

MEMORANDUM

Agenda Item No. 7(H)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: November 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance related to Neat Streets Miami and the Tree Trust Fund; amending section 2-1334 of the Code to expand the purpose of Neat Streets Miami; amending section 2-1335 of the Code to adjust the composition of the board; amending section 2-1336 of the Code to expand allowable areas for tree planting; amending section 24-39 of the Code to set aside tree trust fund monies to be used within the County's unincorporated service area; providing for a one-time transfer of surplus funds from the Tree Trust Fund; and requiring a report

A substitute was presented and forwarded to the BCC with a favorable recommendation at the 10-13-21 Recreation and Culture Committee.

This substitute differs from the original version in that it makes Section 24-39(2)(2)(iii) consistent with the previous sections stating that "Disbursements from this Subaccount shall be made pursuant to the procedures and requirements of Section 2-1226(2) of this Code." The substitute also addresses a scrivener's error to correct the name of the "Planting Trees on Publicly Owned Property" project.

Rule 5.06(i) of the Board's Rules of Procedure provides that where double underlined and double strike-through would not clearly show the differences between an original item and the substitute, comments may instead be provided. Pursuant to this rule, the preceding comprehensive description of the differences between the original item and the substitute is provided in lieu of double underlining and double strike-through for this item.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins and Co-Sponsors Senator René García, Commissioner Joe A. Martinez, Commissioner Jean Monestime, Commissioner Raquel A. Regalado and Senator Javier D. Souto.



Geri Bonzon-Keenan
County Attorney


GBK/uw

Memorandum



Date: November 2, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Fiscal Impact Statement for Ordinance Relating to the Tree Trust Fund and Neat Streets Miami Board

Neat Streets Miami is a multijurisdictional, Miami-Dade County board created in 2002 as an initiative focused on beautification of roadways, gateways, and other public right of ways in an effort to enhance the image of Miami-Dade County, and to boost tourism. The fiscal impact of the implementation of this ordinance is a one-time transfer of \$500,000 from the current balance of the Tree Trust Fund to the Neat Streets Tree Trust Fund general subaccount for tree planting on public property in Miami-Dade County. The Tree Trust Fund project titled “Tree Planting on Publicly Owned Right of Way” is managed by the Division of Environmental Resources in the Department of Regulatory and Economic Resources and has a balance of \$3.8 million.

Additionally, on an annual basis, monies equivalent to 60 percent of the previous fiscal year’s contributions to the Tree Trust Fund shall be placed in two subaccounts of the Tree Trust Fund, and such subaccounts shall be dedicated solely to the planting of trees on public property: (1) 30 percent will be used to run the County’s Street Tree Matching Grant (to be renamed “Growing Roots for Environmentally Equitable Neighborhoods (GREEN) Miami-Dade County Matching Grant”); and (2) 30 percent will be used to plant trees on public land in Unincorporated Miami-Dade County.

There is no additional fiscal impact for County staff and facility support from the Parks, Recreation and Open Spaces Department, Regulatory and Economic Resources Department, the Department of Transportation and Public Works, and the Department of Solid Waste Management. County staff will attend Neat Streets Miami board meetings as needed.

A handwritten signature in blue ink, appearing to read "Jimmy Morales". The signature is written over a horizontal line.


Jimmy Morales
Chief Operations Officer

Memorandum



Date: November 2, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners


From: Daniella Levine Cava 
Mayor

Subject: Social Equity Statement for the Ordinance Related to the Tree Trust Fund and
Neat Streets Miami Board

Neat Streets Miami has steadily been expanding its efforts to address gaps in the urban tree canopy to help mitigate the effects of climate change, including flooding and excessive heat; increased resiliency and sustainability; and addressing the equity gap in poor and underserved neighborhoods where the tree canopy can be as low as 6 percent, among others. According to the United States Forest Service, trees in communities help reduce air and water pollution, improve physical and mental health, strengthen social connections, and help foster active living and neighborhood pride.

While the Street Tree Matching Grant program has been successful in encouraging municipalities to plant more trees, current restrictions on where applicants can plant have made it difficult for some municipalities to participate and have limited the scope of some grants. An expansion of the area where applicants can plant to include parks, schools, libraries, transit sites, and public housing sites, in addition to public rights-of-ways, would create needed flexibility and assist in achieving the Million Trees Miami’s goal of achieving a 30 percent tree canopy for Miami-Dade County Florida. The creation of additional subaccounts will provide funding for tree planting in unincorporated Miami-Dade County as well as other areas Countywide.

