



# Monarch Hill Litigation Settlement Agreement



# Background

WMIF sought to expand Monarch Hill Landfill and filed an application for a Land Use Plan Amendment in February 2020 and a Future Land Use Map Amendment in June 2022.

Broward County approved Ordinances 2025-10, 2025-11, and 2025-13 on February 25, 2025 providing for both horizontal (approximately 24 acres) and vertical expansion (100 feet) of the landfill.

Coconut Creek & Deerfield Beach vehemently opposed and filed lawsuits after having objected to the applications at every possible step from 2020-2025.



# Timeline of Coconut Creek's Responses to WMIF's Expansion Applications

2020

**Waste Management Inc. submits Land Use Plan Amendment to Broward County to provide for 24 acre horizontal expansion of Monarch Hill Landfill submitted by .**

Broward County Commission meeting. Resolution No. 2020-072 which **directed the County Administrator to publish Notice of a Public Hearing to consider adoption of a proposed Resolution**, as related to an Ordinance adopting an amendment to the Broward County Comprehensive Plan related to the Broward Municipal Services District, amending Comprehensive Plan text related to the Broward Municipal Services District Land Use and Community Planning Element, Intergovernmental Coordination Element and Public School Facilities Element (but not the Solid Waste Element).

Broward County Commission meeting. **Motion to enact an Ordinance adopting amendments to the Broward County Comprehensive Plan** text related to the Broward Municipal Services District, amending Comprehensive Plan text related to the Broward Municipal Services District Land Use and Community Planning Element, Intergovernmental Coordination Element, and Public School Facilities Element, but not the Solid Waste Element.

2021

**Coconut Creek Director of Sustainable Development Scott Stoudenmire sent a letter opposing the proposed horizontal expansion** to Heather Cuniff, County Sr. Planner, Re: Proposed Future Land use Map Amendment 20-M1: Monarch Hill Landfill City of Coconut Creek Comments.

**City Staff attended the Local Planning Agency public hearing** where Heather Cuniff, Broward County Sr. Planner, presented staff report on behalf of the Planning and Development Management Division. *In her report she advised that "[t]he proposed amendment is not generally consistent with BCCP [Broward County Comprehensive Plan] and BCLUP [Broward County Land Use Plan] policies related to the landfill expansion. Further, approval of the landfill's expansion at this time should be deferred until an updated Solid Waste Element is adopted by the Board of County Commissioners."* **City Staff spoke at this meeting and expressed in part that the Solid Waste Element was not updated as part of the BrowardNext planning progress, the Staff Report did not provide an adequate analysis of land use compatibility, traffic impacts, and environmental concerns. As a result, the proposed amendment is not consistent with Broward County Land Use Plan policies 2.10.2 and 2.10.3 that address compatibility of land uses.**

**City sent a letter to County Commissioners** Re: Response to Waste Management Land Use Plan Amendment Application opposing the proposed horizontal expansion.

2022	<b>Waste Management to Broward County submits future Land Use Map Amendment</b> for 24 acre horizontal expansion of Monarch Hill Landfill
	<b>City of Deerfield Beach Planning and Development Services Director Eric Power sent a letter</b> to Health Cuniff, Broward County Sr. Planner, Re: City of Deerfield Beach Comments Proposed Future Land Use Map Amendment 20-M1: Monarch Hill Landfill opposing the proposed horizontal expansion.
	<b>Coconut Creek City Manager Karen Brooks sent letter</b> to Barbara Blake Boy, Director of County Planning Council, Re: City of Coconut Creek Comments on Proposed Future Land Use Map Amendment 20-M1: Monarch Hill Landfill opposing the proposed horizontal expansion.
	<b>City sends email invitation to our landfill complaint database</b> inviting them to Ambassador Program focused on Monarch Hill Landfill proposed horizontal expansion, solid waste, and recycling
	<b>Staff presents Ambassador Program presentation</b> Re: Monarch Hill Landfill proposed horizontal expansion, solid waste, and recycling.
	<b>City sends email to Ambassadors and Citizen's Academy alumni Re: Broward County Planning Council Meeting</b>
	<b>City posts on Head's Up page regarding Monarch Hill Landfill proposed horizontal expansion.</b>
2023	<b>City Commission, Staff, and residents attended and spoke at the 10/27/22 Broward County Planning Council meeting</b> opposing the proposed small scale amendment to the Broward County Land Use Plan and Broward County Land Use Map providing for a horizontal expansion.
	<b>City of Coconut Creek Deputy City Manager Sheila Rose sent a letter</b> to Darby P Delsalle, AICP, Broward County Urban Planning, Re: Notification of Site Plan Approval and Issuance of Development Order; Project Name: Monarch Hill Flare Project, File No. 006-SP-22, Commission District 2.

