

# MEMORANDUM

Special Item No. 1

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**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 directing the County Mayor to procure all services needed to relocate and rebuild the County's Waste to Energy facility outside of the City of Doral contingent upon the prior negotiation and execution of an interlocal agreement with the City of Doral for contributions to partially defray costs and fund the relocation, construction, and operation of a new Waste to Energy facility, subject to Board approval

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.

  
Geri Bonzon-Keenan  
County Attorney

GBK/jp

MDC001



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
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Gen Bonzon-Keenan  
County Attorney

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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. 1  
9-19-23

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROCURE ALL SERVICES NEEDED TO RELOCATE AND REBUILD THE COUNTY'S WASTE TO ENERGY FACILITY OUTSIDE OF THE CITY OF DORAL CONTINGENT UPON THE PRIOR NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF DORAL FOR CONTRIBUTIONS TO PARTIALLY DEFRAID COSTS AND FUND THE RELOCATION, CONSTRUCTION, AND OPERATION OF A NEW WASTE TO ENERGY FACILITY, SUBJECT TO BOARD APPROVAL

**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 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 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 recommended the creation of a solid waste campus including a new mass burn Waste-to-Energy ("WTE") facility capable of processing at least 4,000 tons of waste daily, to be sited on County-owned property located at the intersection of Krome Avenue and US 27 and commonly referred to as Opa-Locka West Airport, and to not reopen the existing RRF; and

**WHEREAS**, if the Board decides to relocate the RRF, that decision will also require the relocation of ancillary County solid waste facilities which support its operation; and

**WHEREAS**, the estimated capital cost for the relocation and construction of a new WTE facility at a site other than the existing RRF location would be \$9.6 million to \$93.6 million higher; and

**WHEREAS**, the estimated annual operating cost of a new WTE facility at a relocated site other than the existing RRF location would be \$2.8 million to \$21.1 million higher; and

**WHEREAS**, the residents of the City of Doral (“Doral”), have requested the relocation of the RRF to a new site outside of Doral; and

**WHEREAS**, the relocation of the RRF is expected to result in an increase in the assessed value of the properties surrounding the RRF; and

**WHEREAS**, this Board desires Doral to assist the County in paying for the relocation, construction, and maintenance of a new WTE facility if such facility is not located at the existing RRF site, and contribute an annual amount to the County based upon the increased assessed value of the properties surrounding the existing RRF; and

**WHEREAS**, creating such a dedicated funding source will assist in partially defraying the additional costs to relocate, construct and operate a new WTE facility outside of the Doral boundaries,

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

**Section 1.** This Board incorporates the foregoing recitals.

**Section 2.** This Board directs the County Mayor or County Mayor’s designee to proceed on an expedited basis to procure all services required to design, permit, construct, and operate a new WTE facility, with a garbage and trash processing capacity of at least 4,000 tons per

day, on a site other than the existing RRF site subject to the prior negotiation of an interlocal agreement with the City of Doral (“Doral”), and by which Doral agrees to annually contribute funds to partially defray the additional costs associated with relocating and rebuilding the County’s WTE facility at a new site outside of the boundaries of Doral. Such interlocal shall include the express agreement from Doral to contribute on an annual basis and for the life of the operation of the WTE facility, an amount equivalent to, or not less than, the amount over and above three and one-half percent of the annual growth of the assessed value for properties located in whole or in part within a one mile radius from the outer perimeter of the RRF but not to exceed the borders of Doral .

**Section 3.** This Board further directs the County Mayor or County Mayor’s designee to bring back the interlocal agreement to the full Board without committee review for Board approval within 30 days of the adoption of this resolution.

**Section 4.** In the event the County Mayor or County Mayor’s designee is unable to obtain the consent of Doral to the terms of the interlocal agreement described in section 2 hereof within 30 days of the effective date of this resolution, then the County Mayor shall proceed on an expedited basis to procure all services required to design, permit, construct, and operate a new WTE facility, with a garbage and trash processing capacity of at least 4,000 tons per day, on the existing RRF site, subject to Board approval.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. 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 19<sup>th</sup> 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  
Jorge Martinez-Esteve