Additionally, changes to the composition of the Neat Streets Board in the proposed ordinance will streamline the Board and make its work more efficient.



Jimmy Morales
Chief Operations Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: November 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(H)

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. 7(H)
11-2-21

ORDINANCE NO. _____

ORDINANCE RELATED TO NEAT STREETS MIAMI AND THE TREE TRUST FUND; AMENDING SECTION 2-1334 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO EXPAND THE PURPOSE OF NEAT STREETS MIAMI; AMENDING SECTION 2-1335 OF THE CODE TO ADJUST THE COMPOSITION OF THE BOARD; AMENDING SECTION 2-1336 OF THE CODE TO EXPAND ALLOWABLE AREAS FOR TREE PLANTING; AMENDING SECTION 24-39 OF THE CODE TO SET ASIDE TREE TRUST FUND MONIES TO BE USED WITHIN THE COUNTY’S UNINCORPORATED SERVICE AREA; PROVIDING FOR A ONE-TIME TRANSFER OF SURPLUS FUNDS FROM THE TREE TRUST FUND; REQUIRING A REPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Neat Streets Miami (“Neat Streets”) is a multijurisdictional, Miami-Dade County board created in 2002 as an initiative focused on beautification of roadways, gateways, and other public right of ways in an effort to enhance the image of Miami-Dade County, and to boost tourism; and

WHEREAS, Neat Streets operates two initiatives on behalf of Miami-Dade County: (1) Million Trees Miami launched in 2011, aimed at achieving 30 percent tree canopy coverage through tree plantings and giveaways; and (2) Keep Miami-Dade County Beautiful, a Keep America Beautiful affiliation launched in 2019 aimed at making every community a clean, green, and beautiful place to live by educating and engaging residents in litter prevention, recycling, beautification, and conservation; and

WHEREAS, Neat Streets also implements Countywide programs such as Adopt-a-Road, Sponsor-a-Road, and the Street Tree Matching Grant; and

WHEREAS, Neat Streets utilizes private funding for most of its projects, acquired through grants and working with national organizations such as American Forests, Arbor Day Foundation, One Tree Planted, and Keep America Beautiful, to solicit additional funds from corporate partners and private donations made by residents; and

WHEREAS, in 2006, the County adopted the Street Tree Master Plan which provided the framework to design and implement street tree plantings that complement the purpose and intent of the landscape and tree ordinances, and was further used to create countywide minimum standards in order to enhance the County tree canopy to a minimum of 30 percent coverage which would lead to a greener, more walkable and livable community; and

WHEREAS, in 2016, Neat Streets released the Urban Tree Canopy Assessment in partnership with American Forests and Bank of America, which focused on the environmental and socioeconomic impacts from the urban tree canopy within the Urban Development Boundary of Miami-Dade County, as defined by the Miami-Dade County Municipal Planning Organization, and also established baseline data on the extent and function of the existing urban forest, providing a resource to guide future community forest management and reforestation efforts; and

WHEREAS, in 2016, the Urban Tree Canopy Assessment found that overall tree canopy within the Miami-Dade Urban Development Boundary was 19.9 percent; and

WHEREAS, Neat Streets has steadily been expanding its efforts to address gaps in the urban tree canopy to help mitigate the effects of climate change, including flooding and excessive heat; increased resiliency and sustainability; and addressing the equity gap in poor and underserved neighborhoods where the tree canopy can be as low as 6 percent, among others; and

WHEREAS, according to the United States Forest Service, trees in communities help reduce air and water pollution, improve physical and mental health, strengthen social connections, and help foster active living and neighborhood pride; and

WHEREAS, the United States Department of Agriculture estimates that 100 trees can remove 53 tons of carbon dioxide and 430 pounds of other air pollutants per year; and

WHEREAS, according to the National Institutes of Health, as the COVID-19 pandemic has created conditions that have led to environmental benefits such as cleaner air, lower carbon emissions, and opportunities for wildlife to thrive; and

WHEREAS, Street Tree Matching Grant plantings can be a response to canopy loss from previous natural disasters, or part of an action plan to promote a green recovery from the COVID-19 pandemic; and

WHEREAS, since 2017, Neat Streets has directly planted 8,376 trees and given away 8,140 trees to Miami-Dade County residents; and

WHEREAS, additionally, through the Street Tree Matching Grant, 438 trees were planted in its 2016 cycle; 917 trees were planted in its 2017 cycle; 901 trees were planted in its 2018 cycle; 1,450 trees were planted in its 2019 cycle; and an estimated 1,203 trees will be planted through its 2020 cycle (collectively, a total of 4,909 trees); and

