

MEMORANDUM

Agenda Item No. 11(A)(22)

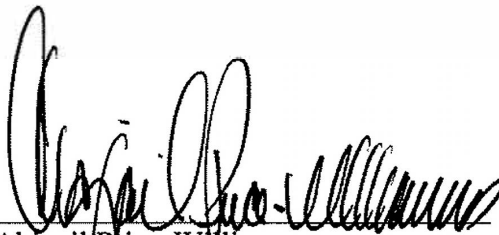
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to complete and finalize
the two overdue reports related to
trees to this Board, as required by
Resolution No. R-362-18 and
Resolution No. R-82-19

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa.


Abigail Price-Williams
County Attorney

APW/uw

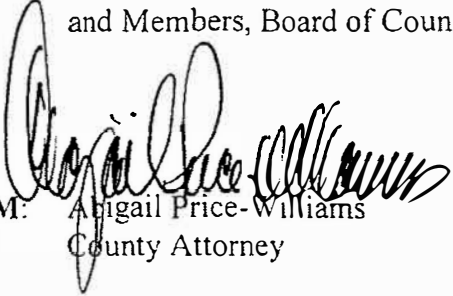


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(22)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(22)
5-5-20

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMPLETE AND FINALIZE THE TWO OVERDUE REPORTS RELATED TO TREES TO THIS BOARD, AS REQUIRED BY RESOLUTION NO. R-362-18 AND RESOLUTION NO. R-82-19

WHEREAS, trees and the overall tree canopy in Miami-Dade County are of great importance and may provide benefits to quality of life, as well as broader resiliency and environmental benefits; and

WHEREAS, Miami-Dade County currently has regulations that relate to trees, such as in the County's landscape regulations in Chapter 18A (the "Landscape Code") and in the County's environmental regulations in Chapter 24; and

WHEREAS, various County departments and divisions are involved with trees, and the County deals with trees both as a regulator and in the County's proprietary capacity for County parks and County owned rights-of-way; and

WHEREAS, the County's policies and regulations with respect to trees have the potential to increase and expand upon current tree-related benefits in Miami-Dade County to quality of life, resiliency and the environment, while at the same time better mitigating potential harm that certain trees may cause; and

WHEREAS, as such, in April of 2018, this Board adopted Resolution No. R-362-18, which directed the County Mayor or County Mayor's designee to review the County's regulations and policies on trees and hurricane readiness and to prepare a report with recommendations for this Board; and

WHEREAS, the report and recommendations required by Resolution No. R-362-18 was to address the County's own tree projects in County parks and rights-of-way, along with ways to increase the tree canopy in Miami-Dade County, while at the same time minimizing both the loss of trees and damage from falling trees and branches in the event of a future hurricane; and

WHEREAS, this report and recommendation also needed to include an analysis of the County's tree plans, recommendations on proper tree selection based on location, and recommendations for tree pruning and how to best communicate information on tree pruning to the responsible parties; and

WHEREAS, pursuant to Resolution No. R-362-18, this report and recommendations was required to have been presented to this Board by October 17, 2018, and the report and recommendation is now overdue by more than one year; and

WHEREAS, in addition to Resolution No. R-362-18, which had an emphasis on hurricane readiness, in January 2019, this Board adopted Resolution No. R-82-19, which directed the County Mayor or County Mayor's designee to conduct a review of the County's overall tree regulations and tree policies and prepare a report with recommendations for this Board; and

WHEREAS, the report and recommendations required by Resolution No. R-82-19 needed to include, for example, recommendations related to the appropriate selection of trees based on particular locations, recommendations on the avoidance of negative consequences such as tree-related damage to property, and recommendations on how to remove harmful or invasive exotic trees and replace them with native species, particularly in or near the public rights-of-way; and

WHEREAS, pursuant to Resolution No. R-82-19, this report and recommendations was required to have been presented to this Board by August 1, 2019, and the report and recommendations is now also overdue; and

WHEREAS, given the importance of tree-related issues to the County and the overall community, this Board wishes to direct the County Mayor or County Mayor’s designee to complete and finalize these reports and recommendations forthwith,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Mayor or County Mayor’s designee to complete and finalize the reports and recommendations related to trees that were previously required by this Board pursuant to Resolution No. R-362-18 and Resolution No. R-82-19 and to place the completed reports with recommendations on an agenda of the Board pursuant to Ordinance No. 14-65 forthwith.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Rebeca Sosa. 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2020. 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.



Abbie Schwaderer-Raurell