

**TOWN OF LOXAHATCHEE GROVES**

**RESOLUTION NO. 2007-014**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RECOMMENDING THAT THE PALM BEACH COUNTY COMMISSION DENY KING RANCH, INC. AND RINKER MATERIALS' CONDITIONAL USE APPLICATION THAT WOULD ALLOW EXCAVATION OF LIMESTONE FROM APPROXIMATELY 3,000 ACRES WITHIN THE EVERGLADES AGRICULTURAL AREA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town Council of the Town of Loxahatchee Groves ("Town") has reviewed and discussed the potential environmental impacts of permitting limestone excavation in the Everglades Agricultural Area ("EAA"); and

**WHEREAS**, excavation of the EAA could have negative effects on the air and water quality in the region; and

**WHEREAS**, the effect of mining on wildlife and water quality in the area has not been fully analyzed, therefore approval of the conditional use within the EAA to permit limestone excavation without such analysis is premature; and

**WHEREAS**, the Town Council finds that denying the Conditional Use Application, thereby preventing the excavation of limestone, and maintaining the EAA in its current state, is in the best interest of the health, safety, and welfare of the residents of the Town of Loxahatchee Groves and Palm Beach County.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA THAT:**

**Section 1.** Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

**Section 2.** The Town Council of the Town of Loxahatchee Groves, Florida finds that

due to uncertain impacts on wildlife and water quality, limestone excavation within the EAA is not in the best interest of the health, safety, and welfare of the residents of the Town of Loxahatchee Groves and Palm Beach County. Therefore, the Town Council of the Town of Loxahatchee Groves, Florida recommends that the Palm Beach County Commission deny the conditional use request to allow excavation of 3,000 acres of land in the EAA.

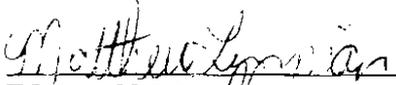
**Section 3.** The Town Manager is directed to forward a copy of this Resolution to the Chair of the Palm Beach County Board of County Commissioners, the County Administrator, and the Executive Director of the Palm Beach County League of Cities.

**Section 4.** If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

**Section 5.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 2<sup>nd</sup> DAY OF OCTOBER, 2007.**

ATTEST:  
  
TOWN CLERK

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA  
BY:   
MAYOR DAVID BROWNING

APPROVED AS TO FORM:  
  
OFFICE OF THE TOWN ATTORNEY