WHEREAS, Neat Streets currently receives funding from Miami-Dade County's Tree Trust Fund to administer the Street Tree Matching Grant, which aims to engage municipalities, agencies, non-profits, and community groups to plant trees along rights-of-way on streets, including corridors, gateways, bus stops, and connections to school and parks; and

WHEREAS, the goal of the Street Tree Matching Grant program is to leverage the County's street tree program by encouraging investments on County or local streets; and

WHEREAS, while preference is given to areas with low-to-moderate income populations defined as census tracts that are in the fourth or fifth quintile distribution of median household income, and/or with 20 percent or less tree canopy, grant applications that do not meet either or both of these preferences are still considered; and

WHEREAS, while the Street Tree Matching Grant program has been successful in encouraging municipalities to plant more trees, current restrictions on where applicants can plant have made it difficult for some municipalities to participate and have limited the scope of some grants; and

WHEREAS, an expansion of the area where applicants can plant to include parks, schools, libraries, transit sites, and public housing sites, in addition to public rights-of-ways, would create needed flexibility and assist in achieving the Street Tree Masterplan goal of 30 percent tree canopy; and

WHEREAS, currently, unincorporated areas of Miami-Dade County (“UMSA”) are not eligible to apply for the Street Tree Matching grant, and therefore areas of the County are disadvantaged; and

WHEREAS, the creation of a new subaccount funded by the Tree Trust Fund to be used by Neat Streets to plant trees only in UMSA to balance the work being done by and within municipalities would help achieve the goal of 30 percent tree canopy coverage as stated in the Street Tree Master Plan; and

WHEREAS, the Tree Trust Fund project titled, “Planting Trees on Publicly Owned Property”, managed by the Division of Environmental Resources in the Department of Regulatory and Economic Resources, has a balance of \$3.8 million; and

WHEREAS, no funds in that Tree Trust Fund project have been expended during the five year period from FY 2017 – FY 2021, nor are they programmed in the Adopted Budget per the draft report from Commission Auditor’s Office, dated June 3, 2021; and

WHEREAS, a one-time transfer of \$500,000 from the current balance of the Tree Trust Fund project entitled “Planting Trees on Publicly Owned Property” to the Neat Streets Subaccount for tree planting on public property anywhere within Miami-Dade County could immediately activate these dollars through its established and successful program; and

WHEREAS, providing Neat Streets access to further funds from the Tree Trust Fund could further advance the County’s goals around increasing tree canopy in an expeditious manner; and

WHEREAS, changes are needed to the composition of the Neat Streets Board to streamline the Board and make its work more efficient, and to assist with reaching quorum,

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

Section 1. Section 2-1334 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows;¹

Section 2-1334. Purpose.

~~[[Neat Streets Miami shall be responsible for establishing the yearly Community Image plans, including budget and initiative priorities, based on the following Community Image 2000 Goals:~~

- ~~(1) The proper maintenance of grass in and around our main roadways and transportation gateways;~~

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 remain unchanged.

- (2) ~~The continued enhancement of our main roadways and transportation gateways through the replacement of unhealthy or damaged landscaping;~~
- (3) ~~The enhancement of areas under overpasses and bridges;~~
- (4) ~~The establishment of a standard color scheme for bridge overpasses;~~
- (5) ~~The proper maintenance around the Metrorail and Metromover system and the creation of exciting designs through lighting, painting, and cosmetic changes to the Metrorail and Metromover trains;~~
- (6) ~~The elimination of litter and trash on our main roadways and transportation gateways;~~
- (7) ~~The clearance of roadway intersections and emergency lanes of debris;~~
- (8) ~~The enhancement of all roadways serving major tourist transportation terminals, such as the airport, seaport, and train station;~~
- (9) ~~The enhancement of water retention areas near major roadways through the use of lighting and fountains.~~
- (10) ~~The education of the community regarding the goals of Neat Streets Miami, especially roadway and transportation gateway beautification.]]~~

>>Neat Streets Miami shall be responsible for establishing the yearly priorities related to the maintenance and beautification of Miami-Dade County:

- (1) Creating resilient, sustainable, and environmentally equitable spaces Countywide to promote both ecological and human health;
- (2) Enhancing and maintaining our main roadways, transportation gateways and corridors, as well as transit sites through the addition of more shade, and/or the replacement of unhealthy or damaged landscaping;

