

MEMORANDUM

Agenda Item No. 11(A)(14)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

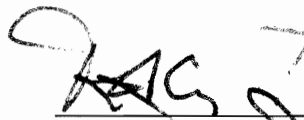
DATE: March 4, 2008

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

SUBJECT: Resolution urging the
Florida Legislature to
pass the "Florida Restaurants
Lending A Helping Hand
Act"

Resolution No. R-251-08

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Dorrin D. Rolle and Commissioner Katy Sorenson.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: March 4, 2008

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

SUBJECT: Agenda Item No. 11(A) (14)

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
Veto _____
Override _____

Agenda Item No. 11(A)(14)
03-04-08

RESOLUTION NO. R-251-08

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS THE "FLORIDA RESTAURANTS LENDING A HELPING
HAND ACT"

WHEREAS, despite a need for food to feed Florida's homeless population, restaurants and hotels throw away large quantities of left over prepared food each day; and

WHEREAS, restaurants and hotels currently throw away this food not because they don't want to help feed the hungry but out of fear of possible lawsuit in the event someone gets sick; and

WHEREAS, after seeing food on a breakfast buffet being thrown away on a trip to Tennessee, a sixth-grader from Miami Shores, Jack Davis, came up with the idea of changing Florida law to allow restaurants and hotels to donate leftover food to the hungry without fear of lawsuit; and

WHEREAS, Senator Nan Rich and Representative Ari Porth have filed bills for consideration during the 2008 session, SB 276 and HB 99, entitled the "Florida Restaurants Lending A Helping Hand Act"; and

WHEREAS, the "Florida Restaurants Lending a Helping Hand Act" would allow restaurants and hotels to donate prepared foods to homeless shelters and other charitable and nonprofit organizations,

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 the "Florida Restaurants Lending a Helping Hand Act," SB 276, HB 99 or similar legislation.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Chair and Members of the Miami-Dade State Legislative Delegation, Senator Nan Rich and Representative Ari Porth.

Section 3. Directs the County’s state lobbyists to advocate for the issue identified in section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2008 state legislative package

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle and Commissioner Katy Sorenson and offered by Commissioner **Joe A. Martinez** who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of March 2008. 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: **Kay Sullivan**
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.
Jess M. McCarty