

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

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

23 . . .

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

26 **27.187. Disbursement from the Tree Preservation Trust Fund.**

27 . . .

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

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

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

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

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

53 Section 3. Severability.

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

61 Section 4. Inclusion in the Broward County Administrative Code.

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