- (3) Encouraging investments on municipal streets and public spaces, including more shade and beautification;
- (4) Achieving and maintaining a 30 percent urban tree canopy for Miami-Dade County, strategically planting the right material in the right places for the benefit and quality of life of all residents;
- (5) Identifying ways to invest in and maximize the benefits of green infrastructure;
- (6) Educating and engaging residents in cleanups, litter prevention, recycling, beautification, and conservation;
- (7) Promoting Neat Streets Miami and connecting to the community so that residents are educated, engaged, and able to contribute, instilling a culture of community pride and projecting a world-class image for visitors.<<

Section 2. Section 2-1335 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Section 2-1335. - Organization of the Board of Neat Streets Miami

>>The Board serves to promote the vision and mission of Neat Streets Miami and to represent various municipalities and other entities in implementing Neat Streets Miami programs and shall acts as conduit for Neat Streets Miami initiatives ensuring broad participation in the Matching Grant program and bringing connections and resources to enhance and strengthen existing Neat Streets Miami programs as well as provide expertise in support of Neat Streets Miami. The Board shall also educate and raise awareness among their constituents and stakeholders regarding Neat Streets Miami.<<

1. >>Voting<<Membership. The Board for Neat Streets Miami shall be made up of the following >>voting<<members:

- a. >>Two representatives from the roadway and transportation sector such as the Florida Department of Transportation and the Miami-Dade Expressway Authority<< ~~[[A representative from Florida Department of Transportation]]~~;
- b. >>Two representatives from the economic development sector; one from the Miami Downtown Development Authority; and one from the Greater Miami Convention and Visitors' Bureau<<~~[[Two representatives from the Miami-Dade County Public Works and Waste Management Department]]~~;
- c. >>Five representatives of local municipalities or other local government organizations such as the League of Cities and Miami-Dade Public Schools; <<~~[[A representative from seven municipalities located within Miami Dade County;~~
- d. ~~A representative from the Miami Dade Transit Department;~~
- e. ~~Two representatives from the Miami Dade County Parks, Recreation, and Open Spaces Department;~~
- f]]>>d<< A representative from the County Mayor's Office;
- [[g. ~~A Miami Dade County Commissioner from each Commission District or his or her designee;~~
- h. ~~A representative from Miami Dade Expressway Authority;~~
- i. ~~A representative from the Miami Dade County Aviation Department;~~
- j. ~~A representative from the Miami Dade County Seaport;~~
- k. ~~A representative from the Miami Dade Regulatory and Economic Resources Department;~~
- l. ~~A representative from the Metropolitan Planning Organization ("MPO");~~

- ~~m.~~ ~~A representative from Miami Dade County Public Schools;~~
- ~~n.~~ ~~A representative from Transportation Aesthetics Review Committee ("TARC");~~
- ~~o.~~ ~~A representative from the Citizen's Transportation Advisory Committee ("CTAC");~~
- ~~p.~~ ~~A representative from one chamber of commerce in Miami Dade County;~~
- ~~q.~~ ~~A representative from the Greater Miami Convention and Visitors Bureau;~~
- ~~r.~~ ~~A representative from the Downtown Development Authority;~~
- ~~s.~~ ~~A representative from the Miami Dade League of Cities;~~
- ~~t.~~ ~~A representative from the train/railroad industry;~~
- ~~u.~~ ~~A representative from the Miami Herald;~~
- ~~v.~~ ~~A representative from the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS)/Miami Dade County Cooperative Extension;~~
- ~~w.~~ ~~A representative from two institutes of higher education;~~
- *]]>>e. Six members at large including representatives from higher education, non-profits based in Miami-Dade County, other local entities, and the business community aligned with the Mission and Vision of Neat Streets;<<[[Two members at large]]; and
- [[y]]>>f. One representative from each Miami-Dade County Commissioner District.<<

Notwithstanding the foregoing, the Board for Neat Streets Miami shall be permitted, by majority vote, to alter the composition of the Board for Neat Streets Miami without further amendment of this Ordinance. To the extent the

Board for Neat Streets Miami creates new membership categories under this paragraph, the Board for Neat Streets Miami shall notify the Clerk of the Board of County Commissioners of the new membership category created. Persons selected to fill new membership categories created by the Board for Neat Streets Miami shall be appointed in accordance with Section (2), below.

