

**ORDINANCE NO. 2016-31**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE FRANCHISE AGREEMENT WITH REPUBLIC SERVICES OF FLORIDA, L.P. D/B/A ALL SERVICE REFUSE DATED SEPTEMBER 22, 2011 AND FIRST AMENDMENT THERETO DATED JANUARY 1, 2016 IN ORDER TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE ATTACHED SECOND AMENDMENT TO THE FRANCHISE AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES OF FLORIDA, L.P. D/B/A ALL SERVICE REFUSE, IN ORDER TO UPDATE THE SCHEDULE OF PRICES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission finds and determines that in order to protect the health, safety and welfare of the general public, solid waste must be collected and disposed of in an appropriate manner to prevent the spread of garbage, trash, debris and other matters which are injurious to the public health; and

**WHEREAS**, Contractor is in the business of providing non-hazardous solid waste collection, transportation and disposal services; and

**WHEREAS**, On January 1, 2016, the City entered into a twenty-one (21) month renewal agreement with Republic to provide solid waste collection and disposal services to the residents and businesses of the City; and

**WHEREAS**, at the time that the First Amendment was approved, the rates for Single-Family were already approved by the City Commission and levied on the 2015 tax bills by the Property Appraiser; and

**WHEREAS**, the rates for Multi-Family were increased to compensate for the reduced Single-Family rates and a reallocation of costs from Multi-Family to Single-

Family is justified and equitable resulting in a minor increase in rates for Single-Family and a correlating decrease in rates for Multi-Family; and

**WHEREAS**, notwithstanding the costs or any of the other reasons set forth above, the City has the ability to enter into this Agreement as amended, under Florida Law and its Home Rule Powers for the protection of the Public Health, Safety and Welfare of its citizens.

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

**Section 1:** That the City Manager is hereby authorized to execute the attached Second Amendment to the exclusive Franchise Agreement between the City and Republic Services of Florida, L P. d/b/a All Service Refuse, for the collection and disposal of solid waste and recycled materials within the City of Coconut Creek.

**Section 2:** That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

**Section 3:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**Section 4:** That this Ordinance shall take effect immediately upon its passage and adoption.

**PASSED FIRST READING THIS 14th DAY OF July, 2016.**

**PASSED SECOND READING THIS 28th DAY OF July, 2016.**

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Mikkie Belvedere, Mayor

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Words in underscored type are additions to existing text.  
A line of \*\*\* indicates existing text not shown.

Attest:

\_\_\_\_\_  
Leslie Wallace May, MMC  
City Clerk

	<u>1st</u>	<u>2nd</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Nay</u>	<u>Nay</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>

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