Jan – June 2024

**Formal letter to Ambassadors from Mayor Sandra Welch** thanking them for their service and reminding them of **January 23, 2024, Commission Meeting, Re: proposed horizontal expansion**, among other things. It was sent via email with a 1-page overview of this issue with contact information for Broward County Commissioners, and the Ambassador Program PowerPoint on the Monarch Hill Landfill.

**City of Coconut Creek sent a follow up email to Ambassadors and Citizen's Academy alumni with more details on the January 23, 2024, County Commission meeting.**

**Advocacy/Call to Action post from Chamber** urging membership to vote no on proposed Monarch Hill Landfill horizontal expansion at County Commission meeting (post was urged by City of Coconut Creek).

**City of Coconut Creek sent an email to Ambassadors and Citizen's Academy alumni thanking them for their engagement for the January 23, 2024, County Commission Meeting after the Commission pulled the item.**

**Mayor Sandra Welch sent a letter to Solid Waste Authority** Chairs Gregg Ross and Beam Furr and Executive Committee Re: Waste Management's Land Use Plan Amendment and Land Use Map Amendment Application providing for horizontal expansion.

**City Manager Sheila Rose spoke at the Women's Club** on a variety of issues including the proposed landfill expansion and the City's concerns.

**City Manager Sheila Rose spoke at a South Creek Community Meeting** on a variety of issues including the proposed landfill expansion and the City's concerns.

**City Manager Sheila Rose spoke at Wynmoor Town Hall** on a variety of issues including the proposed landfill expansion and the City's concerns.

**City of Coconut Creek sent a letter to County Administrator, Monica Cepero Re: Monarch Hill Landfill Proposed Expansion.**



June - Aug 2024

**Request from Broward County Commission to Broward County Attorney's Office to draft an Ordinance amending Chapter 39 of the Broward County Code of Ordinances to increase the permitted height of landfills in an A-6 Agricultural Disposal District to up to 325 feet.**

**Email sent from Alexis Marrero-Kortich, Assistant Broward County Attorney, with a copy of the proposed Ordinance amending Section 39-464 of the Zoning Code related to the permitted height increase of landfills in an A-6 Agricultural Disposal District to up to 325 feet.** County anticipates this Ordinance will be on the October 8, 2024, Broward County Commission meeting agenda. This email was sent to: Terrill Pyburn, City Attorney; Anthony Soroka, City of Deerfield Beach's City Attorney; Maite Azcoitia, Assistant County Attorney; Matthew Haber, Assistant County Attorney; and Rene Harrod, Deputy County Attorney. City Attorney, Terrill Pyburn, responded to the County's email noting receipt of the draft proposed Ordinance.

**City of Coconut Creek sent an email on behalf of City Manager Sheila Rose to Todd Storti, Executive Director of the Broward County Solid Waste Authority.** Included with the email was a copy of the City's draft proposed changes to the Broward County Ordinance increasing the permitted height of landfills in an Agricultural-Disposal District (A-6) up to 325 feet. Also in the email, the City informed Mr. Storti of the upcoming Broward County Land Planning Agency hearing on the A-6 Zoning amendment and noted that it may be of interest to him.

**Todd Storti, Executive Director of the Broward County Solid Waste Authority responded to Ms. Rose's email** advising in part that this issue was discussed at the last Solid Waste Authority Executive Committee meeting and the Executive Committee decided not to send a letter or otherwise involve the Solid Waste Authority in this issue [proposed Ordinance increasing the permitted height of landfills in an Agricultural-Disposal District (A-6)]. As a result, he will not get involved nor will he attend the upcoming Land Planning Agency hearing on the A-6 Zoning amendment.