2. Appointment of Chairperson and Members of Neat Streets Miami. The Chairperson of the Board for Neat Streets Miami shall be appointed by the Chairperson of the Board of County Commissioners. >>The Chairperson of the Board for Neat Streets Miami shall select specific organizations within each category in Section 2-1335(1) that would best align with the goals of Neat Streets Miami.<< A person designated by the Board of Neat Streets Miami shall contact each of the organizations shall contact each of the organizations, companies, and municipalities referenced in Section (1) above, and shall request that each of these organizations, companies, and municipalities submit the names of at least one (1) interested and eligible nominee. shall contact each of the organizations, companies, and municipalities referenced in Section (1) above, and shall request that each of these organizations, companies, and municipalities submit the names of at least one (1) interested and eligible nominee. The membership slots for municipalities created under Section (1)(c) shall be filled on a first-come, first-served basis. These nominees shall be submitted to the Board for Neat Streets Miami in the form of a report for approval and appointment to the Board for Neat Streets Miami. >>The Board of Neat Streets Miami shall create a process whereby individual community members may express interest in being nominated to the Board of Neat Streets and may be considered for an appropriate position or as a member at large.<<
3. Unfilled Membership Vacancies. If any membership slot created under Section (1) remains unfilled for a period of three (3) months from the date the vacancy occurs, then the Board for Neat Streets Miami may fill said vacant membership slot as if that slot were designated for an at-large member under Section (1).

4. Meetings. The Board for Neat Streets Miami shall hold regular meetings, no less than six times per year, and such other meetings as it deems necessary. Ten (10) of the duly appointed and sitting members of the Board for Neat Streets Miami shall constitute a quorum. Minutes shall be kept of all meetings of the Board for Neat Streets Miami and all meetings shall be duly noticed to the public.
5. Applicability of County Rules and Procedures. The Board for Neat Streets Miami shall at all times operate under the Florida Open Government laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1 of the Code of Miami-Dade County.
6. Attendance Requirement. Notwithstanding any other provision of this Code, any Neat Streets Miami Board member shall be automatically removed if, in a given fiscal year he or she is absent from more than 50% of the year's meetings. A member shall be deemed absent from a meeting when he or she is not present at the meeting at least seventy-five percent of the time. By a one-third (1/3) vote of the members present, the provisions of this section may be waived.
7. Compensation. Members of the Board for Neat Streets Miami shall serve without compensation, but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties.
8. Staff and Facility Support. The County Mayor and County Attorney shall provide such staff support to the Board for Neat Streets Miami as may be necessary to accomplish its purpose. >>County experts from various County departments including the Parks, Recreation and Open Spaces Department, Regulatory and Economic Resources, the Department of Transportation and Public Works, and the Department of Solid Waste Management shall attend board meetings as needed.<<The County Mayor will provide such facilities as the Board for Neat Streets Miami may deem necessary to accomplish its purposes.

Section 3. Section 2-1336 of the Code of Miami-Dade County is hereby amended as follows:

Section 2-1336. - Function.

~~[[1. Submittal of Annual Report. The Board for Neat Streets Miami shall be responsible for providing two (2) reports per year for the duration of its existence, the first of which shall be submitted to the Board within three (3) months following the passage of this article or the first meeting of the Board for Neat Streets Miami, whichever is later. Each subsequent semi-annual report will be submitted within six (6) months following the submittal of the prior report, but provided that no more than two (2) reports need be presented to the Board of County Commissioners in one (1) year. For purposes of this article, a year shall be the 365 contiguous days following the submittal of the first Semi-annual report, regardless of whether those 365 days fall in a single calendar year.~~

~~2. Contents of the Semi-annual Reports. The first semi-annual report in a given year shall contain Neat Streets Miami's prioritization of the Community Image Goals, as set forth in Section 2 (A), above, with the highest priority given to the Community Image Goal most necessary for the enhancement of tourism. This report will include an analysis detailing which County departments, if any, have an existing responsibility and budget allotment to undertake the Community Image Goal. The second semi-annual report will provide an action plan for each of the Goals, including which County departments should be responsible to undertake the proposed actions(s). The second semi-annual report will detail the approximate budget required for each of the proposed actions, shall constitute the final Community Image plan to be submitted to the Board for consideration, and will contain Neat Streets Miami's final action plan based on the priorities and budgets contained therein.~~

~~3.]]>>1.<<~~ The Board for Neat Streets Miami may promulgate rules consistent with this article for the conduct of its meetings and the discharge of its responsibilities under this article. Any rules promulgated by the Board for Neat Streets Miami under this section shall be submitted to the Board of County Commissioners for ratification.

