



City of Miramar
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Alexandra P. Davis

City Commission

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Maxwell B. Chambers

Yvette Colbourne

City Manager

Dr. Roy L. Virgin

**"We're at the Center of
Everything"**

**City Manager
c/o City Manager
2300 Civic Center Place
Miramar, FL 33025**

Phone (954) 602-3015
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February 22, 2024

VIA EMAIL AND CERTIFIED US MAIL

Mayor Greg Ross, Chair
Broward County Solid Waste Authority
115 South Andrews Ave
Room 122
Fort Lauderdale, FL 33301

RE: Miami-Dade County Waste to Energy Facility Opposition

Dear Mayor Ross:

The City of Miramar is requesting funding support in the amount of One Hundred Thousand Dollars (\$100,000) from the Broward County Solid Waste Authority (SWA) to engage The Goldstein Environmental Law Firm in opposing the siting, permitting, construction, and operation of Miami-Dade County's proposed new Waste to Energy (WTE) facility at the Opa-Locka West Airport location.

As you may be aware, the City of Miramar, along with numerous concerned citizens and residents, strongly opposes the establishment of the WTE facility at the proposed site due to significant environmental and health concerns. The previous incident at the Miami-Dade County Resources Recovery Facility in Doral, which resulted in a massive fire and the release of dangerous pollutants into the air, underscores the potential risks associated with such facilities.

The objections raised by the City of Miramar are well-founded and supported by scientific evidence. The proposed WTE facility poses serious health risks to hundreds of families and tens of thousands of residents in close proximity to the site. Studies have shown that emissions from WTE incinerators can contain carcinogenic pollutants and fine particles that have been linked to respiratory problems, cardiovascular diseases, cancer, and other adverse health effects.

Furthermore, the proposed site's proximity to Everglades National Park and its potential impact on federally protected species and regulated wetlands raise additional environmental concerns. The presence of wetlands covering the majority of the site underscores the unsuitability of the location for an industrial waste processing facility.

Given the gravity of these concerns and the potential long-term consequences for public health and the environment, it is imperative that the Broward County SWA takes proactive measures to oppose the establishment of the WTE facility at the Opa-Locka West Airport site.



Engaging The Goldstein Environmental Law Firm will provide us with the legal expertise and resources necessary to effectively challenge the siting, permitting, construction, and operation of the proposed facility. Their track record in environmental law and advocacy makes them well-equipped to represent our interests and ensure that proper environmental assessments and regulatory compliance are upheld.

I urge the Broward County SWA to allocate the necessary funding to support our efforts in opposing Miami-Dade County's new WTE facility. By standing together with the City of Miramar and other concerned stakeholders, we can protect the health and well-being of our residents and preserve the integrity of our natural environment.

Thank you for your attention to this matter. Should you require any further information or clarification, please do not hesitate to contact Mr. Kelvin L. Baker, Sr., Deputy City Manager, at klbaker@miramarfl.gov or (954) 883-6888.

Sincerely,

Dr. Roy L. Virgin
City Manager

c: Commissioner Beam Furr, Co-Chair
Mary Lou Tighe, President, Broward League of Cities
Sely Cochrane, Broward League of Cities
Kelvin L. Baker, Sr., Deputy City Manager
Shaun Gayle, Assistant City Manager
Adam L. Burden II, Assistant City Manager
Stephen Johnson, Assistant City Manager
Denise Gibbs, City Clerk
Michelle Austin Pamies, Esq.



MEMORANDUM

To: Executive Committee, Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida ("SWA")

From: Jamie A. Cole, Esq., Interim General Counsel

Date: March 5, 2024

RE: Restrictions on Distribution of SWA Cash or Property to Any Party

A question has been brought up as to whether, under the Interlocal Agreement (the "ILA"), the SWA may distribute SWA cash to one of the parties to the ILA. Be advised that Section 6.9 of the ILA states: "Except as otherwise provided in this section, and notwithstanding any other section of this Agreement, *the Authority is prohibited from distributing any cash or property to any Party or Parties. . .*"

There are some limited exceptions in Section 6.9 to the restrictions on distribution of cash or property to a party, including distributions upon wind down of the SWA, reimbursements for excess contributions or contracts for fair market value/adequate consideration.
