

RESOLUTION No. 24-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SUPPORTING THE RELOCATION OF THE COVANTA WASTE-TO-ENERGY PLANT SITE; PROVIDING FOR AUTHORITY TO THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AN AGREEMENT WITH MIAMI-DADE COUNTY; PROVIDING FOR EXPENDITURE OF BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on February 12, 2023, the Covanta operated waste-to-energy incinerator, located at 6990 N.W. 97 Avenue, Doral, Florida, 33178, caught fire, which caused the release of noxious black smoke and pollutants that covered the City of Doral (“Doral”) for weeks on end affecting over 80,000 residents; and

WHEREAS, during the past ten (10) years, the area around the waste-to-energy plant has seen a remarkable and unprecedented growth in residential development; and **WHEREAS**, Doral is one of the nation’s fastest growing communities, comprising a heavily populated residential community in the heart of Miami-Dade County (“MDC”); and

WHEREAS, the reconstruction of the waste-to-energy plant at its Doral site poses a significant threat to the numerous residents that reside in close proximity to the Doral site; and

WHEREAS, Doral and MDC have a responsibility to ensure that the future waste-to-energy site is located in an area that is distant from large residential populations; and

WHEREAS, on September 19, 2023, the BCC formally adopted Resolution No. 821-23, which directed MDC’s administration to procure all services needed to relocate and rebuild the waste to energy incinerator outside Doral’s political boundaries, and to engage Doral in negotiations for the adoption of an interlocal agreement that would

include a financial contribution toward the relocation, construction and operation of a new waste to energy incinerator; and

WHEREAS, of significance, Resolution No. R821-23 provided that the financial contribution from the Doral would be “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 the property and the 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”; and

WHEREAS, the County has authored a report that provides for three alternative sites where waste-to-energy incinerator can be located; and

WHEREAS, additional sites have been recently proposed for the relocation of the waste-to-energy incinerator and are being given consideration by Miami-Dade County; and

WHEREAS, Doral recognizes the efforts that the County will need to employ in the relocation of the waste to energy incinerator, and desires to be a partner in the relocation of the waste-to-energy incinerator; and

WHEREAS, during the month of September and October 2024, the City Attorney, Manager and administration, has engaged MDC’s administration and legal team in weekly meetings regarding the relocation of the WTE to a non-Doral site; and

WHEREAS, in furtherance of a partnership with the County, Doral’s Mayor and Council is willing to negotiate a memorandum of understanding that will include, among other things, a reasonable contribution in the amount of approximately forty (40) million to be paid in a term of thirty (30) to thirty-five (35) years for the construction of the waste-

to -energy incinerator; and

WHEREAS, the Mayor and Council of Doral authorize the City Manager and City Attorney to take all necessary steps to negotiate and finalize a memorandum of understanding between Doral and Miami-Dade County, subject to final approval by the Mayor and Council, in order to provide for the construction of a waste-to-energy incinerator at a non-City of Doral site.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Approval of this Resolution. The Mayor and Council of the City of Doral approve this Resolution, authorize the negotiation of a memorandum of understanding that will include, among other things, a reasonable contribution in the amount of forty (40) million to be paid in a term of thirty (30) to thirty-five (35) years for the construction of a waste-to-energy facility at an alternate, non-City of Doral site.

Section 3. Providing the City Manager and City Attorney with Authority. The City Manager and City Attorney are authorized to take any and all necessary action to present this resolution to the Mayor and Board of County Commissioners at the November 6, 2024 meeting, to negotiate and bring back a memorandum of understanding with Miami-Dade County for the construction of a waste-to-energy facility at a non-City of Doral site, in terms consistent with this resolution.

Section 4. Providing for Authority to Expend Budgeted Funds. The City Manager is authorized to expend budgeted funds in order to comply with this Resolution

Section 5. Effective Date. The Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	_____
Vice Mayor Oscar Puig-Corve	_____
Councilwoman Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____

PASSED AND ADOPTED this 4 day of November, 2024.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

LORENZO COBIELLA
GASTESI, LOPEZ & MESTRE, PLLC
CITY ATTORNEY