

MEMORANDUM

Agenda Item No. 11(A) (12)

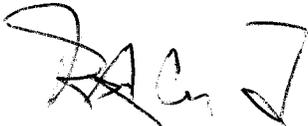
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 25, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to pass legislation
ensuring Waste Tire Fees are
allocated in the communities
where fees are collected

The accompanying resolution was prepared and placed on the agenda at the request of
Chairman Joe A. Martinez.


Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 25, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(12)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 11(A)(12)

Veto _____

4-25-06

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS LEGISLATION ENSURING THAT WASTE TIRE FEES
ARE ALLOCATED TO THE RECYCLING, COLLECTION
AND DISPOSAL OF WASTE TIRES IN THE COMMUNITIES
WHERE THESE FEES ARE COLLECTED

WHEREAS, Florida Law imposes a \$1 Waste Tire Fee on each new tire sold at retail pursuant to Section 403.718, Florida Statutes, which is in addition to other fees that may be paid for disposal of old tires; and

WHEREAS, when originally imposed, the Waste Tire Fee was intended to fund recycling, collection and disposal of waste tires in a safe and environmentally beneficial way; and

WHEREAS, approximately \$20 million is generated each year in Florida by the Waste Tire Fee; and

WHEREAS, consumers who buy tires expect the Waste Tire Fee listed on their bill to go for recycling, collection and disposal of waste tires; and

WHEREAS, increasingly in recent years, the Florida Legislature has diverted Waste Tire Fee revenues away from the waste tire recycling, collection and disposal programs; and

WHEREAS, in 2005, the diversion of waste tire funds reached the point that only counties with a population of less than 100,000 received any waste tire grant funding, leaving counties with a population of more than 100,000 with no waste tire grant funding; and

WHEREAS, despite paying millions of dollars in waste tire fees to the state in 2005, Miami-Dade County residents saw none of this revenue come back to Miami-Dade County; and

WHEREAS, diverting Waste Tire Fee revenue to other state programs has had the effect of shifting the cost of recycling, collection and disposal of waste tires to local governments; and

WHEREAS, by creating the Community Awareness Task Force, Chairman Joe A. Martinez has spearheaded the effort to address waste tire issues, including illegal dumping, enforcement, clean-up and education; and

WHEREAS, the Community Awareness Task Force brings together the experience and knowledge found in various County departments along with other stakeholders to address in a coordinated effort issues related to illegal dumping and waste tires; and

WHEREAS, the Community Awareness Task Force has researched the waste tire fee and concluded that changes are needed to state law to ensure that fee revenues are used for their stated purposes and returned to the communities where consumers have paid the waste tire fees,

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

Section 1. Urges the Florida Legislature to pass legislation ensuring that waste tire fees are allocated for the recycling, collection, and disposal of waste tires in the communities where these fees are collected.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2006 State Legislative Package as a top priority.

The foregoing resolution was sponsored by Chairman Joe A. Martinez and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 25th day of April, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty

