



## CITY OF CAPE CANAVERAL

### CITY COUNCIL MEETING · FEBRUARY 16, 2021 AGENDA ITEM SUMMARY · ITEM # 2

**Subject:** Resolution No. 2021-03; banning the use of herbicides containing glyphosate on City-owned or managed properties; providing for distribution of this Resolution, the repeal of prior inconsistent resolutions, severability and an effective date.

**Department:** Community and Economic Development

**Summary:** At its October 15, 2019 Regular Meeting, the City Council – as part of the Amended Agreement with Blacks Spray Service – voted to eliminate the application of glyphosate in City operations. To this end, the attached resolution has been prepared for Council consideration.

Glyphosate is an herbicide designed to kill weeds and grasses that was developed and brought to market by an agrochemical company in the early 1970s. Today, it is the most widely used agricultural chemical in history and it is estimated that the global market for the product could reach \$12 billion by 2024 due to its ease and effectiveness at killing weeds in applications that range from farm fields to urban parks. According to the U.S. Geological Survey, 287 million pounds of glyphosate were sprayed across the country in 2016. It is found in common household herbicides.

However, glyphosate has recently come under immense public criticism and scrutiny for its safety in regards to human health and its effects on the natural environment. Today, over 42,000 pending lawsuits have been filed against a major agrochemical company with plaintiffs - usually farmers or commercial applicators - claiming glyphosate exposure was the cause of their non-Hodgkin lymphoma (NHL), a cancer that originates in the body's lymphatic system. Future settlements and legal loss estimates are as high as \$20 billion.

The scientific literature and regulatory conclusions regarding glyphosate and glyphosate-based herbicides show a mix of findings, making the safety of the herbicide a hotly debated subject. Studies have claimed a variety of findings both for and against the safety of glyphosate. In 2015, the World Health Organization's International Agency for Research on Cancer (IARC) concluded that glyphosate is "probably carcinogenic in humans". The substance has also been found in numerous different food sources such as cereals, snacks and even beer.

Studies have also indicated the chemical can help to feed toxic algae blooms. Blue-green algae, the same algae that has caused fish kills in the Indian River Lagoon and Red Tide in the Atlantic Ocean, is a form of primitive bacteria called cyanobacteria. Cyanobacteria can fully metabolize glyphosate and use the substance's phosphorus atom as a source of phosphorus to grow. The Indian River Lagoon ecosystem has seen multiple environmental disasters due to algae-induced fish kills that can cause socio-economic harm to the City of Cape Canaveral, Brevard County and the State of Florida as a whole.

Due to glyphosate's growing controversy surrounding its impacts on human health and the environment, numerous government entities have opted to stop its use upon their grounds and facilities in favor of non-glyphosate-based alternatives. Government entities that have done so include multiple cities, counties and whole countries; with local examples being the government of Martin County, the City of Key West, the City of Miami, the City of Miami Beach, the City of Stuart,

the City of Rockledge and the City of Satellite Beach. Note that the City has been operating glyphosate-free since November of 2019.

According to the City's contractor, Black's Spray Service, Inc., the product that is being used (Cheetah Pro) is as effective as previously used glyphosate-based products. There has been an annual increase in cost with the new product of \$5,110. However, maintaining our commitment to public health and leading by example justify the cost compared to potential negative impacts of alternative glyphosate-based products.

Wanting to lead by example and reduce any potential risk to its Staff members, residents and the ecologically sensitive Indian River Lagoon, City Staff recommends the City Council adopt a Resolution directing that the City of Cape Canaveral and its contractors formally discontinue glyphosate applications at all City properties and facilities. Staff recommends a self-imposed ban on all department usage of glyphosate. This ban will only apply to City herbicide applications and will not be imposed or enforced on residents and business owners.

A Resolution is attached for Council's consideration formally calling for the City's discontinuation of glyphosate-based products on all City owned or managed properties.

**Submitting Department Director:** David Dickey  **Date:** 02/09/2021

**Attachment:** Resolution No. 2021-03

**Financial Impact:** Staff time and effort to prepare this agenda item.

**Reviewed by Administrative/Financial Services Director:** John DeLeo  **Date:** 02/09/2021

**The City Manager recommends the City Council take the following action:**  
Adopt Resolution No. 2021-03.

**Approved by City Manager:** Todd Morley  **Date:** 02/09/2021

**RESOLUTION NO. 2021-03**

**A RESOLUTION OF THE CITY OF CAPE CANAVERAL, FLORIDA; BANNING THE USE OF HERBICIDES CONTAINING GLYPHOSATE ON CITY-OWNED OR MANAGED PROPERTIES; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION, THE REPEAL OF PRIOR INCONSISTENT RESOLUTIONS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the governing body has determined that it is necessary to reduce the risk to human health and the environment by minimizing the use of certain herbicides; and

**WHEREAS**, in a March 2015 report, the World Health Organization's International Agency for Research on Cancer ("IARC") concluded that glyphosate, the key ingredient in several popular herbicides is "probably carcinogenic in humans;" and

**WHEREAS**, the governing body has determined that the use of certain herbicides on lands within the City of Cape Canaveral may increase the risk of contributing to adverse effects on surface and/or groundwater; and

**WHEREAS**, the governing body wishes to take reasonable steps to protect the public health, safety, and welfare of its residents, employees, and contractors by eliminating their exposure to potentially harmful and carcinogenic substances used in the maintenance of landscaping within the City of Cape Canaveral owned facilities and lands; and

**WHEREAS**, in an effort to protect the Indian River Lagoon ecosystem and improve water quality throughout the region, the governing body has determined that banning the use of herbicides containing glyphosate by any City employee applicator or applicator on City-owned property is in the best interests of the public and Indian River Lagoon; and

**WHEREAS**, the governing body wishes to reduce the potential risks associated with herbicide products containing glyphosate and therefore seeks to formally ban the application of glyphosate containing herbicides by all City employees and commercial contract applicators in the performance of landscaping and maintenance work on all City-owned or managed properties and direct City of Cape Canaveral departments to take all actions necessary to accomplish the aforestated objectives.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPE CANAVERAL, BREVARD COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** The governing body hereby formally directs City department heads to take all actions necessary to ban the use of herbicides containing glyphosate by all City of Cape Canaveral employees and contracted applicators in the performance of landscaping and maintenance work on all properties owned, leased, or operated by the City of Cape Canaveral in favor of non-glyphosate-based alternatives effective immediately and henceforth.

**Section 2.** The governing body hereby directs the City of Cape Canaveral Clerk to transmit a copy of this Resolution to the Florida Department of Agriculture, the Florida League of Cities, the Florida League of Counties, the Board of County Commissioners of Brevard County and to all municipalities in Brevard County.

**Section 3. Repeal of Prior Inconsistent Resolutions.** All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase, word or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption by the City Council of the City of Cape Canaveral, Florida.

**ADOPTED** at a Regular Meeting of the City Council of the City of Cape Canaveral, Florida, assembled this 16th Day of February, 2021.

\_\_\_\_\_  
**Bob Hoog, Mayor**

ATTEST:

\_\_\_\_\_  
**Mia Goforth, CMC,  
City Clerk**

<b>Name</b>	<b>FOR</b>	<b>AGAINST</b>
Mike Brown	_____	_____
Bob Hoog	_____	_____
Mickie Kellum	_____	_____
Wes Morrison	_____	_____
Angela Raymond	_____	_____

Approved as to legal form and sufficiency  
For the City of Cape Canaveral only by:

\_\_\_\_\_  
**Anthony A. Garganese, City Attorney**