

**RESOLUTION NO. 2024-183**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND WASTE MANAGEMENT INC. OF FLORIDA FOR THE MONARCH HILL LANDFILL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City's boundaries are adjacent to Florida's Turnpike just west of the property owned by Waste Management Inc. of Florida (WMIF), containing the Monarch Hill Landfill; and

**WHEREAS**, in 2015, the City and WMIF resolved a dispute related to the Landfill and entered into a Settlement Agreement dated April 9, 2015 (hereafter the "Agreement"), attached hereto and made a part hereof as Exhibit "B;" and

**WHEREAS**, the parties to the Agreement seek to amend the Agreement to provide for, *inter alia*, additional limitations relating to the disposal of waste at the Landfill; and

**WHEREAS**, the City has determined that it is beneficial and in the best interests of the City's residents and visitors to enter into the First Amendment to the Agreement, attached hereto as Exhibit "A," in order to protect the health of its residents and visitors by providing for additional limitations relating to the disposal of waste and providing for additional groundwater monitoring at the Landfill; and

**WHEREAS**, the City and WMIF desire to memorialize an understanding and agreement to amend the Agreement as set forth herein; and

**WHEREAS**, the City Commission finds and determines that entering into the attached First Amendment to the Agreement is in the best interests of the residents and visitors of the City.

**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 this resolution.

**Section 2:** That the City Commission has reviewed and hereby approves the attached agreement between the City of Coconut Creek and Waste Management Inc. of Florida regarding additional limitations relating to the disposal of waste at the Landfill.

**Section 3:** That the Mayor, or designee, is hereby authorized to execute the attached First Amendment to the Agreement between the City of Coconut Creek and Waste Management Inc. of Florida, regarding additional limitations relating to the disposal of waste at the Landfill.

**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 applications of this resolution.

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

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

\_\_\_\_\_  
Sandra L. Welch, Mayor

Attest:

\_\_\_\_\_  
Joseph J. Kavanagh, City Clerk

Welch \_\_\_\_\_

Railey \_\_\_\_\_

Rydell \_\_\_\_\_

Brodie \_\_\_\_\_

Wasserman \_\_\_\_\_