

MEMORANDUM

Agenda Item No. 11(A)(13)

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


DATE: June 4, 2019


FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution related to the use
of herbicides by the County;
establishing County policy;
prohibiting the use of products
containing glyphosate by the
County or by County contractors

Resolution No. R-621-19

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



Abigail Price-Williams
County Attorney 

APW/Imp



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
- 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

Agenda Item No. 11(A)(13)

Veto _____

6-4-19

Override _____

RESOLUTION NO. R-621-19

RESOLUTION RELATED TO THE USE OF HERBICIDES BY THE COUNTY; ESTABLISHING COUNTY POLICY; PROHIBITING THE USE OF PRODUCTS CONTAINING GLYPHOSATE BY THE COUNTY OR BY COUNTY CONTRACTORS

WHEREAS, glyphosate is an herbicide that is commonly used as a weed-killer, and it is applied to the leaves to plants to kill broadleaf plants and grasses; and

WHEREAS, glyphosate is the active ingredient in commonly-used products such as RoundUp; and

WHEREAS, the World Health Organization’s International Agency for Research on Cancer has classified glyphosate as “probably carcinogenic to humans;” and

WHEREAS, RoundUp in particular has been the subject of multiple lawsuits around the United States, alleging that exposure to glyphosate is associated with increased instances of cancer; and

WHEREAS, in one recent lawsuit in California, a jury awarded a multi-million dollar judgment to a former school groundskeeper who had been diagnosed with cancer, and the jury also awarded millions of dollars in punitive damages against the maker of RoundUp; and

WHEREAS, although the use of glyphosate has not been prohibited by the federal or state government, in an abundance of caution, the Board of County Commissioners wishes to prohibit the use of products containing glyphosate by the County and by County contractors,

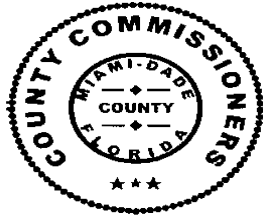
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby establishes a County policy to prohibit the use of products containing glyphosate, including but not limited to RoundUp, by the County and by County contractors. This policy shall not affect the current term of existing contracts. For all contract extensions, contract renewals and new contracts, the County Mayor or County Mayor's designee is directed to include specific language in all such contracts to prohibit the use of products containing glyphosate, including language indicating that any post-contract violations of this resolution or any of the foregoing provisions may, at the County's sole discretion, be considered a breach of the agreement and render the contract voidable.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan and the Co-Sponsor is Commissioner Daniella Levine Cava. It was offered by

Commissioner **José "Pepe" Diaz** who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of June, 2019. 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "ASR", written over a horizontal line.

Abbie Schwaderer-Raurell