

MEMORANDUM

Agenda Item No. 11(A)(5)

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


DATE: July 10, 2018

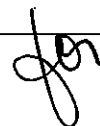
FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution establishing County policy to fund proactive measures, including tree replacement, to combat the spread of laurel wilt in the County; directing the County Mayor to include a plan for the implementation of such policy as part of the County Mayor's proposed Fiscal Year 2018-2019 County budget and any subsequent County budgets as needed; directing County Mayor to provide a status Report

This item was amended at the 6-13-18 Parks and Cultural Affairs Committee to direct the Mayor to include as part of the Mayor's FY 2018-2019 proposed budget a plan to implement the policy combating laurel wilt with a minimum funding level to match the amount of funding allocated in the County's FY 2015-2016 budget.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava, and Co-Sponsors Commissioner Jean Monestime and Senator Javier D. Souto.



Abigail Price-Williams
County Attorney 

APW/smm

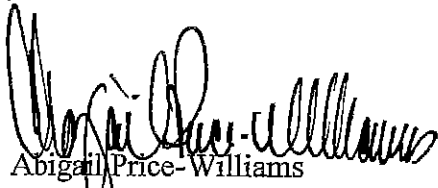


MEMORANDUM

(Revised)

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

DATE: July 10, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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
- Statement of social equity 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. 11(A)(5)

7-10-18

RESOLUTION NO. _____

RESOLUTION ESTABLISHING COUNTY POLICY TO FUND PROACTIVE MEASURES, INCLUDING TREE REPLACEMENT, TO COMBAT THE SPREAD OF LAUREL WILT IN THE COUNTY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO INCLUDE A PLAN FOR THE IMPLEMENTATION OF SUCH POLICY AS PART OF THE COUNTY MAYOR'S PROPOSED FISCAL YEAR 2018-2019 COUNTY BUDGET AND ANY SUBSEQUENT COUNTY BUDGETS AS NEEDED; DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A STATUS REPORT

WHEREAS, laurel wilt is a disease acutely lethal to avocado trees and several key native tree species; and

WHEREAS, laurel wilt has been identified in avocado trees throughout the County; and

WHEREAS, the spread of laurel wilt was accelerated following Hurricane Irma; and

WHEREAS, pursuant to Ordinance No. 16-77, Miami-Dade County declared laurel wilt to be a public nuisance; and

WHEREAS, avocado production in Miami-Dade is a \$50 million per year industry employing 2000 people; and

WHEREAS, stopping the spread of this disease has been an important goal for Miami-Dade County and the State of Florida; and

WHEREAS, as part of its Fiscal Year 2015-2016, and 2016-2017 Budgets, the County allocated funds to combat the spread of laurel wilt; and

WHEREAS, the County's Fiscal Year 2017-2018 Budget does not include any programmed funds to combat the spread of laurel wilt; and

WHEREAS, the Florida legislature has allocated funding in the 2015-2016, 2016-2017 and 2017-2018 budgets; and

WHEREAS, Governor Scott exercised the line item veto on funding approved in 2016-2017; and

WHEREAS, the spread of laurel wilt is threatening the economic viability of the County's avocado industry, a crucial part of the agricultural economic output of the County,

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

Section 1. This Board ratifies and adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board hereby establishes its policy to fund proactive measures to combat the spread of laurel wilt, through education, avocado tree replacement, and other means.

Section 3. The County Mayor or County Mayor's designee is directed to include a plan for the implementation of such policy as part of the County Mayor's proposed Fiscal Year 2018-2019 County Budget >>in an amount no less than that allocated in the 2015-2016 County Budget<<¹ and any subsequent County Budgets as needed. The plan set forth in the County Mayor's proposed budget shall, at a minimum, include details of the fiscal impact of implementing such a plan and the funding sources identified to fund the implementation.

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava, and the Co-Sponsors are Commissioner Jean Monestime and Senator Javier D. Souto. It 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:

- | | |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Daniella Levine Cava | Jose "Pepe" Diaz |
| Sally A. Heyman | Eileen Higgins |
| Barbara J. Jordan | Joe A. Martinez |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of July, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Lauren E. Morse
Michael B. Valdes