

**RESOLUTION NO. 2017-024**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE THIRD AMENDMENT TO THE LARGE USER WASTEWATER AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF COCONUT CREEK TO PROVIDE WASTEWATER COLLECTION SERVICE TO HILLSBORO PINES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 23, 1989, the City of Coconut Creek and Broward County entered into a Large User Wastewater Agreement, under which the County provides wastewater transmission, treatment, and disposal service to the City (the "Agreement"); and

**WHEREAS**, on March 7, 2000, the City of Coconut Creek and Broward County entered into a First Amendment to the Agreement, providing a third point of connection in the general vicinity of Sample Road and State Road 7 (the "First Amendment"); and

**WHEREAS**, on November 10, 2009, the City of Coconut Creek and Broward County entered into a Second Amendment to the Agreement, providing the City an additional 1.07 million gallons per day (MGD) of wastewater transmission and an additional 0.5 MGD of treatment and disposal Reserve Capacity in the County's Transmission Facilities and the County's Treatment Facilities, as defined in the Large User Wastewater Agreement (the "Second Amendment"); and

**WHEREAS**, Broward County is constructing a sanitary sewer system in an unincorporated area in Broward County known as Hillsboro Pines, as shown and described in Exhibit "E" of the proposed amendment to the Agreement (the "Third Amendment"); and

**WHEREAS**, Broward County owns and operates the Regional System, which provides for wastewater treatment, transmission, and disposal services to the City; and

**WHEREAS**, the County wants to use the City's System for the transmission of wastewater from the Hillsboro Pines Service Area to the Regional System; and

**WHEREAS**, the City is willing to transmit wastewater from the Hillsboro Pines Service Area through the City's System to the Regional System; and

**WHEREAS**, the Third Amendment to the Large User Wastewater Agreement is necessary and reasonable under the circumstances and is in the best interest of the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2:** That the City Commission of the City of Coconut Creek hereby approves the Third Amendment to the Large User Wastewater Agreement for wastewater transmission, treatment, and disposal between Broward County and the City of Coconut Creek.

**Section 3:** That the City Manager, or designee, is hereby authorized to execute the Third Amendment to the Large User Wastewater Agreement between the Broward County and the City of Coconut Creek.

**Section 4:** That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or application of this Resolution.

**Section 5:** That this Resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 23rd day of February, 2017.**

---

Mikkie Belvedere, Mayor

---

Leslie Wallace May, City Clerk

Belvedere Aye\_\_\_

Rydell Aye\_\_\_

Sarbone Aye\_\_\_

Tooley Aye\_\_\_

Welch Aye\_\_\_