



Legislation Details (With Text)

File #: RES 2018-234 **Name:** 2nd Amendment to the RRB Settlement Agreement

Type: Resolution **Status:** Passed

File created: 9/24/2018 **In control:** City Commission

On agenda: 10/11/2018 **Final action:** 10/11/2018

Title: A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE RESOURCE RECOVERY ASSET LITIGATION SETTLEMENT AGREEMENT TO PROVIDE FOR EXTENSIONS IN THE TIME PROVIDED TO SELL THE ALPHA 250 PROPERTY.

Sponsors:

Indexes: Agreement, Resolution, Resource Recovery Board, Settlement, Solid Waste

Code sections:

Attachments: 1. RESOLUTION 2018-234-Resource Recovery Settlement Agrmt (2nd Amdmt), 2. EXHIBIT A-Second Amendment to Resource Recovery Settlement Agrmt, 3. BACKUP-Resolution 2015-114 (Resource Recovery Settlement Agrmt), 4. BACKUP-Resolution 2016-164 (1st Amdmt to Resource Recovery Settlement)

Date	Ver.	Action By	Action	Result
10/11/2018	1	City Commission		

AGENDA ITEM REPORT

TITLE:

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE RESOURCE RECOVERY ASSET LITIGATION SETTLEMENT AGREEMENT TO PROVIDE FOR EXTENSIONS IN THE TIME PROVIDED TO SELL THE ALPHA 250 PROPERTY.

BACKGROUND:

In June 2015, Broward County and twenty-one (21) cities and towns, including the City of Coconut Creek, entered into a settlement agreement to dispose of the litigation styled *City of Sunrise, et al. v. Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (hereinafter “settlement agreement”). As part of the settlement agreement, the parties contemplated a timeframe within which to sell a land-asset that was jointly owned by the parties, commonly known as the Alpha 250 property.

DISCUSSION:

Since that time, the parties to the litigation agreed to engage the services of an expert to study how the County could reach its 75% County-wide recycling goal; discern the impacts of retaining public ownership of the Alpha 250 property and the effects that would have on the recycling goal, and; analyze the County-wide solid waste disposal plan and other general solid waste disposal issues that

might be identified through the study. In June 2016, through the first amendment to the settlement agreement, the parties extended the timeframe to sell the Alpha 250 property to October 11, 2018, in order to complete the study. The study became final in August 2018, and this second amendment to the settlement agreement will extend the timeframe to sell the Alpha 250 property to October 11, 2019, to allow the parties time to analyze the study's findings. The second amendment to the settlement agreement contemplates a maximum of three (3) further one (1) year extensions, provided that any such additional extension is approved in writing by the County Administrator and the RRB Solid Waste Study Committee consisting of Commissioner Rebecca Tooley and the Mayors of Fort Lauderdale, Hollywood, Miramar, Sunrise and Weston.

RECOMMENDATION:

Staff recommends approval of this Resolution.

FISCAL IMPACT: N/A