged the opening of the Redland Farm Life School culinary kitchen.

b. Since established

Please refer to previous annual reports for an overview of the APAB's major accomplishments between 1995 and 2016.

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.

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)

No.

6. Should the Board's membership requirements be modified?

No.

7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2015 and FY 2016)

2015: \$16,424

2016: \$17,172

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 2015 and 2016 indicates that it continues to serve its purpose.

AGRICULTURAL PRACTICES ADVISORY BOARD ATTENDANCE RECORD 2015

	1/7	2/4	3/4	4/1	5/6	6/3	7/1	8/5	9/2	10/7	11/4	12/2
Sam Accursio	A	A	P	P	EA	P	A	EA	P	P	P	A
Ivonne Alexander	P	P	P	EA	P	P	P	EA	P	EA	P	EA
Jonathan Borghi	P	P	P	P	A	P	A	A	A	P	A	A
Larry Caudle	P	P	P	P	P	P	P	P	P	A	P	P
John DeMott	P	EA	P	P	P	P	P	P	P	P	P	EA
James Humble	P	P	P	P	P	P	EA	P	P	P	P	P
William Losner	P	EA	P	P	P	P	P	P	P	P	P	P
Martin Motes	P	P	P	P	P	P	P	P	EA	P	EA	P
Diego Rodriguez	EA	P	P	P	P	P	P	P	EA	P	A	P
Robert Thompson	EA	P	P	P	P	EA	EA	-	-	-	-	-
Erik Tietig	P	A	P	P	P	P	A	EA	P	EA	P	P
Tommy Vick	A	A	A	P	P	P	A	A	P	P	EA	P
Arie de Zwart	P	P	A	EA	EA	P	A	A	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 2016

	1/6	2/3	3/4	4/6	5/4	6/1	7/6	8/3	9/7	10/5	11/2	12/7
Sam Accursio	P	P	P	P	P	A	P	P	P	P	P	P
Ivonne Alexander	P	EA	P	P	P	P	P	EA	P	P	P	P
Jonathan Borghi	P	A	A	P	P	A	P	A	P	A	P	EA
Larry Caudle	P	A	P	P	P	P	P	P	P	P	P	P
John DeMott	EA	P	P	P	P	A	P	P	P	P	P	EA
James Humble	P	EA	P	P	P	P	P	P	P	P	P	P
Arturo Lopez	-	-	-	-	-	P	P	A	P	P	P	A
William Losner	P	EA	A	P	P	P	P	P	P	P	P	P
Martin Motes	P	P	P	P	P	P	P	P	P	P	EA	P
Diego Rodriguez	P	P	P	P	P	P	A	P	P	P	P	P
Erik Tietig	P	EA	EA	P	P	EA	A	P	A	EA	P	EA
Tommy Vick	P	EA	P	EA	P	A	A	P	EA	P	P	EA
Arie de Zwart	P	P	P	EA	P	A	P	P	P	EA	A	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: -

2017 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
- Ordinance No. 11-58

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

MEMORANDUM

Agenda Item No. 7(E)

107 02-17A

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/ba
Attachment

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.

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. RA6

Prepared by: JAC

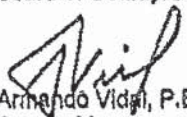
Sponsored by Commissioner Katy Sorenson

MEMORANDUM

Supplement to
Agenda Item No. 7(E)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: January 17, 1995

FROM: 
Armando Vidal, P.E.
County Manager

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

95-08

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.

CMCJ:am

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.]



MEMORANDUM

Agenda Item No. 7(F)

TO: Honorable Chairperson and Members,
Board of County Commissioners

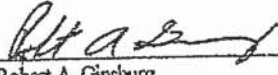
DATE: (Public Hearing 1-16-96)
December 5, 1995

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

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:¹

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.

¹ 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.

10/10/96

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

12/20/95

4




MEMORANDUM

Supplement to
Agenda Item No. 7(F)

107.07-17A MEMORANDUM 501

TO: Honorable Chairperson and Member
Board of County Commissioners

DATE: January 16, 1996

FROM: 
Armando Vidal, 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:¹

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.

