

**RESOLUTION NO. 2026-103**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT FOR SOLID WASTE DISPOSAL AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA; PROVIDING FOR TRANSMITTAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 25, 2023, the City Commission of the City of Coconut Creek, through Resolution No. 2023-090, entered into the Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida (the “ILA”) among Broward County, Florida (the “County”) and twenty-eight (28) municipalities in Broward County (each, individually, a “Municipal Party” and collectively, the “Municipal Parties”) (collectively with the County, the “Parties,” and each individually a “Party”) effective as of August 16, 2023 (“ILA Effective Date”), that created the Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County (the “Authority”); and

**WHEREAS**, in order for the Authority to continue in existence, the ILA requires the adoption of a First Amendment to the ILA (the “Facilities Amendment”) within thirty-six (36) months of the ILA Effective Date as part of the Formation Conditions of the Authority, as defined in the ILA; and

**WHEREAS**, as part of the Formation Conditions, each Municipal Party’s elected body has one hundred-twenty (120) days to adopt and deliver to the Authority a resolution approving the Facilities Amendment; and

**WHEREAS**, in order for the Facilities Amendment to be effective, it must be approved by the elected bodies of: (a) Municipal Parties representing at least eighty percent (80%) of the total population of the Municipal Parties; and (b) the County by August 15, 2026; and

**WHEREAS**, the Executive Committee and Governing Board have each

unanimously also recommended this further amendment to the ILA, to be effective after the Facilities Amendment is effective, that would provide for two separate options for Parties to withdraw from the ILA, the first option to be exercised by the governing body of the Party adopting a resolution approving the withdrawal of such Party from the ILA and it is delivered to the Authority within forty-five (45) days after the Executive Committee recommends the award of contracts resulting from the RFP process for yard trash processing, recyclable material processing and municipal solid waste disposal, which recommendations shall be made no earlier than October 1, 2027 and no later than November 15, 2027 (which dates may be extended by majority vote of the Governing Board) and a second option for Parties to withdraw on the date that is twenty-five (25) years after the Effective Date (August 16, 2048), provided that such withdrawing Party's governing body adopts a resolution approving the withdrawal of such Party from the ILA and it is delivered to the Authority prior to August 16, 2047; and

**WHEREAS**, those Parties, including the County, that timely deliver to the Authority a resolution adopted by its elected body approving the Facilities Amendment are hereinafter referred to as the "Remaining Parties;" and

**WHEREAS**, the ILA provides in Section 16.1.3. that any amendment to the ILA that substantively modifies any of the provisions, or that concerns any of the subjects listed in such section, will not be effective unless approved by every Party's elected body; and

**WHEREAS**, Section 16.1.3.2 lists Article 4 (Duration) as one of the provisions that require approval of every Party to the ILA; and

**WHEREAS**, the Parties intend for the Second Amendment to be effective after the Facilities Amendment is effective and thus requires approval by the elected bodies of all the Remaining Parties, including the County; and

**WHEREAS**, the City Commission of the City of Coconut Creek deems it to be in

the best interest of the City to support this Second Amendment to the ILA providing two (2) separate options for Parties to withdraw from the ILA.

**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 Second Amendment to the Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida.

**Section 3:** That the Mayor, or designee, is hereby authorized and directed to execute the necessary documents to effectuate the intent of this resolution.

**Section 4:** That the City Clerk, or designee, is hereby directed to transmit a certified copy of this resolution and executed Second Amendment to the Interlocal Agreement to the Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2026.**

\_\_\_\_\_  
Jeffrey R. Wasserman, Mayor

Attest:

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

Wasserman \_\_\_\_\_

Brodie \_\_\_\_\_  
Welch \_\_\_\_\_  
Rydell \_\_\_\_\_  
Railey \_\_\_\_\_