

MEMORANDUM

Agenda Item No. 11(A)(10)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the
County Mayor to provide
recommendations with
respect to composting
operations in Miami-Dade
County and to prepare a
report to this Board

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins and Co-Sponsors Commissioner Marleine Bastien, Senator René García and Commissioner Raquel A. Regalado.


Geri Bonzon-Keenan
County Attorney

GBK/ks

MDC001



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

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)(10)
12-12-23

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE RECOMMENDATIONS WITH RESPECT TO COMPOSTING OPERATIONS IN MIAMI-DADE COUNTY AND TO PREPARE A REPORT TO THIS BOARD

WHEREAS, composting is a practice that can transform organic waste into nutrient-rich soil amendments, and may reduce landfill usage and greenhouse gas emissions; and

WHEREAS, composting has been widely recognized for its numerous benefits, including soil enrichment, reduced reliance on chemical fertilizers, and reduced methane emissions from landfills; and

WHEREAS, this Board wishes to explore the possibilities for greater composting in Miami-Dade County; and

WHEREAS, commercial composting operations, which could be County operations or private operations, may provide additional opportunities and alternatives for the management of solid waste, and also may address certain environmental and climate change concerns; and

WHEREAS, commercial composting operations, like other businesses and uses of property, are subject to various regulatory requirements, including but not limited to local land use, zoning, and environmental regulations, which address matters such as compatibility with the surrounding neighborhood and the prevention of soil and water contamination; and

WHEREAS, various regulations and obligations related to solid waste, including but not limited to, those regulations in chapter 15 of the Code of Miami-Dade County, Florida (the "County Code"), may also be relevant; and

WHEREAS, this Board is committed to exploring solutions to the County's solid waste issues through sustainable and innovative approaches that prioritize environmental conservation, and long-term resource management; and

WHEREAS, this Board wishes for the County Mayor or County Mayor's designee to make recommendations as to where and how composting operations may be most appropriate and under what circumstances and conditions, together with related recommendations for proposed regulatory changes to facilitate such composting; and

WHEREAS, as part of the review and recommendations by the County Mayor or County Mayor's designee, the administration may wish to consider the experiences and insights of other local and state governmental entities in Florida or elsewhere in the United States; and

WHEREAS, these recommendations will include changes to our County Code as well as new policies to be implemented; and

WHEREAS, the goal of such recommendations should be to facilitate composting in a manner that is in the best interests of Miami-Dade County, its residents, and the environment,

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

Section 1. This Board hereby directs the County Mayor or County Mayor's designee to provide recommendations as to where and how composting operations may be most appropriate and under what circumstances and conditions, together with related recommendations for proposed regulatory changes to facilitate such composting. The recommendations shall consider what changes to the County Code, implementing orders, County policies, or other sources of law or policy are required for such purpose. For such recommendations, the County Mayor or County Mayor's designee should consider, as appropriate, the experiences and insights of other local and state governmental entities in Florida or elsewhere in the United States.

Section 2. The County Mayor or County Mayor’s designee shall prepare a written report as to the matters in section 1, and within 90 days of the effective date of this resolution, shall place the completed report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins, and the Co-Sponsors are Commissioner Marleine Bastien, Senator René García and Commissioner Raquel A. Regalado. 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:

- | | |
|----------------------------------|----------------------|
| Oliver G. Gilbert, III, Chairman | |
| Anthony Rodríguez, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Kevin Marino Cabrera | Sen. René García |
| Roberto J. Gonzalez | Keon Hardemon |
| Danielle Cohen Higgins | Eileen Higgins |
| Kionne L. McGhee | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Abbie Schwaderer-Raurell