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.

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**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;

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:1

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.

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**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

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:

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.

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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			

Attorney

Macdonald

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

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;

(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

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.

??

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 7(B)
8-2-11

ORDINANCE NO. 11-58

ORDINANCE AMENDING SECTION 2-934 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO THE AGRICULTURAL PRACTICES ADVISORY BOARD; ELIMINATING TERM LIMITS; PROVIDING THAT A MEMBER MAY SERVE UNTIL HIS OR HER SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

Section 1. Section 2-934 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec 2-934: ~~Terms~~[[; term limits]].

>>~~Notwithstanding anything in the Code to the contrary, m~~<<[[M]]embers shall be appointed for terms of four years>>~~without term limits.~~<< [[; 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.]] >>A member may serve until his or her successor has been duly appointed and qualified.<<

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.

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 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 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.

PASSED AND ADOPTED: August 2, 2011

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Abbie Schwaderer-Raurell

Prime Sponsor: Commissioner Lynda Bell
Co-Sponsors: Commissioner Sally A. Heyman
Commissioner Barbara J. Jordan

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**AGRICULTURAL PRACTICES ADVISORY BOARD
MEETING SUMMARY**

John D. Campbell Agricultural Center Auditorium
18710 SW 288 Street, Homestead, Florida
January 4, 2017

Board Members Present

Bill Losner (Chair), Sam Accursio (Vice Chair), Ivonne Alexander, Larry Caudle, John DeMott James Humble, Arturo Lopez, Martin Motes, Diego Rodriguez and Arie de Zwart

Board Members Absent

Jonathan Borghi, Erik Tietig and Tommy Vick

Department of Regulatory and Economic Resources (RER) staff

Felix Acosta, Development Services Division
Kimberly Brown, Planning Division
Israel Maldonado, Code Compliance Division
Alex Roberts, Division of Environmental Resources Management

Other Miami-Dade County and Government Staff

Lt. Richard Garcia, Miami-Dade Police Department: Agricultural Patrol
Dallas Manuel, Commission District 9 (Commissioner Moss)
Raul Nillo, Office of the Property Appraiser
Teresa Olczyk, Jeff Wasielewski and Qingren Wang, Miami-Dade County Parks, Recreation and Open Spaces Department: Cooperative Extension Service
Mike Worley, South Florida Water Management District

Public Attendance

Jorge Abreu, Dade County Farm Bureau
Gary J. Dufek
Don Pybas, Avocado Committee
Mary Waters

Chair Losner called the meeting to order at 9:15 AM.

ReportsChair's Report

N/A

Coordinator's Report

Ms. Kimberly Brown announced that the three applications to amend the Comprehensive Development Master Plan discussed at last month's meeting (the American Dream Miami Mall, Graham Family property, and the former Calusa Club Golf Course) will be heard by the Board of County Commissioners (BCC) on January 25, 2017. She also announced that she is working, in accordance with the Board's motion last month, to request that the County Attorney's Office give a presentation (or provide written correspondence) to explain the legal basis for the County's position regarding illegal dumping. Ms. Brown also distributed the 2017 Sunset Review of County Boards for the APAB and asked the Board to vote on the item.

Chair Losner moved that the Board approve the 2017 Sunset Review of County Boards application for the Agricultural Practices Advisory Board; Board Member Caudle seconded the motion. The motion passed unanimously (9 to 0) as follows:

Ivonne Alexander	Absent	Martin Motes	Yes
Jonathan Borghi	Absent	Diego Rodriguez	Yes
Larry Caudle	Yes	Erik Tietig	Absent
John DeMott	Yes	Tommy Vick	Absent
James Humble	Yes	Arie de Zwart	Yes
Arturo Lopez	Yes		
	Bill Losner, Chair		Yes
	Sam Accursio, Vice Chair		Yes