~~[[4. Implementation of the Community Image Plan. It shall be the responsibility of the County Mayor to implement the elements of the plans that she or he, in her or his discretion, determines are in the best interest of the County.]]~~

>2.<<[[5.]]Tree Trust Fund Subaccount>>s<< Dedicated to Planting Trees on Public Property. For the Subaccount>>s<< to the Tree Trust Fund, as created by Section 24-39 of this Code, monies may be disbursed administratively for the planting of trees on public property ~~[[along public rights-of-way]]~~ within Miami-Dade County,~~[[with the goal of enhancing our roadways and transportation gateways]]~~ >>including but not limited to park properties, schools, libraries, transportation corridors, gateways and public housing sites; with the goal of enhancing the County's public spaces.<< All such disbursements shall be made to the satisfaction of the Director of Parks, Recreation and Open Spaces Department, or successor department, with a preference given to areas with 20 percent or less of tree canopy and which are located in a Census Tract that is in the fourth or fifth quintile distribution of Median Household Income. A report detailing the disbursements from this Tree Trust Fund Subaccount shall be presented to the Neat Streets Miami Board.

Section 4. Section 24-39 of the Code of Miami-Dade County is hereby amended as follows:

Sec. 24-39. - Tree Trust Fund.

(1) *Creation of the Tree Trust Fund.* There is hereby created a Tree Trust Fund, the purpose of which is to acquire, protect and maintain natural forest communities in Maim-Dade County and to plant trees on public property.

(2) *Disbursement of and maintenance of the Tree Trust Fund.*

* * *

(e) >>Tree Trust Fund Subaccounts<<Notwithstanding anything provided herein, on an annual basis, monies equivalent to ~~[[35]]~~>>60<< percent of the previous fiscal year's contributions to the Tree Trust Fund shall be placed in ~~[[a]]~~>>two<<

Subaccounts of the Tree Trust Fund, and such Subaccounts shall be dedicated solely to the planting of trees on public property. Disbursements from ~~[[this]]~~ these Subaccounts shall be made pursuant to the procedures and requirements of Section 2-1336~~[[5]]~~ 2 of this Code.

- >>(i) Monies equivalent to 30 percent of the previous year's contributions to the Tree Trust Fund shall be placed in a Subaccount of the Tree Trust Fund, and such Subaccount shall be dedicated to the administration of the GREEN (Growing Roots for Environmentally Equitable Neighborhoods) Miami-Dade County Matching Grant for the planting of trees on public property located within Miami-Dade County's incorporated areas. Disbursements from this Subaccount shall be made pursuant to the procedures and requirements of Section 2-1336(2) of this Code.

- (ii) Monies equivalent to 30 percent of the previous year's contributions to the Tree Trust Fund shall be placed in a Subaccount of the Tree Trust Fund, and such Subaccount shall be dedicated solely to the planting of trees on public property located within Miami-Dade County's unincorporated service area. Disbursements from this Subaccount shall be made pursuant to the procedures and requirements of Section 2-1336(2) of this Code.

- (iii) General Tree Trust Fund Subaccount for Tree Planting on Public Property Anywhere Within Miami-Dade County. This Subaccount shall be utilized for additional funds beyond the 60 percent contemplated in section (e) above that may be available from the Tree Trust Fund. This Subaccount shall be utilized for the planting of trees either within municipal boundaries or in areas of Miami-Dade County's unincorporated service area as determined by the Neat Streets Board. Disbursements from this Subaccount shall be made pursuant to the

procedures and requirements of Section 2-1336(2) of this Code <<

* * *

Section 5. This Board authorizes a one-time transfer of \$500,000.00 from the current balance of the Tree Trust Fund project entitled “Planting Trees on Publicly Owned Property” to the Neat Streets Tree Trust Fund General Subaccount for tree planting on public property anywhere within Miami-Dade County.

Section 6. The County Mayor or County Mayor’s designee shall present a written report to this Board within 120 days of the effective date of this resolution, which shall be placed on an agenda of the Board pursuant to Ordinance 14-65 regarding a plan for disbursing the remaining excess balance in the Tree Trust Fund.

Section 7. 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 8. 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 9. 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:

Approved by County Attorney as
to form and legal sufficiency:

Handwritten initials in blue ink. The top line reads "GBK" and the bottom line reads "mjs".

Prepared by:

Melanie J. Spencer

Prime Sponsor: Commissioner Eileen Higgins
Co-Sponsors: Senator René García
Commissioner Joe A. Martinez
Commissioner Jean Monestime
Commissioner Raquel A. Regalado
Senator Javier D. Souto