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|  | **OFFICE OF THE**  **CITY COUNCIL** |  |
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**DONATION BINS SUBCOMMITTEE**

**MEETING MINUTES**

**February 11, 2016**

**11:00 a.m.**

**City Hall**

**117 W. Duval St., 4th Floor**

**Conference Room A**

**Attendance:** Council Members John Crescimbeni (Chair), Bill Gulliford, and Tommy Hazouri

**Also**: Paige Johnston & Jason Teal – General Counsel’s Office; Bryan Mosier - Municipal Code Compliance Division; Jeff Foster – Solid Waste Division; Carol Harper – ECA Dist. 13; Jenny Busby – ECA AL-3; Crystal Shemwell - Legislative Services Division; Yvonne P. Mitchell – Council Research Division

See attached sign-in sheet for additional attendees.

Council Member Crescimbeni called the meeting to order at 11:01 a.m. The meeting began with introductions of committee. CM Crescimbeni provided a brief historical summary which included distributing copies of blighted donation bin pictures presented to the former blight committee. Legislation was introduced and passed that banned all donation bins. Therefore, Go Green filed a lawsuit claiming violation of their First Amendment rights. Mr. Jason Teal negotiated with Go Green attorneys per judge’s order to modify legislation or remand the ban. The LUZ committee voted to amend the original legislation to remove the ban. Thus, the N.I.C.E. committee assigned a subcommittee to meet and draft a more detailed legislation.

There was discussion regarding “code dropping”; enforcement; definition of securely anchored; annual fee costs; and notice procedures. The committee will not restrict donation bins be owned and operated by non-profit organizations or the number of bins on a single parcel of land. It was determined that Solid Waste Division would need authority to remove bins from private property, if in violation. This process could be subcontracted through RFP system. Thus, the committee wants the utilization of fees to be restricted to enforcement. In addition to the initial permit fees, there was discussion about renewal fees. This was regulated with the internet café legislation and will be reviewed.

The committee reviewed various requirements from other municipalities to include in the draft. The following items were agreed upon to regulate the use of donation bins:

* Written proof from the property owner providing permission of bin on property; and acknowledging their partial responsibility in monitoring bins
* All bins must have a permit which includes insurance coverage (hurricane removal)
* Permit number must be affixed to the bin
* Bins must be a metal container with a safety chute
* Collections should be clothing (only) which include shoes and industrial textile
* Prohibited on undeveloped or unoccupied property
* Bins must be standard size
* Unlawful notice

Assignments:

* Folks Huxford will provide feedback regarding specific buffer requirements, appropriate zoning districts, and distant limitations. (Information requested within a week.)
* Paige Johnston will obtain internet café legislation to inquire about the annual fee; and work with CM Crescimbeni to draft the legislation.
* Charter Recycling and Go Green will submit a list of cities currently servicing and amount of annual fees; actual size of current bins; and a copy of their listing of contents.

CM Crescimbeni will schedule another notice meeting after obtaining additional information. There being no further business, meeting was adjourned at 12:21 p.m.

Yvonne P. Mitchell, Council Research Division

Posted 02.16.16 11:30a.m.