Agricultural Manager's Report

N/A

Agricultural Patrol Report

Lieutenant Richard Garcia, Agricultural Patrol, reported 145 cases for December 2016 as follows: 17 arrests; and initiated 50 civil citations; 14 burglaries and 4 thefts. He added there were no fruit thefts during this period. In response to a question, he said there is no "hot spot" of criminal activity because the agricultural area is very large; however, the area covered is generally bounded by SW 216 Street (north), SW 344 Street (south), SW 147 Avenue (east) and SW 220 Avenue (west). He also said that last month he forwarded a County website that tracks and maps crime to Mr. Dorsey to forward to the Board (see: www.crimemaps.miamidade.gov), but he would continue to identify the locations where crime is occurring. Lt. Garcia also announced that the Ag Patrol office number is 305-252-8311 is now up and running; the fax number to request watch orders is 305-383-6808, and their 24-hour cell phone number is 786-218-8344. He also said the trailers will be removed from their old site next month and they will be relocated to a new site in June 2017.

Cooperative Extension Report

Ms. Teresa Olczyk, Cooperative Extension, announced the 2017-18 County budget process has begun and, in response to an earlier comment, confirmed there will be an upcoming hiring freeze in the County. However, she said she was able to hire Ms. Kimber Sarver, a 4-H Agent, and Ms. Ana Zangroniz, a Sea Grant Extension agent in late December 2016. She then announced that Dr. John McLaughlin passed away on December 20th and Mr. Bob Brennen on December 24th. She then announced several upcoming training programs for the agricultural, horticultural, commercial, and landscape industries, including a 2-day Water Star training on January 11th; a Laurel Wilt dog detection seminar conducted by Jeff Wasielewski and Dr. Jonathan Crane at TREC (Tropical Research and Education Center) on January 13th; "Pesticides Private Application Training and Class" on January 18th; and "Pesticides General Standards Training Class and Exam" on February 15th. Lastly, she announced that the 2017 Agricultural Tour is scheduled for February 24th and will recognize two TREC researchers. The cost is \$55.00, including lunch at the Redland Golf & Country Club.

Office of the Property Appraiser Report

Mr. Raul Nillo, Office of the Property Appraiser (PA Office), Agricultural Section, requested a correction to last month's meeting (Page 4, 2nd paragraph) that it is not necessary to annually reapply for an agricultural classification unless there is a change in use or ownership. He said if there has been no change in ownership or use, it is not necessary to reapply for the agricultural classification (Ag classification). However, one of the primary reasons to apply for an Ag classification is for change of ownership. He said the new owner may inherit the existing Ag classification on the property, but the Ag classification will be removed the following year, so the owner must apply for a new Ag classification between January 1st and March 1st. He said another reason for reapplying for an Ag classification would be to extend a partial classification to a larger area of a property.

Board Member Humble asked Mr. Nillo for the definition of 'bona fide.' Mr. Nillo replied that bona fide, as defined in the statute, means 'a good faith' commercial use. The use cannot be for a personal or recreational use, it has to be a business use.

Public Comment/Board Announcements

Mr. Jorge Abreu, Dade County Farm Bureau (DCFB), announced that he met with Commissioner Levine-Cava regarding the Krome Avenue expansion. One of the concerns is that a section of Krome Avenue from SW 136 northward will have a speed limit of 55, which he wants reduced to 45; he is concerned that the Florida Department of Transportation (FDOT) would eventually increase the south bound speed to 55, despite their commitment not to increase the speed. He also announced that the Miami-Dade Expressway Authority (MDX), will meet during the year regarding the proposed SR836 extension and he will keep the Board informed. In regards to the zoning hearing to consider variances for the Atlas Recycling facility (see December 2016 meeting), he is concerned about groundwater pollution and the potential spread of pests and disease from the site (e.g.: organic material infected with laurel wilt, fungus and/or beetles being disposed adjacent to agricultural fields). Some Board members disagreed and said the issues are the variances rather than the use of the facility.

Mr. Abreu also announced that the Farm News organization sends a weekly email regarding police watch orders, and to let him know if they want to be included on the weekly list. Also the annual DCFB BBQ will be held on April 29th. The Women of Distinction will honor Ms. Pam Vick and Ms. Jessica Bork on February 3rd 11:30 AM to 1:30 PM at the Schnebly Winery.

