

MEMORANDUM

Agenda Item No. 11(A)(3)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

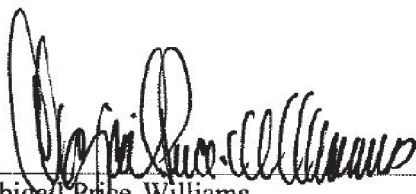
FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to amend, subject to certain
limitations, the County's Green purchasing
guide to include measures to reduce
County purchases of single-use plastics and
to provide measurable standards for
adherence to the Green Purchasing Guide by
County and County vendors and to prepare a
report regarding the results of the County's
Green Purchasing Guide and such
amendments

This item was amended at the 3-12-20 Health Care and County Operations Committee to provide that:

- 1. It clarifies that the County's policy is to reduce, not eliminate, the use of single-use plastics.**
- 2. The County Mayor is directed to amend the Green Purchasing Guide to recommend, not require, the reduction of single-use plastics.**
- 3. The measure to reduce single use plastic shall not be required where the cost exceeds ten percent (10%) of the total estimated contract price.**
- 4. The amendment to the Green Purchasing Guide shall apply only to new contracts, not renewals.**
- 5. The Mayor may exclude certain categories of purchases and departments from the effect of the amendment.**

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

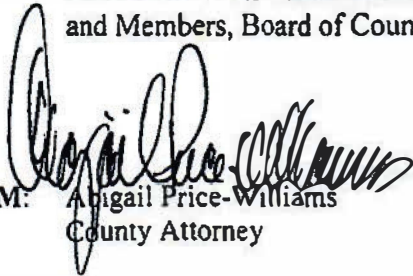
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MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: May 5, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(3)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(3)
5-5-20

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AMEND, SUBJECT TO CERTAIN LIMITATIONS, THE COUNTY'S GREEN PURCHASING GUIDE TO INCLUDE MEASURES TO REDUCE COUNTY PURCHASES OF SINGLE-USE PLASTICS AND TO PROVIDE MEASURABLE STANDARDS FOR ADHERENCE TO THE GREEN PURCHASING GUIDE BY COUNTY AND COUNTY VENDORS AND TO PREPARE A REPORT REGARDING THE RESULTS OF THE COUNTY'S GREEN PURCHASING GUIDE AND SUCH AMENDMENTS

WHEREAS, this Board is committed to the policy of sustainability allowing Miami-Dade County to equitably meet the needs of the present without compromising the ability of future generations to meet their needs by preserving and protecting the natural resources on which we all depend; and

WHEREAS, in furtherance of this policy, the County wishes, among other objectives, to reduce ~~[[or eliminate]]~~¹ from its purchases single-use plastics which litter, are harmful to land and marine life, interfere with recycling operations, clog stormwater management systems and provide mosquito breeding sites; and

WHEREAS, in furtherance of this policy, the Board has adopted resolutions promoting sustainability including Resolution No. R-1379-77 providing for a comprehensive energy management program; Resolution No. R-374-03 establishing a policy for waste reduction; Resolution No. R-702-05 setting forth requirements for recycled goods; Resolution No.

¹ Committee amendments are indicated as follows: words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

R-1053-09 prioritizing County purchase of green products and services; and Resolution No. R-500-16 prohibiting County purchases of disposable polystyrene; and

WHEREAS, Ordinance No. 07-65 established the County's Sustainable Building Program which requires that, in order to qualify for and maintain green building certification, green procurement practices be implemented and followed; and

WHEREAS, on January 21, 2010, this Board approved, the County's Buy Green Purchasing Guide, (the "Green Purchasing Guide") to promote County's sustainability policies; and

WHEREAS, on November 2, 2010, the County established a list of "Commodity Priorities" (as set forth in Exhibit A attached to this resolution) targeting those categories of County purchases where green procurement would have the highest impact on County sustainability; and

WHEREAS, this Board wishes to understand the results and effects of the Green Purchasing Guide and Commodity Priorities; and

WHEREAS, this Board wishes to clarify the Green Purchasing Guide and Commodity Priorities to ~~specifically~~ reduce ~~or eliminate~~ single-use plastics, and otherwise as necessary to provide measurable standards for adherence to the same by both County staff and County contractors,

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

Section 1. >>Subject to the limitations set forth in this Resolution,<< ~~[[F]]~~ >>~~t~~<<he County Mayor or County Mayor's designee is directed to amend the Green Purchasing Guide >>(the "Amendment")<< to: (1) ~~[[require]]~~ >>recommend<< the reduction ~~[[or elimination]]~~ of single-use plastics and expanded polystyrene including, but not limited to, straws and stirrers,

to-go storage containers, cups, plates, and utensils, and plastic bags for [[aH]] County purchases; and (2) create measurable standards for adherence to and enforcement of the County's policy of sustainability by County staff and contractors. >>The Amendment shall provide that the County shall not include any such measure where the cost of including such measure is estimated to exceed ten percent (10%) of the total estimated contract price. The Amendment shall only apply to new County contracts, specifically excluding options to renew. The Amendment shall further provide that the County Mayor may exclude certain categories of purchases, and certain County departments, when the Mayor determines such exclusion to be in the best interest of the County.<<

Section 2. The County Mayor or County Mayor's designee is further directed to review the County's past compliance with the County's Green Purchasing Guide and Commodity Priorities and submit a report to this Board within 120 days of the effective date of this resolution setting forth the County's adherence to Green Purchasing Guide and Commodity Priorities, the measurable benefits of compliance with these policies and the negative effects of any failures in compliance with these policies. At a minimum, the report shall evaluate the County's procurement of goods and services described in the Commodity Priorities from 2014 to present. The report shall include information about the frequency and quantity of purchases that complied with the Green Purchasing Guide as well as all purchases that did not meet the Green Purchasing Guide's standards. The Report shall also indicate all specific amendments made to the Green Purchasing Guide and standards incorporated to measure performance as required by section 1 of this resolution and, if such performance measures have not yet been implemented, a timetable for implementation. Such report shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65 at the next scheduled meeting.

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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of May, 2020. 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.

HBO /

Hugo Benitez

6