

MEMORANDUM

Agenda Item No. 11(A)(6)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 6, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to evaluate the feasibility of installing and maintaining Florida friendly landscaping on certain County-owned or operated properties including, but not limited to, County-owned rights-of-way; directing the County Mayor to require Florida friendly landscaping in certain solicitations and contracts; directing the County Mayor to conduct an educational campaign relating to Florida friendly landscaping; directing the County Mayor to identify legally available funds in an amount sufficient to implement Florida friendly landscaping on certain properties and educational campaign and to include same in the County Mayor's memorandum related to information for the first budget hearing for Fiscal Year 2023-24 proposed County budget; and requiring a report

Resolution No. R-784-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.


Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(6)

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)(6)
9-6-23

RESOLUTION NO. R-784-23

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EVALUATE THE FEASIBILITY OF INSTALLING AND MAINTAINING FLORIDA FRIENDLY LANDSCAPING ON CERTAIN COUNTY-OWNED OR OPERATED PROPERTIES INCLUDING, BUT NOT LIMITED TO, COUNTY-OWNED RIGHTS-OF-WAY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REQUIRE FLORIDA FRIENDLY LANDSCAPING IN CERTAIN SOLICITATIONS AND CONTRACTS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT AN EDUCATIONAL CAMPAIGN RELATING TO FLORIDA FRIENDLY LANDSCAPING; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IDENTIFY LEGALLY AVAILABLE FUNDS IN AN AMOUNT SUFFICIENT TO IMPLEMENT FLORIDA FRIENDLY LANDSCAPING ON CERTAIN PROPERTIES AND EDUCATIONAL CAMPAIGN AND TO INCLUDE SAME IN THE COUNTY MAYOR'S MEMORANDUM RELATED TO INFORMATION FOR THE FIRST BUDGET HEARING FOR FISCAL YEAR 2023-24 PROPOSED COUNTY BUDGET; AND REQUIRING A REPORT

WHEREAS, Miami-Dade County (the "County") regulates and maintains public landscapes in an environmentally sustainable manner; and

WHEREAS, the Code of Miami-Dade County, Florida ("Code") establishes minimum standards for regulation of landscaping in the incorporated and unincorporated areas in chapters 18A, which addresses public and private development; 18B, which addresses public rights-of-way; and 18C, which regulates fertilizer use; and

WHEREAS, section 18C-3 defines "Florida friendly landscaping" as quality, low-maintenance landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant; and

WHEREAS, section 18C-3 further provides that the principles of Florida friendly landscaping include planting the right plant in the right place, efficient watering, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste reduction of stormwater runoff, waterfront protection, landscape planning and design, soil analysis, the appropriate use of solid waste compost, and minimizing the use of irrigation, pesticides, and fertilizers; and

WHEREAS, on May 5, 2009, this Board adopted Ordinance Nos. 09-35 and 09-36, which amended chapters 18A and 18B of the Code to promote Florida friendly landscaping principles and include stricter water-efficiency measures; and

WHEREAS, a stated purpose of chapters 18A and 18B is to promote Florida friendly landscaping principles through the use of drought-tolerant landscape species, grouping of plant material by water requirements, the use of irrigation systems that conserve the use of potable and non-potable water supplies and restrictions on the amount of lawn areas; and

WHEREAS, according to the University of Florida's Institute of Food and Agricultural Sciences, Florida friendly landscaping practices can benefit local governments by reducing maintenance costs, improving water quality, and creating healthier ecosystems; and

WHEREAS, other local governments in the state, such as Alachua County and Pinellas County, have introduced Florida friendly landscaping principles in their communities through programs or regulations encouraging resilient landscapes that reduce the need for frequent irrigation and the use of fertilizers, pesticides, and herbicides; and

WHEREAS, it is in the best interest of the County to implement strategies for County-owned and operated properties, including, but not limited to County-owned rights-of-way, that further the principles of Florida friendly landscaping; and

