

MEMORANDUM

Special Item No. 6

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

DATE: September 19, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution pertaining to solid waste management; supporting recommendation number nine contained in the County Mayor's August 18, 2023 report related to the development of an Integrated Solid Waste Management Plan in Miami-Dade County; directing the County Mayor to develop strategies to obtain federal and state permits for a new waste to energy facility; and to provide a report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.


Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM
(Revised)

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

DATE: September 19, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Special Item No. 6

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 _____

Special Item No. 6
9-19-23

RESOLUTION NO. _____

RESOLUTION PERTAINING TO SOLID WASTE MANAGEMENT; SUPPORTING RECOMMENDATION NUMBER NINE CONTAINED IN THE COUNTY MAYOR'S AUGUST 18, 2023 REPORT RELATED TO THE DEVELOPMENT OF AN INTEGRATED SOLID WASTE MANAGEMENT PLAN IN MIAMI-DADE COUNTY; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP STRATEGIES TO OBTAIN FEDERAL AND STATE PERMITS FOR A NEW WASTE TO ENERGY FACILITY; AND TO PROVIDE A REPORT

WHEREAS, the Miami-Dade County Resources Recovery Facility ("RRF"), located in Doral, Florida began commercial operations in 1982 and was originally sited on 100 acres of land including the adjacent ash fill; and

WHEREAS, the RRF was the keystone of Miami-Dade County's (the "County") solid waste system, operating 24 hours a day, 365 days a year, and resulting in an average annual processing of over 1,000,000 tons of waste produced in the County; and

WHEREAS, on July 19, 2022, this Board adopted Resolution No. R-728-22, which authorized and approved the selection of the existing RRF site for a new waste to energy ("WTE") facility; and

WHEREAS, on February 12, 2023, a fire occurred at the RRF, and except for tire shredding, the RRF has remained inoperable since that date; and

WHEREAS, on March 7, 2023, this Board adopted Resolution No. R-240-23, which (i) rescinded Resolution No. R-728-22, (ii) authorized the County Mayor or County Mayor's designee to analyze and recommend siting alternatives for a new WTE facility to replace the RRF, (iii) directed the County Mayor or County Mayor's designee to explore alternative technologies to

a WTE facility, and (iv) directed the County Mayor or County Mayor's designee to prepare a report regarding said analysis and recommendations, including costs and potential funding sources, within 90 days and to 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; and

WHEREAS, on May 16, 2023, this Board adopted Resolution No. R-480-23, which amended Resolution No. R-240-23 to extend until September 13, 2023, the deadline for the County Mayor or County Mayor's designee to provide to this Board the report and recommendations required by such resolution; and

WHEREAS, Arcadis U.S., Inc. ("Arcadis"), was previously engaged by the Department of Solid Waste Management to provide a Preliminary Siting Alternatives Report (the "Siting Report"), which report identified and analyzed approximately 235 potential sites for a new WTE facility; and

WHEREAS, on August 15, 2023, Arcadis provided an update to its original Siting Report, which (i) provided a more detailed analysis of the four original potential sites and three additional sites for a new WTE facility, and (ii) discussed the technologies and infrastructure, policy changes, and relative costs required to shift the County's solid waste management system towards a zero waste strategy; and

WHEREAS, on August 18, 2023, the County Mayor issued a Report Related to the Development of an Integrated Solid Waste Management Plan in Miami-Dade County – A Combined Response to Directives 222097, 230509 and 230998 (the "Report"); and

WHEREAS, the Report contains 11 recommendations; and

WHEREAS, Recommendation No. 9 is for the County to implement statutorily required strategies to obtain federal and state permits for a new WTE facility; and

WHEREAS, the County will benefit from supporting and authorizing the above-referenced Report recommendation,

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

Section 1. This Board adopts the aforementioned recitals.

Section 2. This Board supports Recommendation No. 9 in the Report, and the County Mayor or County Mayor's designee is directed to develop strategies necessary to obtain federal and state permits required for a new WTE facility for the Board's consideration and approval, which shall include: (i) a Materials Separation Plan; (ii) a program to collect and recycle recovered material from institutional, commercial, and industrial entities; (iii) a yard trash waste reduction program; (iv) a County procurement program for products or materials with recycled content; and (v) any other programmatic or strategic initiatives that the County Mayor may recommend consistent with this directive, that facilitate the federal or state permit approval process.

Section 3. This Board further directs the County Mayor or County Mayor's designee to provide a report to this Board detailing the status of the matters set forth in section 2 of this resolution within 90 days of the effective date of the resolution, and to 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 Juan Carlos Bermudez. 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 Rodriguez, Vice Chairman	
Marlene 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 19th day of September, 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.

dsh

David Stephen Hope