

MEMORANDUM

Agenda Item No. 11(A)(2)

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

DATE: September 4, 2019

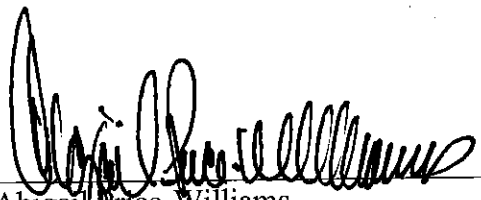
FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to examine the feasibility
of (I) modifying the operating
hours and allowed users of the
County's Trash and Recycling
Centers and (II) the creation and
management of additional trash
and recycling centers; and
requiring a report

Resolution No. R-951-19

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz and Co-Sponsor Commissioner Sally A. Heyman.

APW/lmp


Abigail Price-Williams
County Attorney

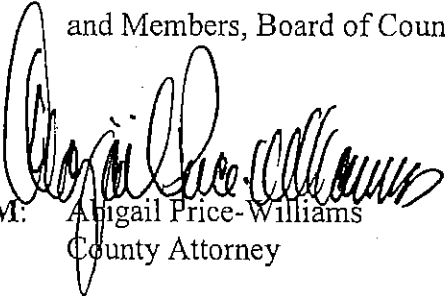


MEMORANDUM

(Revised)

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

DATE: September 4, 2019

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County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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)(2)
9-4-19

RESOLUTION NO. R-951-19

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXAMINE THE FEASIBILITY OF (I) MODIFYING THE OPERATING HOURS AND ALLOWED USERS OF THE COUNTY'S TRASH AND RECYCLING CENTERS AND (II) THE CREATION AND MANAGEMENT OF ADDITIONAL TRASH AND RECYCLING CENTERS; AND REQUIRING A REPORT

WHEREAS, illegal dumping in Miami-Dade County is a serious issue that creates a wide range of problems; and

WHEREAS, illegal dumping may pose serious environmental challenges and sometimes occurs on environmentally-sensitive areas, such as wetlands; and

WHEREAS, illegal dumping may also be an economic threat to the County and its residents; and

WHEREAS, illegal dumping is a problem in the County's residential areas, such as when violators illegally dump trash and waste on a resident's otherwise legal bulky waste pick-up pile, causing an excess beyond the services included within the annual service fees; and

WHEREAS, illegal dumping is a problem in the County's rural, agricultural areas, where violators illegally dump trash and waste on the right-of-way or even on another person's real property; and

WHEREAS, this Board previously adopted Resolution No. R-1201-17 and directed the administration to create the Miami-Dade County 2017 Illegal Dumping Task Force ("the Task Force"), for the purpose of investigating the causes and effects of illegal dumping in the County, and the applicable laws and regulations, enforcement, and punishment relating to illegal dumping,

and to make recommendations to the County's Board of County Commissioners (the "Board") and the County Mayor to better address and combat illegal dumping; and

WHEREAS, the Task Force issued its Illegal Dumping Task Force Report ("the Report") on October 1, 2018; and

WHEREAS, at its December 4, 2018 meeting, the Board accepted the Report; and

WHEREAS, Miami-Dade County, through the Department of Solid Waste Management ("DSWM"), manages and operates 13 Trash and Recycling Centers ("TRCs"), which provide residents a do-it-yourself disposal option for residential waste fee customers who reside in DSWM's Waste Collections Service Area ("WCSA"); and

WHEREAS, the WCSA currently consists of unincorporated Miami-Dade County and nine additional municipalities: Aventura, Cutler Bay, Doral, Miami Gardens, Miami Lakes, Opa-locka, Palmetto Bay, Pinecrest, and Sunny Isles Beach; and

WHEREAS, residential waste fee customers who reside in the WCSA may currently use the TRCs; and

WHEREAS, in an effort to prevent illegal dumping and facilitate greater use of the TRCs, the Report recommended, among other things, an exploration of the expansion of the hours, locations, and allowed users of TRCs throughout the County; and

WHEREAS, more specifically, the Report recommended exploring modification of TRCs' operating hours based upon how many customers go to the existing TRCs each hour to analyze whether the hours should be adjusted to accommodate higher traffic, which in turn, could diminish illegal dumping of solid waste; and

WHEREAS, the Report also specifically recommended the exploration of the creation of additional TRCs in, or closer to, areas where illegal dumping is prevalent; and

WHEREAS, the Report also specifically recommended the exploration of allowing usage of TRCs by non-WCSA customers for an appropriate fee, to encourage greater usage of the TRCs, which could diminish illegally dumped solid waste,

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

Section 1. Directs the County Mayor or County Mayor's designee to examine the feasibility of the modification of TRCs' operating hours, and modification of allowed users for the TRCs, with consideration, at a minimum, of the following:

- (a) Examination of hourly traffic to the existing TRCs to determine the heaviest and lightest usage periods, to further determine whether:
 - 1. Opening and closing times for the TRCs should be modified such that the total daily operating hours would remain the same; and
 - 2. Opening and closing times for the TRCs should be modified such that the total daily operating hours would increase from the current operating hours;
- (b) Examination of 3-1-1 call center reports and DSWM citation records to determine whether there appears to be a higher rate of illegal dumping on weekends or on Mondays, suggesting that a modification of TRCs' weekend hours beyond the current TRC closing time of 5:30 p.m. is needed to accommodate WCSA customers that do projects during daytime weekend hours; and
- (c) Examination of the possibility of allowing non-WCSA customers to use TRCs for an appropriate fee, with consideration of the following:
 - 1. Whether pricing should be based on cubic yardage or weight of the discarded items or some other pricing factors; and

2. Whether operating agreements between the County and third parties that transport or haul waste from TRCs, or operate landfills or recycling facilities, will preclude the use of TRCs by non-WCSA customers, even for a fee, because of any terms and restrictions of such operating agreements.

Section 2. Directs the County Mayor or County Mayor's designee to examine the feasibility of the creation and management of additional TRCs in, or closer to, areas where illegal dumping is prevalent in the WCSA, including any areas referenced within the published minutes for the Task Force meetings as the most heavily affected areas of the County.

Section 3. Directs the County Mayor or County Mayor's designee to consider DSWM budgets, legally available funds, and bond covenants as part of the examinations identified in Sections 1 and 2 of this resolution.

Section 4. Directs the County Mayor or County Mayor's designee to provide a report to this Board detailing the findings of the feasibility studies required herein within 45 days of the effective date of this resolution. Such report shall be placed on an agenda of the Board as required by Ordinance No. 14-65.

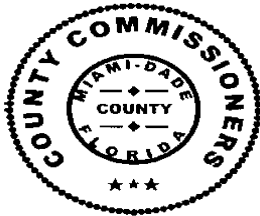
The Prime Sponsor of the foregoing resolution is Commissioner Jose, "Pepe" Diaz and the Co-Sponsor is Commissioner Sally A. Heyman. It was offered by

Commissioner **Sally A. Heyman**, 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
Jose "Pepe" Diaz	aye
Eileen Higgins	aye
Joe A. Martinez	aye
Dennis C. Moss	aye
Xavier L. Suarez	aye
Daniella Levine Cava	aye
Sally A. Heyman	aye
Barbara J. Jordan	aye
Jean Monestime	aye
Sen. Javier D. Souto	aye

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

David Sherman