

MEMORANDUM

Agenda Item No. 14(A)(7)

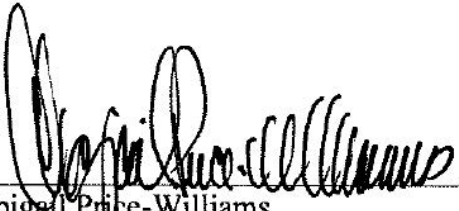
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: August 31, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to create a tree
replacement program for Miami-
Dade County; and prepare a
report with recommendations for
implementation of such tree
replacement program

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/lmp



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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County Attorney

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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. 14(A)(7)
8-31-20

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR
DESIGNEE TO CREATE A TREE REPLACEMENT PROGRAM
FOR MIAMI-DADE COUNTY; AND PREPARE A REPORT
WITH RECOMMENDATIONS FOR IMPLEMENTATION OF
SUCH TREE REPLACEMENT PROGRAM

WHEREAS, trees provide shade and beauty, as well as broader environmental and resiliency benefits, and all of these benefits may preserve and improve the quality of life in Miami-Dade County; and

WHEREAS, although trees can provide these benefits, choosing the appropriate tree species and appropriate locations of such tree species is of the utmost importance; and

WHEREAS, if the wrong tree is placed in the wrong place, that tree placement could result in significant damage to sidewalks, streets, structures, or infrastructure; and

WHEREAS, for example, the branches and roots of certain trees can cause damage to homes and property if placed too closely to one another or to structures; and

WHEREAS, in addition to the cost of the needed repairs to damage caused by destructive trees, the cost for residents to remove and replace destructive trees can also present a financial burden; and

WHEREAS, in contrast, the planting of appropriate trees in the right locations may create beauty and shade, moderate temperatures especially on sunny days, have a positive impact on the County's overall tree canopy, and provide other important environmental and resiliency benefits; and

WHEREAS, the selection of the right native trees may be particularly beneficial, particularly as compared with harmful or invasive exotic tree species; and

WHEREAS, the correct planting of appropriate trees in the right locations, with the correct maintenance, may also save money, as those will likely be able to grow, thrive, and remain healthy for many years to come; and

WHEREAS, by contrast, if a particular tree is planted in a location that is too small or cramped for that tree species, with compacted or little soil volume, that tree will likely die or need to be removed or drastically pruned within a few short years; and

WHEREAS, various County departments and divisions have experience 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, as such, the County may be ideally situated to create and manage a tree replacement program with the goal of replacing invasive, destructive, or invasive non-native trees with appropriate trees, including native trees that are appropriate for particular locations; and

WHEREAS, such a tree replacement program would be consistent with the County's Landscape Code, located in chapter 18A of the Code of Miami-Dade County, and would build upon the County's ongoing work to encourage people to consider a variety of tree species with different characteristics, such as the expected size at maturity of a particular tree species and the way a particular tree's roots grow, when selecting trees for planting in a particular location; and

WHEREAS, for any such tree replacement program, it would be beneficial to include a robust education component, to provide guidance and information to County residents and property owners about the benefits of planting native trees that are appropriate for a particular location; and

WHEREAS, this Board wishes to direct the administration to create a proposed tree replacement program for Miami-Dade County and to make recommendations to this Board as to implementation of such a program,

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

Section 1. This Board hereby directs the County Mayor or designee to create a tree replacement and maintenance program for this Board's consideration. Such a tree replacement program shall include, but not be limited to, the replacement of invasive, destructive, or invasive non-native trees with appropriate tree species, including good quality Florida native trees according to Florida Grades and Standards, that are appropriate for particular locations, to accomplish the following goals in both the unincorporated area and within municipalities: (1) providing opportunities for a simplified regulatory process and reduced overall costs for residents of Miami-Dade County that wish to remove and replace invasive, destructive, or invasive non-native trees with native trees or other suitable tree species when appropriate and feasible; (2) reducing certain required tree mitigation through proposed changes to the Code of Miami-Dade County so that single-family homeowners who need a permit to remove an invasive, destructive, or invasive non-native tree would not be required to plant more than one replacement tree per invasive, destructive, or invasive non-native tree removed; (3) where invasive, destructive or invasive non-native trees are currently planted in public rights-of-way, replacing such trees with appropriate tree species, including good quality native trees and not planting new invasive, destructive, or invasive non-native trees in public rights-of-way; (4) promoting awareness and guidance to residents on planting the "right tree in the right place"; and (5) identifying

opportunities for grants or other funding to assist residents with the costs associated with removing and replacing invasive, destructive, or invasive non-native trees.

Section 2. This Board hereby directs the County Mayor or designee to prepare a report for this Board with detailed information and recommendations on the implementation of the tree replacement program referenced in Section 1 of this resolution, including, but not limited to, the specific identification of funding sources and the estimated costs of implementation, together with any recommended changes to the Code of Miami-Dade County to effectuate the goals set forth in Section 1 of this resolution. The completed report shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65 within 180 days of the effective date of this resolution.

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.

Jose “Pepe” Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 31st day of August, 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.



Dennis A. Kerbel