

MEMORANDUM

Agenda Item No. 11(A)(20)


TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 17, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution establishing a healthy options vending policy for all vending machines on County Property and directing the County Mayor to require County vendors servicing vending machines to comply with the county's healthy options vending policy

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp



MEMORANDUM
(Revised)

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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
- 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 ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(20)

Veto _____

9-17-13

Override _____

RESOLUTION NO. _____

RESOLUTION ESTABLISHING A HEALTHY OPTIONS VENDING POLICY FOR ALL VENDING MACHINES ON COUNTY PROPERTY AND DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO REQUIRE COUNTY VENDORS SERVICING VENDING MACHINES TO COMPLY WITH THE COUNTY'S HEALTHY OPTIONS VENDING POLICY

WHEREAS, the U.S. Department of Health and Human Services—Centers for Disease Control and Prevention (“CDC”) and the Miami-Dade County Health Department have noted that “[t]he obesity rate and the number of overweight adults in Miami-Dade County is 67.4%” and, in the younger population, nearly 13% of high school students are considered obese; and

WHEREAS, obesity and excessive weight have been linked to adverse health consequences including coronary heart disease, type 2 diabetes, certain cancers, hypertension, dyslipidemia, stroke, liver and gallbladder disease, sleep apnea and respiratory problems, and gynecological problems; and

WHEREAS, obesity and excessive weight also have adverse economic consequences, including increased medical costs; lost or diminished income from decreased productivity, restricted activity, and absenteeism; and entirely forgone income through premature death; and

WHEREAS, the CDC has further determined that “[p]oor diet and physical inactivity contribute to the obesity problem” in Miami-Dade County with “[o]nly 22.1% of adults in [Miami-Dade County] meet[ing] the Federal government’s guidelines for fruit and vegetable consumption”; and

WHEREAS, even though vending machines are a convenient source for County employees and visitors to County facilities to obtain snacks during the workday or during their

visits to County facilities, many vending machines are filled with low-nutrient, high-calorie foods and beverages; and

WHEREAS, the County desires to create a more positive health environment for its employees and visitors by providing healthier options in vending machines, thereby affording an opportunity for County employees and visitors to choose more nutritious and healthful snacks and beverages; and

WHEREAS, the County is soliciting a vendor to service all of the County's vending machines, and this Board desires that any contract with the selected vendor include terms and conditions requiring that vendor to offer snacks and beverages in a manner consistent with the Healthy Options Vending Policy; and

WHEREAS, Miami-Dade County's Parks, Recreation and Open Spaces Department has a healthy vending machine policy (the "PROS Policy") that establishes guidelines for the beverages, snacks, and foods permitted in vending machines, and this Board desires to implement the PROS Policy on a countywide basis (the "Healthy Options Vending Policy"); and

WHEREAS, to encourage County employees and visitors to make healthy snack and beverage choices, the healthy options provided pursuant to this policy shall be priced competitively with options not meeting the standards established under the Healthy Options Vending Policy,

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

Section 1. Adopts the PROS Policy as the countywide Healthy Options Vending Policy, except that the Healthy Options Vending Policy, as applied in County facilities not under

the jurisdiction of the Parks, Recreation and Open Spaces Department, shall not require a greater amount of compliant products than set forth in Section 3; and

Section 2. Directs the County Mayor or Mayor's designee to include terms and conditions requiring compliance with the Healthy Options Vending Policy in any contract for vending machine services or corporate sponsorship, unless the inclusion of any such terms would infringe on an existing contractual relationship; and

Section 3. Directs the County Mayor or Mayor's designee to ensure compliance with the Healthy Options Vending Policy by (1) ensuring that at least twenty percent of the contents of each County vending machine consist of products compliant with the Healthy Options Vending Policy and (2) ensuring that products offered under the Healthy Options Vending Policy are competitively priced with non-compliant options.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson.

It was 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of September, 2013. 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.

MAG

Miguel A. Gonzalez