Aug – Sep 2024

**Deputy City Manager Scott Stoudenmire, on behalf of City of Coconut Creek sent an email including a letter regarding Amendment 24-Z5: Landfill Height and requesting that this information be included in the County record for consideration.** In his letter, Mr. Stoudenmire, expressed receiving the County's Ordinance amendment and request for comments and feedback and he explained that the City was seeking a seat at the drafting table, not a mere courtesy notice. Reply email sent from Jo Sesodia, County Director of Urban Planning, indicating the Mr. Stoudenmire's letter will be included in the Land Planning Agency's meeting record and provided as back up to a future Agenda item for consideration by the Board of County Commissioners. City of Coconut Creek Staff attended and spoke at the Resilient Environment Department Local Planning Agency meeting opposing the proposed Monarch Hill Landfill Ordinance amendment increasing the permitted height of landfills in an Agricultural-Disposal District (A-6) up to 325 feet.

**City of Coconut Creek City Manager, Sheila Rose, sent an email to City of Deerfield Beach City Manager, David Santucci,** including a draft of an ordinance regarding the vertical expansion of the Monarch Hill Landfill that the City proposes to send to Broward County. Ms. Rose indicated that the City would like the County to advertise both titles at the September County Commission meeting. Ms. Rose sought comments from City of Deerfield Beach Staff.

**City of Deerfield Beach City Manager, David Santucci, responded to Mr. Rose's email with two observations** about the proposed changes and other considerations regarding the restrictions to Section 39-463 if the height is increased to 225 feet.

**City Attorney, Terrill Pyburn, sent a reply email to Assistant County Attorney, Alexis Marrero Koratich,** including a draft redline Ordinance proposed by City of Coconut Creek Staff.

**City of Coconut Creek City Manager, Sheila Rose, sent an email to Broward County Deputy Administrator, Kevin Kelleher,** expressing concerns with the County's barebones Ordinance proposal regarding a height increase to Monarch Hill Landfill. Ms. Rose included in her email an alternative Ordinance and requested that it be considered and the titled be advertised in the same course as the County's draft.

**Assistant County Attorney, Alexis Marrero Koratich, responded to City Attorney, Terrill Pyburn's email, confirming receipt of the City's proposed changes.**



Sept - Nov 2024

**Staff attended Solid Waste Authority Public Workshop**, engaged and encouraged community to attend and presented talking points and expressed objections to both the proposed horizontal and vertical expansions at Monarch Hill Landfill.

**City Manager, Sheila Rose, sent a letter to Monica Cepero, Broward County Administrator** Re: Monarch Hill Proposed Expansion. Specifically, this letter included the City's concerns regarding County Commission meeting on October 22, 2024, agenda item 16, 18, and 19 pertaining to the horizontal and vertical expansion.

**City of Coconut Creek Commission members and City Staff attended Oct 22, 2024, County Commission meeting** and expressed objections to the horizontal and vertical expansion.

**City of Coconut Creek sent an email to Ambassadors and Citizen's Academy alumni with information on the November 12, 2024, Broward County Commission Meeting**; posted on Head's Up page regarding the proposed horizontal and vertical expansion.

**City of Coconut Creek Commission members and City Staff attended and spoke at the Nov 12, 2024, County Commission meeting** and expressed objections to the horizontal and vertical expansion.

**Coconut Creek provided bus transportation to City residents attending the Nov 12, 2024, County Commission meeting.**

Jan - Feb 2025

**City of Coconut Creek sent save the date email to Ambassadors and Citizen's Academy alumni for January 28, 2025, Broward County Commission Meeting;** posted on Head's Up page regarding the proposed horizontal and vertical expansion.

**Letter sent from the Solid Waste Authority Chair, Mike Ryan, to County Commissioners,** Re: January 28, 2025, County Commissions Agenda Items: 57-60 Related to Monarch Hill Landfill objecting to the horizontal expansion.

**City of Coconut Creek sent email to Ambassadors and Citizen's Academy alumni with time certain for January 28, 2025, Broward County Commission Meeting;** posted on Head's Up page regarding the proposed horizontal and vertical expansion.

