

RESOLUTION NO. 2021-216

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE SOLID WASTE DISPOSAL SUPPORT SERVICES INTERLOCAL AGREEMENT (ILA) BETWEEN BROWARD COUNTY AND THE CITY FOR THE PURPOSE OF UTILIZING WASTE-TO-ENERGY SERVICES PROVIDED BY WHEELABRATOR SOUTH BROWARD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 28, 2013, the City of Coconut Creek entered into an Interlocal Agreement (ILA) with Broward County for Solid Waste Disposal Support Services, which includes waste-to-energy services provided by Wheelabrator South Broward (“Wheelabrator”); and

WHEREAS, the first renewal term of Broward County’s agreement with Wheelabrator is scheduled to end in July of 2023; and

WHEREAS, the Broward County Commission recently authorized the second extension of the aforementioned agreement with Wheelabrator, which will expire in July of 2028; and

WHEREAS, staff recommends that the City continue to participate in the Broward County Solid Waste Disposal Support Services ILA for the purpose of utilizing waste-to-energy services provided by Wheelabrator as a means of solid waste disposal; and

WHEREAS, the City reserves the right, as per the aforementioned ILA, to add yard waste, bulk trash, and construction and demolition debris disposal to the services provided by Wheelabrator; and

WHEREAS, the City Commission of the City of Coconut Creek, Florida, finds and determines that it is in the best interest of the City to extend its participation in the Broward County Solid Waste Disposal Support Services ILA for the aforementioned purposes.

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. All exhibits attached hereto are incorporated herein and made a specific part of the resolution.

Section 2: That the City Manager, or designee, is hereby authorized to extend the City’s participation in the Broward County Solid Waste Disposal Support Services ILA through the second extension term of the agreement between Broward County and Wheelabrator ending in July of 2028.

Section 3: That the City Manager, or designee, is hereby authorized to add yard waste, bulk trash, and construction and demolition debris disposal to the waste-to-energy services provided by Wheelabrator should the City Manager determine it to be in the City’s best interest.

Section 4: That the Mayor and the City Manager, or designee, are hereby authorized to execute said Second Amendment to the Solid Waste Disposal Support Services ILA between Broward County and the City, attached hereto and made a part hereof.

Section 5: 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 6: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 28th day of October, 2021.

Rebecca A. Tooley, Mayor