WHEREAS, the residents of Miami-Dade County have shown their commitment to our environmental wellness and the preservation of our natural resources; and

WHEREAS, private property owners may benefit from learning about Florida friendly landscaping principles; and

WHEREAS, according to Miami Waterkeeper, planting Florida friendly trees, shrubs, and flowers, contributes to a healthier and more robust ecosystem; and

WHEREAS, such plantings are anticipated to attract more native insects, birds, and animals, thereby improving the health of ecosystems and waterways in Miami-Dade County; and

WHEREAS, this Board wishes to promote landscaping practices that help preserve Florida's natural resources and protect the environment through both implementing Florida friendly landscaping practices on certain County-owned and operated properties, such as County rights-of-way, and by conducting an educational campaign to encourage property owners in Miami-Dade County to implement Florida friendly landscaping practices on their own properties,

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

Section 1. Directs the County Mayor or County Mayor's designee to evaluate the feasibility of installing and maintaining Florida friendly landscaping on those County-owned or operated properties, including, but not limited to, County-owned rights-of-way, which are determined by the County Mayor or County Mayor's designee to be appropriate for such installation and maintenance, and which are the subject of any solicitations published or non-competitive contracts entered into following the effective date of this resolution which provide for the construction, leasing, or redevelopment of County-owned or operated properties.

Section 2. Directs the County Mayor or County Mayor's designee to require the installation and maintenance of Florida friendly landscaping in all solicitations published and non-competitive contracts entered into following the effective date of this resolution which provide for the construction, leasing, or redevelopment of County-owned or operated properties which are determined by the County Mayor or County Mayor's designee to be appropriate for such installation and maintenance.

Section 3. Directs the County Mayor or County Mayor's designee to conduct an educational campaign (the "Educational Campaign") to encourage private commercial and residential property owners in Miami-Dade County to implement Florida friendly landscaping practices on their properties. In conducting the Educational Campaign, where deemed feasible and appropriate by the County Mayor or County Mayor's designee, the County Mayor or County Mayor's designee should coordinate with and consider input from local and national organizations with respect to how best to increase awareness about Florida friendly landscaping.

Section 4. Directs the County Mayor or County Mayor's designee to: (a) identify legally available funds in an amount sufficient to implement the Educational Campaign and for the installation and maintenance of Florida friendly landscaping on those County-owned or operated properties determined by the County Mayor or County Mayor's designee to be appropriate for such installation and maintenance, and include same in the County Mayor's memorandum related to information for the first budget hearing for Fiscal Year 2023-24 County budget; and (b) provided that sufficient funds are budgeted and allocated as part of the adopted

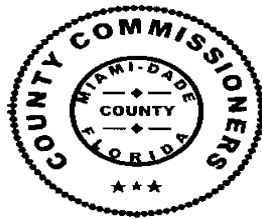
Fiscal Year 2023-24 County budget, implement the Educational Campaign, as outlined above, and undertake installation of Florida friendly landscaping on those County-owned or operated properties determined by the County Mayor or County Mayor's designee to be appropriate for such installation and maintenance in Fiscal Year 2023-24.

Section 5. Directs the County Mayor or County Mayor's designee to provide a report to the Board within 120 days of the effective date of this resolution detailing the Florida friendly landscaping practices implemented and listing the County-owned or operated facilities, properties, and locations where the practices have been implemented, and organizing the list by Commission district. With respect to the Educational Campaign, the report shall detail the actions taken to conduct the Educational Campaign, including funding sources and any organizations that provided input or with which the County coordinated. The County Mayor or County Mayor's designee is further directed to track any updates to the list of County owned or operated facilities, properties, and locations where Florida friendly landscaping practices have been implemented and to report such updates to the Board upon its request. The completed report(s) shall be placed on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins. It was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of September, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature in black ink, appearing to read "CMR".

Cristina M. Rabionet
Abbie Schwaderer-Raurell