

RESOLUTION NO. 24R-02-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA OPPOSING SENATE BILL 1126 AND HOUSE BILL 1641 BEFORE THE FLORIDA LEGISLATURE WHICH SEEK TO PREEMPT THE REGULATION OF AUXILIARY CONTAINERS (REUSABLE OR SINGLE-USE BAGS, CUPS, BOTTLES OR OTHER PACKAGING) AND DELETE A CURRENT LAW PROVISION THAT REQUIRES THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO REVIEW AN UPDATE ITS 2010 REPORT ON RETAIL BAGS AND AUXILIARY CONTAINERS; URGING THE FLORIDA LEGISLATURE TO CONTINUE TO RELY ON THE DATA REPORTED IN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION`S RETAIL BAG REPORT IN THE ENACTMENT LEGISLATION REGARDING THE REGULATION OF PLASTICS; AUTHORIZING AND DIRECTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER, MELISSA DUNN)

WHEREAS, SB1126 and HB 1641 preempt the regulation of auxiliary containers (reusable or single-use bags, cups, bottles or other packaging) at the local level; and

WHEREAS, in 2008 the Florida Legislature directed the state`s Department of Environmental Protection ("DEP") to review and report regarding the need and efficacy of both statewide and local regulation of bags used by consumers in retail establishments called the "Retail Bags Report"; and

WHEREAS, in January of 2022 the DEP produced an updated edition of its 2010 report on retail bags and auxiliary containers ("Retail Bags Report"), which showed majority of respondents support the need for regulation, as opposed to the voluntary efforts that had been supported by the public at the time of the 2010 Retail Bags Report; and

WHEREAS, SB 1126 and HB1641 deletes the current law provision that requires the DEP studies and reporting; and

WHEREAS, Plastic pollution has been linked to a variety of negative health issues in humans, to severe injury and death in wildlife according to a report from the National Defense Resources Council; and

WHEREAS, Florida`s economy is heavily dependent on the health of its ecosystem; and

WHEREAS, Florida`s economy is heavily dependent on the health of its ecosystem and plastic pollution is a drag on the economy; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein by reference thereto.

SECTION 2. The City Commission of the City of Lauderhill urges the Florida Legislature to oppose the adoption SB 1126 and HB 1641.

SECTION 3. The City Clerk is hereby directed to distribute this Resolution to: the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, Senator Jonathan Martin, Senator Rosaline Osgood, Representative Daryl Campbell, Representative Bradford Yeager, the Broward County Legislative Delegation, the Florida Association of Counties, the Florida City County Management Association, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County, and any other interested parties.

SECTION 4. All Resolutions or parts of Resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

SECTION 5. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 6. This Resolution shall take effect immediately upon its passage and adoption.

DATED this _____ day of _____, 2024.

PASSED AND ADOPTED on first reading this _____ day of _____, 2024.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION _____
SECOND _____
M. DUNN _____
D. GRANT _____
L. MARTIN _____
S. MARTIN _____
K. THURSTON _____

Approved as to Form

Angel Petti Rosenberg
City Attorney