PROPOSED

| | RESOLUTION NO. | |
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| 1 | A RESOLUTI | ON OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD |
| 2 | COUNTY, FL | ORIDA, PERTAINING TO THE TREE PRESERVATION TRUST FUND; |
| 3 | AMENDING | SECTIONS 27.186 AND 27.187 OF THE BROWARD COUNTY |
| 4 | ADMINISTRA | TIVE CODE ("ADMINISTRATIVE CODE") RELATED TO EXPENDITURES |
| 5 | FROM THE | TREE PRESERVATION TRUST FUND; AND PROVIDING FOR |
| 6 | SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE | |
| 7 | DATE. | |
| 8 | | |
| 9 | BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF | |
| 10 | 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. |
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| 15 | f. | The Committee shall not be required to consider either Cost |
| 16 | Reimburseme | ent Requests or Department Requests as defined in Section 27.187.d. |
| 17 | <u>g.</u> | The Committee shall make recommendations regarding projects to be |
| 18 | funded from the Tree Preservation Trust Fund to the Director of PWESD Director. | |
| 19 | Section | 2. Section 27.187 of the Broward County Administrative Code is hereby |
| 20 | amended to read as follows: | |
| 21 | 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 PWESD staff ("Administrative Request") and, to the greatest extent practicable, shall be expedited.

c. <u>Expenditures Requiring Committee Review:</u>

- Upon receipt of a written request submitted pursuant to Section 27.187_a. for a Trust Fund expenditure described under Sections 27-413(d)(1) through (6) of the Broward County Code of Ordinances or an Administrative Request submitted pursuant to Section 27.187_b. (collectively referred to as a "request"), PWESD will place the request on the next Committee meeting agenda, together with all required plans, specifications, and cost estimates relative to the project.
- d. 2. The Committee shall review the request and all relevant backup material and make a recommendation, based on established criteria, to the PWESD.

 Director of PWESD.
- e.3. If the recommendation of the Committee involves a disbursement greater than \$15,000.00 \$20,000.00, 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.
 - <u>d.</u> <u>Expenditures Exempt from Committee Review:</u>

1. Upon receipt of a written request submitted pursuant to Section 27.187.a. for a trust expenditure described under Section 27-413(d)(7) of the Broward County Code of Ordinances ("Cost Reimbursement Request"), PWESD will place the Cost Reimbursement Request before the PWESD Director, together with all itemized invoices and cost estimates relative to the Cost Reimbursement Request. The PWESD Director shall be authorized to approve the Cost Reimbursement Request so long as the Cost Reimbursement Request does not exceed \$5,000.00. If the Cost Reimbursement Request involves a disbursement greater than \$5,000.00, approval by the Board is required. The PWESD Director shall make a recommendation to the Board, and the recommendation shall be considered by the Board at the next available Board meeting.

Quest involves a disbursement greater than \$20,000.00, approval by the Board and the recommendation shall be considered by the Board at the next available Board meeting.

f. e. Upon approval of an applicant's request, a Cost Reimbursement Request, or a Department 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 PWESD Director 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, within the Broward Municipal Services District.

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,"

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

93 Section 5. Effective Date.

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This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2025. **PROPOSED**

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

By: <u>/s/ Alexis Marrero Koratich</u> 09/24/2025
Alexis Marrero Koratich (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 09/24/2025

Maite Azcoitia (date)

Deputy County Attorney

AIK/gmb Tree Trust Resolution 09/24/2025 #44000