

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2009-004

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA EXPRESSING ITS CONCERN REGARDING THE INCREASE IN TRUCK TRAFFIC ALONG SOUTHERN BOULEVARD AS WELL AS OTHER TRANSPORTATION ROUTES WITHIN PALM BEACH COUNTY THAT WILL RESULT FROM THE TRANSPORTING OF SOLID WASTE TO THE NEW PALM BEACH COUNTY LANDFILL TO BE LOCATED IN CLOSE PROXIMITY TO THE TOWN; EXPRESSING ITS SUPPORT FOR THE USE OF THE FLORIDA EAST COAST RAILWAY AND CSX RAILROAD TRACKS TO ASSIST IN THE TRANSPORTATION OF SOLID WASTE TO THE NEW PALM BEACH COUNTY LANDFILL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Board of County Commissioners (the "County") is currently evaluating the location for a new solid waste landfill for the County; and

WHEREAS, the location of the new solid waste landfill is anticipated to be located in an area west of the Town of Loxahatchee Groves (the "Town"), with the primary means of access to the landfill to be off of Southern Boulevard; and

WHEREAS, it is anticipated that as a result of the operation of the new landfill, there will be a significant increase in truck traffic along Southern Boulevard, which will adversely impact the Town and neighboring municipalities, as well as other individuals and businesses that rely on Southern Boulevard to traverse the County; and

WHEREAS, as a result of the construction of the landfill, there will be a significant increase in truck and other vehicular traffic on Southern Boulevard, as well as all transportation routes throughout the County, which will result in the concurrent increase in carbon emissions, and an associated decrease in air quality affecting all of Palm Beach County; and

WHEREAS, the increase in truck and vehicular traffic serving the landfill will also cause the quality of the road surfaces to deteriorate at a faster rate, thus increasing the costs to all Palm

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Beach County residents and business who will have to pay the cost to repave the roads serving the landfill; and

WHEREAS, the increase in truck and vehicular traffic servicing the landfill will also result in increased numbers of traffic accidents and increased litter along the roadways used by the vehicles travelling to the landfill, thus increasing the costs to all Palm Beach County residents and businesses who will have to pay the costs to keep the roads clear, safe, and litter-free; and

WHEREAS, currently, the Florida East Coast Railroad and CSX operate railroad lines throughout the County which could be used to transport the solid waste from solid waste transfer locations in the County; and

WHEREAS, the use of existing railway lines in conjunction with trucks would likely result in a decrease in overall truck traffic necessary to serve the landfill, and a corresponding decrease in carbon emissions would likely result, thus preventing further degradation of the County's air quality; and

WHEREAS, the Town finds that it would be appropriate, and in the best interest of the health, safety, and welfare of the citizens of the Town, as well as all of Palm Beach County, to have the County research and review the potential for the use of existing railroad lines to serve as a mechanism to deliver solid waste to the new landfill; and

WHEREAS, the Town Council of the Town of Loxahatchee groves desires to communicate its findings to the County Commission, the Solid Waste Authority of Palm Beach County, and the municipalities in Palm Beach County.

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NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are confirmed and ratified as being true and correct and are hereby incorporated herein.

Section 2. The Town Council of the Town of Loxahatchee Groves, Florida hereby expresses its support for the establishment of a railroad network along existing Florida East Coast and CSX Railway lines that will provide for the delivery of solid waste to Palm Beach County's new landfill. The use of existing railway lines will reduce truck and other vehicular traffic along Southern Boulevard, and other transportation networks within Palm Beach County, and further reduce the amount of carbon emissions into the air that result from the operation of trucks delivering solid waste to the new landfill, as well as decrease the potential for traffic accidents and litter along the transportation routes to the landfill within Palm Beach County.

Section 3. The Town Clerk is directed to forward a copy of this Resolution to the Chair of the Palm Beach County Board of County Commissioners, each County Commissioner, the County Administrator, the Executive Director of the Solid Waste Authority of Palm Beach County, and the President and Executive Director of the Palm Beach County League of Cities

Section 4. All Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5. 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

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part or application shall be considered as eliminated and will in no way affect the validity of the remaining portions or applications remaining in full force and effect.

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

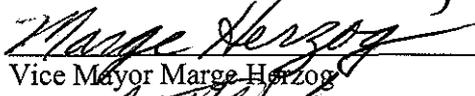
ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 3rd day of February, 2009.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

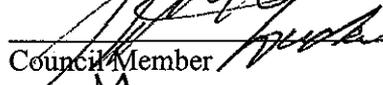

TOWN CLERK


Mayor David Browning


Vice Mayor Marge Herzog

APPROVED AS TO LEGAL FORM:


Office of the Town Attorney


Council Member


Council Member


Council Member