MEMORANDUM

Amended
Special Item No. 5

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; directing the County Mayor to negotiate any documents necessary for the existing resources recovery facility not to be restored and reactivated at the current site, subject to Board Approval, and to provide a report

Resolution No. R-822-23

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

Gerald Sanchez for
Geri Bonzon-Keenan
County Attorney

GBK/jp

MEMORANDUM
(Revised)

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

DATE: September 19, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Amended
Special Item No. 5

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 __________

Amended
Special Item No. 5
9-19-23

RESOLUTION NO. **R-822-23**

RESOLUTION PERTAINING TO SOLID WASTE MANAGEMENT; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE ANY DOCUMENTS NECESSARY FOR THE EXISTING RESOURCES RECOVERY FACILITY NOT TO BE RESTORED AND REACTIVATED AT THE CURRENT SITE, SUBJECT TO BOARD APPROVAL, 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. 8 is that the existing RRF should not be reactivated; 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. 8 in the Report, and the County Mayor or County Mayor's designee is directed to negotiate any documents necessary for the existing RRF not to be restored and reactivated at the current Doral site, subject to Board approval. This resolution neither addresses, impacts nor affects the selection or operation of a new WTE facility at the Doral site.

Section 3. This Board 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 **Juan Carlos Bermudez** , who moved its adoption. The motion was seconded by Commissioner **Keon Hardemon** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman **aye**
Anthony Rodriguez, Vice Chairman **absent**

Marlene Bastien	**aye**	Juan Carlos Bermudez	**aye**
Kevin Marino Cabrera	**aye**	Sen. René García	**aye**
Roberto J. Gonzalez	**aye**	Keon Hardemon	**aye**
Danielle Cohen Higgins	**aye**	Eileen Higgins	**nay**
Kionne L. McGhee	**aye**	Raquel A. Regalado	**aye**
Micky Steinberg	**aye**		

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

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

dsh

David Stephen Hope