Mike Worley, South Florida Water Management District (District), announced that the South Dade district is currently in 'water supply mode' rather than 'flood control mode' during this time of the year. The Homestead Field Station is working on standard maintenance items (e.g.: tree trimming, illegal dumping, vandalism, security improvements, etc.) in the detention areas. They have also selected a contractor to do a major pump overhaul on the S-331 pump station, as well as repairs to 332-B and 332-C. He also said the Homestead and Okeechobee field stations will begin to connect the S-200 flow ways and the Frog Pond and the L-31 West canal tin order to move more water into Taylor Slough and into Florida Bay. This work should begin in mid-January and will take one month to complete. The U.S. Army Corps of Engineers (Corps) also has several projects, including Contract 8 (for the western detention areas), Contract 8-A (which will benefit the S-375 detention area and Las Palmas area), and demolition work on two water control structures (S-174, S-175 and S-332 pump stations).

Vice Chair Accursio asked Mr. Worley to find out what the plans are with the closure of S-18C because the water level at S-177 is currently held at 3.0 (feet), which will rise once S-18C is closed, and (more) rain would will cause the District to use S-197 to reduce the water levels. Mr. Worley agreed to provide an update. Chair Losner asked Mr. Worley if he would agree to his monthly comments, regarding the District's activities, be included as a regular agenda item. Mr. Worley agreed.

Mr. Dallas Manuel (Commissioner Moss, District 7), suggested that the Department of Solid Waste Management be invited to the next meeting. He said Commissioner Moss and Mr. LaPradd are considering to reactivate the illegal dumping taskforce as a result of numerous complaints.

Mr. Don Pybas, Avocado Committee, reported on issues of theft and compliance in the markets—the Terminal Market in particular. He said Mr. Alan Flinn (Avocado Committee) will be working with the Ag Patrol officers on compliance inspections, and that he will do the same coming this Spring. He also announced that the Committee is waiting for confirmation that they will receive a grant from the Florida Department of Agriculture and Consumer Services (FDACS) to continue helicopter surveys of trees/groves infected by laurel wilt. He has also worked with Parks Department and they have confirmed that several trees in Sadowski Park have tested positive for laurel wilt; and he said there may also be

laurel wilt infected trees in Hardy Matheson Park, which has a lot of Lancewood trees (related to avocado and bay tree family)—the Department of Plant Information (DPI) will take samples to confirm. He also reported there were trees in a residential neighborhood south of SW 152 Street, east of U.S. 1, which DPI will also inspect. He said the disease is still moving and, as of December 2016, the avocado industry has lost/removed more than 25,000 trees.

New Business

N/A

Unfinished Business

N/A

Adoption of Minutes

The Board adopted the December 2016 Meeting Summary with the following changes on Page 4; second paragraph:

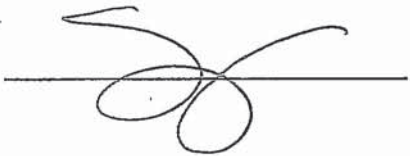
"He said his office voluntarily sends property owners a courtesy letter to remind them to file for an exemption, but they have to file each year in order to keep the ag classification but it is not necessary to reapply for an agricultural classification unless there is a change in use or ownership; if there has been no change in ownership or use it is not necessary to apply for the classification."

Set Agenda

- Fruit & Spice Park Master Plan presentation: Mr. James Stribling, Director;
- Trash transfer station sites: Department of Solid Waste Management;
- Update on the ordinance regulating the removal of fill: (TBD);
- County Attorney's Office staff to discuss illegal dumping activities: (TBD);
- SR 836 Extension Alternatives follow-up presentation: (TBD); and
- Homestead truck bypass presentation: Miami-Dade Expressway Authority (TBD)

Adjournment

With no further matters for discussion, the meeting was adjourned at 10:36 A.M.



Stephen M. Dorsey, AICP, Coordinator