

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE TREE PRESERVATION TRUST FUND;
3 AMENDING SECTIONS 27.186 AND 27.187 OF THE BROWARD COUNTY
4 ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE") PERTAINING TO
5 DISBURSEMENTS FROM THE TREE PRESERVATION TRUST FUND; AND
6 PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND
7 AN EFFECTIVE DATE.

8
9 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
10 COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

11 Section 1. Section 27.186 of the Broward County Administrative Code is hereby
12 amended to read as follows:

13 **27.186. Creation of the Tree Preservation Trust Fund Committee.**

14 . . .

15 e. The Committee may consider: (i) preliminary project proposals and give
16 conceptual approval prior to the preparation of detailed landscape plans; (ii) tree planting
17 project proposals, which may include a sculptural or artistic element, that are supported
18 by RED and that are located on private or public lands; and (iii) project proposals for
19 maintenance expenses, including maintenance equipment and vehicles, used to
20 encourage the growth of the tree canopy for existing trees located on sites operated by

the Broward County Parks and Recreation Division and planted pursuant to a distribution made from the Broward County Tree Preservation Trust Fund ("Trust Fund").

...

Section 2. Section 27.187 of the Broward County Administrative Code is hereby amended to read as follows:

27.187. Disbursement from the Tree Preservation Trust Fund.

...

b. Written requests for funding shall not be required for mitigation arising pursuant to Section 27-413(d)(3) of the Broward County Code of Ordinances ("Affordable Housing Tree Mitigation"). Affordable Housing Tree Mitigation shall be processed administratively by RED staff ("Administrative Request") and, to the greatest extent practicable, shall be expedited.

~~b c.~~ Upon receipt of ~~the~~ a written requests submitted pursuant to Section 27.187a. or an Administrative Request submitted pursuant to Section 27.187b. (collectively referred to as a "request"), RED will place the request on the next Committee meeting agenda, together with all required plans, specifications, and cost estimates relative to the project.

~~c d.~~ The Committee shall review the request and all relevant backup material and make a recommendation, based on established criteria, to the Director of RED.

~~d e.~~ If the recommendation of the Committee involves a disbursement greater than \$15,000.00, the recommendation shall require approval by the Board of County Commissioners ("Board"), and the recommendation of the Committee shall be considered by the Board at the next available Board meeting.

e f. Upon approval of an applicant's request, the appropriate documents shall be forwarded to the Purchasing Division for processing, that may include procurement, in accordance with County policies, procedures, and regulations. In the event that the applicant is not a Broward County agency, prior to the disbursal of any funds from the Trust Fund, the County and the applicant shall enter into an agreement governing the disbursal of funds for the project. The Director of RED shall have the authority to determine the disbursement method and timing of any monies from the Trust Fund in connection with funding the projects described in Section 27-413(d)(4) of the Broward County Code of Ordinances.

Section 3. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 4. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article,"

66 or such other appropriate word or phrase to the extent necessary to accomplish such
67 intention.

68 Section 5. Effective Date.

69 This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2024.

PROPOSED

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Alexis Marrero Koratich 11/28//2023
 Alexis Marrero Koratich (date)
 Assistant County Attorney

By: /s/ Maite Azcoitia 11/28/2023
 Maite Azcoitia (date)
 Deputy County Attorney

AIK/gmb
Tree Trust Fund Resolution
11/28/2023
#43000

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.