

**RESOLUTION 2005-26**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA EXPRESSING CONCERN REGARDING A PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF MEDLEY AND OWNERS OF PROPERTY IN THE SOUTHEAST QUADRANT OF SECTION 5, TOWNSHIP 53 SOUTH, RANGE 40 EAST WHICH WOULD ALLOW A MATERIAL RECOVERY FACILITY AND A LINED CLASS III LANDFILL AT THE LOCATION IMMEDIATELY ADJACENT TO THE CITY OF DORAL; EXPRESSING FURTHER CONCERN REGARDING A PROPOSED REZONING OF THE PROPERTY TO ALLOW FOR THIS USE; REQUESTING THAT PRIOR TO ANY FURTHER ACTION BEING TAKEN CONCERNING THIS PROPERTY THAT THE APPROPRIATE REPRESENTATIVES OF THE TOWN OF MEDLEY MEET WITH THE CITY OF DORAL TO DISCUSS THIS MATTER; EXPRESSING CONCERNS AS TO THE PROPOSED LOCATION OF THE LANDFILL AND POTENTIAL NEGATIVE EFFECTS TO THE CITY OF DORAL; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Southeast quadrant of Section 5, Township 53 South, Range 40 East (the "Property") is located in the Town of Medley, immediately adjacent to the City of Doral; and

**WHEREAS**, Generation Three, Inc., Our Security Corporation II, Lowell S. Dunn and Betty L. Dunn (collectively "Owner") own the Property; and

**WHEREAS**, the Owner of the Property also owns Section 9, Township 54 South, Range 40 East ("Section 9"); and

**WHEREAS**, the City of Doral has learned that, in consideration for the Owner's support of Medley's annexation of Section 9, Medley is willing to enter into a

Development Agreement to construct a Materials Recovery Facility and a Lined Class III Landfill ("Landfill") on the Property; and

**WHEREAS**, the Landfill may reach a height of 250 feet and may consist of various debris, including construction and demolition debris, processed tire asbestos or any other materials approved by the State of Florida Department of Environmental Protection that are not expected to pose a threat to public health or environment; and

**WHEREAS**, pursuant to the Development Agreement, the Owner is to direct access through certain streets which will require travel in Doral and will result in numerous additional trucks and other vehicles traveling through the City of Doral; and

**WHEREAS**, in order to allow the construction of a Landfill, the Town of Medley is proposing a rezoning of the Property to allow Materials Recovery Facilities and Class III Landfills; and

**WHEREAS**, such rezoning appears inconsistent with the surrounding area and appears contrary to Medley's own Comprehensive Plan; and

**WHEREAS**, the Property is immediately adjacent to land within the City of Doral which is proposed for residential development; and

**WHEREAS**, in light of the fact that this project will clearly have impacts on the City of Doral and its residents, the City Council of the City of Doral hereby requests that representatives from the Town of Medley meet with the City of Doral to discuss Doral's concerns in detail;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL  
OF THE CITY OF DORAL, FLORIDA THAT:**

**Section 1.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

**Section 2.** Based on the proximity of Section 5 to the City of Doral, the City of Doral has grave concerns concerning allowing the building of any Landfill or Materials Recovery Facility on the Property.

**Section 3.** The City Council of the City of Doral hereby requests that, prior to any further action being taken concerning the rezoning or the entering into any Development Agreements affecting Section 5 which would allow a Material Recovery Facility and a Lined Class III Landfill, the Town of Medley meet with the City of Doral to discuss this matter.

**Section 4.** The City Clerk is hereby directed to transmit a copy of this Resolution to the Mayor, Council and Town Attorney of the Town of Medley.

**Section 5.** This Resolution shall become effective upon its passage and adoption by the City Council.

WHEREAS, a motion to approve the Resolution was offered by Vice Mayor Cabrera, who moved its adoption. The motion was seconded by Councilman DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilman Michael DiPietro	yes

