

RESOLUTION NO. 2022-022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH BROWARD COUNTY AND OTHER PARTICIPATING MUNICIPALITIES REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM, ATTACHED HERETO AS EXHIBIT "1" AND INCORPORATED HEREIN, AND AUTHORIZING THE MAYOR TO EXECUTE; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2019, Broward County and the Broward County Municipalities, by entering into the Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System ("MOU"), established a Solid Waste Working Group ("SWWG"), a group of elected municipal officials chosen from among the elected officials of the municipalities in Broward County and a County Commissioner; and

WHEREAS, under the MOU, Broward County and the municipalities: (1) agreed to jointly undertake the continued study and analysis of critical solid waste issues and recycling programs; (2) directed the SWWG to develop a detailed and comprehensive scope of such continued study and analysis and authorized the SWWG to retain and interact with any appropriate consultants and/or attorneys during the course of the continued study to ensure that balance and independence are maintained throughout; and (3) agreed to make the respective financial contributions necessary for the continued study and analysis; and

WHEREAS, the SWWG has deemed it necessary to have a Waste Generation Study completed in order to further its efforts to agree on a regional solution for the future of solid waste disposal and the processing of recyclable materials in the future, and Broward County has agreed to engage such consultant to complete a scope of work as described in the First Amendment to the MOU; and

WHEREAS, Broward County has agreed to contribute financially up to fifty percent (50%) of the total cost of a Waste Generation Study, with the remainder to be paid by municipalities that agree to the First Amendment to the MOU, referred to in the First Amendment to the MOU as “Study Participants;” and

WHEREAS, the City Commission of the City of Coconut Creek deems it beneficial to enter into the First Amendment to MOU with Broward County and other Participating Municipalities, and contribute to the cost of the Waste Generation Study consistent with the terms of the First Amendment to the MOU.

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 has reviewed and hereby approves the terms and conditions of the First Amendment to Memorandum of Understanding, a copy of which is attached hereto as Exhibit “1,” and made a part hereof.

Section 3: That the City Commission of the City of Coconut Creek hereby approves the expenditure of up to \$16,588.00 as the City’s contribution to procure the Study.

Section 4: That the Mayor is hereby authorized and directed to execute said First Amendment to Memorandum of Understanding and effectuate the expenditure of the funds authorized by this resolution.

Section 5: That all resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 6: 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 applications of this resolution.

Section 7: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 27th day of January, 2022.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

Tooley Aye

Rydell Aye

Sarbone Aye

Welch Aye

Railey Aye