CITY OF COCONUT CREEK
SPECIAL CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: August 18, 2025
Time: 7:30 p.m.
Meeting No. 2025-0818SP

CALL TO ORDER

Mayor Jacqueline Railey called the meeting to order at 7:33 p.m.

PRESENT UPON ROLL CALL:

Mayor Jacqueline Railey
Vice Mayor Jeffrey R. Wasserman (via Zoom)
Commissioner Sandra L. Welch
Commissioner Joshua Rydell
Commissioner John A. Brodie
City Manager Sheila N. Rose
City Attorney Terrill C. Pyburn
City Clerk Joseph J. Kavanagh

Mayor Railey asked all to rise for the Pledge of Allegiance.

Mayor Railey made a brief statement, thanking the residents for being present and highlighting the hard work put in to reach a settlement regarding the Monarch Hill Landfill.

City Attorney Pyburn noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

1. RES 2025-129 A RESOLUTION CONSIDERING THE MONARCH HILL LITIGATION SETTLEMENT AGREEMENT AMONG THE CITIES OF COCONUT CREEK AND DEERFIELD BEACH, AS WELL AS BROWARD COUNTY AND WASTE MANAGEMENT, INC. OF FLORIDA PERTAINING TO THE MONARCH HILL LANDFILL.

Mayor Railey read the Resolution title into the record.

Commissioner Welch moved the item for discussion, seconded by Commissioner Brodie**.**

City Attorney Pyburn provided an overview of the proposed Monarch Hill Litigation Settlement Agreement before the Commission for consideration. She advised that the agreement was among the City of Coconut Creek, the City of Deerfield Beach, Broward County, and Waste Management, Inc., the owner and operator of the Monarch Hill Landfill, located in unincorporated Broward County. She explained that Waste Management received approval from Broward County in February 2025 to increase the height of the landfill from 225 feet to 325 feet and to expand horizontally to add 24.2 acres of land. She stated Coconut Creek and Deerfield Beach opposed the applications at every step since their inception in 2020 and filed lawsuits and administrative challenges opposing and objecting to the expansion. She reviewed a timeline of the City's objections, next steps if the settlement was not approved, and discussed key terms of the settlement.

Special Counsel Ralph A. DeMeo, Guilday Law, attending via Zoom, shared that the team had been working very hard for both communities to find a reasonable resolution. He advised that there were two (2) lawsuits pending, with one (1) scheduled for trial before the Division of Administrative Hearings the following week and the other on hold pending further discussion among the parties. He stated after thousands of documents being reviewed and dozens of fact and expert witnesses being deposed, this unprecedented settlement had been reached. He commented that for the first time in the history of the landfill, neighboring communities were seeing a real benefit. He discussed significant aspects of the agreement briefly, as well as the likely results of continued litigation. He recommended approval of the settlement agreement.

Mayor Railey opened the item to public comment.

Ron Shamai, 4562 San Mellina Drive, Coconut Creek, commented that a compromise should involve losing some and winning some, but he did not see the City winning anything in this agreement. He agreed the agreement should be signed and asserted there were loopholes in the agreement that would result in Waste Management not complying. He thanked the Commission for taking the time for his emails and phone calls.

Tammy Lettieri, 3302 Carambola Circle South, Coconut Creek, commented that she had serious concerns about the wastewater sludge dryer project and waste incineration. She suggested that the City get more information from Waste Management on that project and how the landfill would be impacted. She asked the reason for the one (1) mile radius restriction, questioning what would stop Broward County from giving up park property for future landfilling. She asserted there was a lot not to trust and noted composting was not included in regional waste plan.

There were no further questions or comment from the public.

Commissioner Brodie stated he wanted to continue to fight but understood the compromise. He commented that he wanted to walk away with something to give to the City's children regarding closure of the landfill.

Vice Mayor Wasserman asked what would be next if the Division of Administrative Hearings were to rule in favor of the City. Mr. DeMeo stated in his experience, the next steps would be for Broward County to go back to the drawing board and change their zoning and laws before coming back with the same or worse situation. Vice Mayor Wasserman asked about payment of legal fees. Mr. DeMeo advised that under the law the City sued under, there was a strict prevailing party provision, which would require that if the County and Waste Management won the lawsuit, the cities would have to pay their legal fees. Vice Mayor Wasserman stated there were some small victories here, as highlighted, which the City Attorney and her staff had worked tirelessly toward. He expressed concern about changes that could take place in the future and asked staff to address how binding the agreement was. City Attorney Pyburn responded that the agreement included both a restriction on expansion and a requirement for closure, rather than one (1) or the other, and pointed out protections provided to the City. Vice Mayor Wasserman referenced the public comment regarding the one (1) mile radius restriction and asked for further clarification. City Attorney Pyburn explained there was concern that with a prohibition on expanding the current footprint, the landfill could move to other local properties that were owned by Waste Management, and the one (1) mile radius restriction had been offered in response to this concern. Vice Mayor Wasserman commented that this Commission had always been passionate about not letting the landfill expand and had fought hard. He stated it was a sad day, but he looked forward to the closure date.

Commissioner Rydell pointed out clauses in the agreement which guaranteed closure of the landfill and restricted another company from purchasing the site. He highlighted the importance of the

agreement for restricting the expansion of the footprint and stated his position was influenced by the lack of advocacy by the Solid Waste Authority for the issues that Coconut Creek and Deerfield Beach had fought for. He pointed out that special counsel would make a lot more money if the City continued litigating, but Mr. DeMeo was recommending approval of the settlement agreement. He commented that this was historically significant, and he was supportive of approval.

Commissioner Welch commented that this journey had started with Waste Management years ago, and the 2015 settlement agreement had come as a result of significant community input on issues affecting the residents. She commented that the Commission had to realize when they could make an impact on what the community wanted. She recognized the camaraderie, collaboration, and affiliation with Deerfield Beach and shared her appreciation. She stated she wanted a date when the landfill would close in order to call this a success, but noted there were things the City could count on for its future residents within the settlement, and she was in favor of accepting it.

Commissioner Brodie commented on traffic going through the residential neighborhoods to the landfill and suggested that the City get involved to slow traffic down.

Mr. Shamai thanked the City Attorney for the assistance she provided to his community throughout the process. He asked about protections against termination of the contract. City Attorney Pyburn clarified the provision for severability, which would allow the remainder of the contract to remain valid should a portion be found unenforceable or illegal for some reason. She stated enforcement was up to the cities, providing an additional layer of protection.

Mayor Railey advised that, for her, this battle started many years ago as a resident of Wynmoor and stated residents had rallied and fought Broward County. She thanked Commissioner Welch and Commissioner Rydell for their advocacy with the Solid Waste Authority. She noted it was not a celebratory moment, but the settlement ensured the future would not be worse.

MOTION: Welch/Brodie – To approve Resolution No. 2025-129.

Upon roll call, the Resolution passed by a 5-0 vote.

ADJOURNMENT

The meeting was adjourned at 8:33 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date