

MEMORANDUM

Agenda Item No. 11(A)(5)

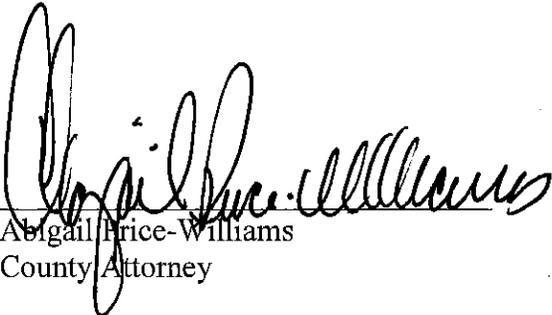
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor, subject to condition precedent, to develop and implement a public awareness campaign, at no cost to the County, to inform public of new park rule banning polystyrene products in parks and beaches; and to report to the Board within 90 days on the status of the development and implementation of the public awareness campaign

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney

APW/smm

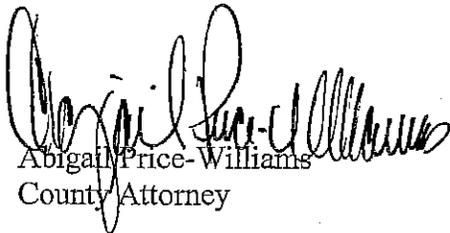


MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 7, 2016

FROM: 
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County Attorney

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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
- Statement of social equity 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
Veto _____
Override _____

Agenda Item No. 11(A)(5)

6-7-16

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE, SUBJECT TO CONDITION PRECEDENT, TO DEVELOP AND IMPLEMENT A PUBLIC AWARENESS CAMPAIGN, AT NO COST TO THE COUNTY, TO INFORM PUBLIC OF NEW PARK RULE BANNING POLYSTYRENE PRODUCTS IN PARKS AND BEACHES; AND TO REPORT TO THE BOARD WITHIN 90 DAYS ON THE STATUS OF THE DEVELOPMENT AND IMPLEMENTATION OF THE PUBLIC AWARENESS CAMPAIGN

WHEREAS, polystyrene is a petroleum-based plastic, most commonly known under the name of "Styrofoam," which is actually the proprietary trade name of a polystyrene foam product; and

WHEREAS, the Environmental Protection Agency ("EPA") named polystyrene as the fifth largest creator of hazardous waste; and

WHEREAS, the biggest environmental health concern associated with polystyrene is the danger associated with Styrene, the basic ingredient in polystyrene, which is classified as a possible human carcinogen by the EPA and the International Agency for Research on Cancer; and

WHEREAS, indeed, the acute health effects of exposure to styrene include irritation of the skin, eyes, and upper respiratory tract, and gastrointestinal effects; and

WHEREAS, as polystyrene is light and has good insulation properties, it is used in all types of products, including those to keep food and beverages hot or cold and to protect items during shipping; and

WHEREAS, polystyrene products are a principle component of urban litter and marine debris; and

WHEREAS, indeed, polystyrene is notorious for breaking up into pieces that clog stormwater pipes and can impact wildlife, and is an unsightly nuisance negatively impacting our tourism-dependent economy; and

WHEREAS, this Board is considering the adoption of a new park rule to Chapter 26 of the Code of Miami-Dade County, Florida which would ban polystyrene products in County-owned, operated or managed parks, natural areas and beaches (“Polystyrene Ban”); and

WHEREAS, the Polystyrene Ban being considered by this Board would not, however, become effective until June 1, 2017 in order to provide the County sufficient time to inform the public of the Polystyrene Ban; and

WHEREAS, this Board desires to have the County Mayor or Mayor’s designee develop a public awareness campaign, at no cost to the County, to inform the public of the Polystyrene Ban, adopted pursuant to Ordinance No. [] and to report to the Board within 90 days on the status of the public awareness campaign developed and implementation thereof,

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

Section 1. The foregoing recitals are incorporated into this resolution and are approved.

Section 2. This Board hereby directs the County Mayor or Mayor’s designee to develop a public awareness campaign, at no cost to the County, to inform the public of the Polystyrene Ban, adopted pursuant to Ordinance No. [] and to report to the Board within 90 days on the status of the public awareness campaign developed and implementation thereof. The County Mayor or Mayor’s designee shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. 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:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

MRP

Monica Rizo Perez