1	RESOLUTION 2005 - 70
2 3	A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4	DORAL, FLORIDA OBJECTING TO THE PROPOSED
5	DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF
6	MEDLEY, AND WASTE MANAGEMENT, INC. OF FLORIDA;
7	REQUESTING A DEFERRAL OF CONSIDERATION OF THE
8 9	DEVELOPMENT AGREEMENT UNTIL THE CITY OF DORAL HAS HAD AN OPPORTUNITY TO REVIEW SAME AND HAVE
9 10	ITS CONCERNS ADDRESSED; PROVIDING AN EFFECTIVE
11	DATE
12	
13	WHEREAS, the Town of Medley sued Waste Management, Inc. of Florida
14	(Town of Medley v. Waste Management, Inc. of Florida, Case No. 03-25832(13)
15	concerning Waste Management's expansion of the Medley Landfill and Recycling
16	Center located at 9350 NW 89 Avenue; and
17	WHEREAS, in that lawsuit, Medley sought an Order from the Court providing
18	that its zoning code prohibited both the vertical and horizontal expansion of the
19	landfill; and
20	WHEREAS, the City of Doral, in an effort to protect its citizens and to support
21	adjacent cities, moved to intervene as a plantiff-intervenor in the above referenced
22	lawsuit; and
23	WHEREAS, the City of Doral's Motion to Intervene sought to support the
24	Town of Medley in their efforts to prevent the expansion of the Landfill as the Landfill
25	emanates noxious odors which the prevailing winds carry to the City of Doral and has
26	annoyed Doral residents and lowered the air quality in the City of Doral and has
27	attracted insects and pests thereby affecting the quality of life for the City of Doral
28	residents; and

1	WHEREAS, subsequent to filing its Motion to Intervene, the Town of Medley,
2	through its Mayor and Town Attorney, requested that the City of Doral refrain from its
3	attempt to intervene in the lawsuit as the Town of Medley was engaged in settlement
4	discussions with Waste Management, Inc.; and
5	WHEREAS, based on the representations of the Town of Medley, through its
6	Town Attorney and others, that it would ensure that the City of Doral's interests would
7	be considered during its negotiations, the City of Doral agreed to refrain from its
8	attempts to intervene and to support the Town of Medley's position; and
9	WHEREAS, the City of Doral has recently learned that a proposed
10	Development Agreement is to be considered by the Town of Medley at its Commission
11	meeting of September 19, 2005; and
12	WHEREAS, a review of the proposed Development Agreement reveals that no
13	attempts whatsoever were made to notify the City of Doral of this action or to consider
14	the interests of Doral and the effects of the expansion of the Landfill on Doral; and
15	WHEREAS, no attempts were made despite the recent assurance of Medley
16	that they would provide the City of Doral with an opportunity to provide input into any
17	proposed settlement or agreement entered into by the Town of Medley with Waste
18	Management;

1 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF 2 THE CITY OF DORAL, FLORIDA THAT: 3 The foregoing "WHEREAS" clauses are hereby ratified and Section 1. 4 confirmed as being true and correct and are hereby made a part of this Resolution upon 5 adoption hereof. 6 The City of Doral hereby objects to the Town of Medley Section 2. 7 entering into a Development Agreement with Waste Management, Inc. of Florida as 8 the Agreement was done without seeking input from Doral and fails to address the 9 concerns and issues raised by the City of Doral. Further, the City of Doral expressly 10 requests that the Town of Medley defer considering entering into a Development 11 Agreement with Waste Management, Inc. of Florida concerning the Landfill until the 12 City of Doral has had an opportunity to have its concerns addressed. 13 This resolution shall become effective upon its passage and Section 3. 14 adoption by the City Council. 15 WHEREAS, a motion to approve the Resolution was offered by Vice Mayor 16 Cabrera who moved its adoption. The motion was seconded by Councilman DiPietro 17 and upon being put to a vote, the vote was as follows: 18 Mayor Juan Carlos Bermudez Yes Vice Mayor Peter Cabrera 19 Yes Councilmember Michael DiPietro Yes 20 21 Councilwoman Sandra Ruiz Absent 22 Councilmember Robert Van Name Yes 23 24

1	PASSED AND ADOPTED this 14 day of September, 2005.
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4	JUAN (ARLOS BERMUDEZ, MAYOR
5	V
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7	ATTEST:
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10	Barbara Henra-Hill
11	BARBARA HERRERA-HILL, CITY CLERK
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14	APPROVED AS TO FORM AND
15	LEGAL SUFFICIENCY FOR THE
16	SOLE USE OF THE CITY OF DORAL:
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20	JOHN JAKEARN, CITY ATTORNEY
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