**City of Coconut Creek sent a letter from City of Coconut Creek's Special Counsel, Ralph DeMeo, to County Commissioners,** Re: Monarch Hill Landfill Waste Management Inc. of Florida and expressed objections to the horizontal and vertical expansion.

**Additional Meeting Material Re Items 57-60, Request by Vice Mayor Bogen.** The additional material included a January 27, 2025, letter in response to proposed Development Agreement for Monarch Hill, sent from the City of Deerfield Beach Director, Planning and Development Services, Eric Power, to the Broward County Commissioners.

**City of Coconut Creek City Commission members and City Staff attended and spoke at the County Commission meeting** and expressed objections to the horizontal and vertical expansion.

**City of Coconut Creek provided bus transportation to City residents attending the County Commission meeting.**

**City Manager, Sheila Rose, sent a letter to Mr. Michael Ryan, Chair of the Solid Waste Authority,** Re: City comments on proposed Land Use Plan Amendment 20-M1: Monarch Hill opposing the horizontal and vertical expansion.

**City of Coconut Creek City Commission voted to approve Resolution No. 2025-028** authorizing the conflict resolution procedures of Chapter 164, Florida Statutes, related to action items for expansion of the Monarch Hill Landfill.

Feb - Mar 2025

**City Manager, Sheila Rose, sent a certified letter to Monica Cepero, Broward County Administrator, Re: Notice of Intent to initiate Conflict Resolution Procedures, pursuant to Chapter 164, Florida Statutes, if the County Commission moved ahead with voting in favor of the horizontal and vertical expansion of the Monarch Hill Landfill.**

**City of Coconut Creek sent an email to Ambassadors and Citizen's Academy alumni re: County Commission continuing the hearing on Monarch Hill Landfill on February 25, 2025;** posted on Head's Up page regarding the proposed horizontal and vertical expansion.

**City of Coconut Creek sent an email to Ambassadors and Citizen's Academy alumni with time certain for February 25, 2025, Broward County Commission Meeting;** posted on Head's Up page regarding the proposed horizontal and vertical expansion.

**City of Coconut Creek Commission members and City Staff attended and spoke at the County Commission meeting** and expressed objections to the horizontal and vertical expansion.

**City of Coconut Creek provided transportation to City residents attending the County Commission meeting.**

**City of Coconut Creek Staff and Deerfield Beach Staff met with County Staff regarding the proceedings under Chapter 164, Florida Statutes,** related to action items for expansion of the Monarch Hill Landfill for first staff-level intergovernmental dispute resolution process meeting required by law.

**City of Coconut Creek Staff met with County Staff regarding the proceedings under Chapter 164, Florida Statutes,** related to action items for expansion of the Monarch Hill Landfill.

Mar - April 2025

**City of Coconut Creek filed its Petition for Formal Administrative Hearing against Broward County**, pursuant to Chapter 120, Florida Statutes, challenging two small scale development amendments to the Broward County Comprehensive and Land Use Plan regarding the Land Use Plan Amendment and Future Land Use Map Amendment related to the horizontal expansion.


**City Manager Sheila Rose spoke to the Wynmoor Democratic Club and provided a landfill update.**

**City Manager Sheila Rose spoke to the Chamber of Commerce at the Wake Up Breakfast at the Coconut Creek Community Center and provided a landfill update.**

**City of Coconut Creek Staff and City of Deerfield Beach Staff met with County Staff regarding the proceedings under Chapter 164, Florida Statutes**, related to action items for expansion of the Monarch Hill Landfill for continuation of a the first staff-level intergovernmental dispute resolution process meeting required by law.

**Letter from City of Coconut Creek Mayor, Jacqueline Railey, to Broward County Vice Mayor Mark Bogen Re: County requesting that the County purchase the 24 Acres Associated with the Monarch Hill Landfill where horizontal expansion is proposed.**

**City of Coconut Creek receives Waste Management Inc.'s first round of discovery** including Request for Production, Request for Admissions, and Interrogatories.



May 2025	<p><b>City of Coconut Creek Staff and City of Deerfield Beach Staff met with Broward County Staff and held a conflict resolution meeting</b> pursuant to Chapter 164, Florida Statutes for second staff-level intergovernmental dispute resolution process meeting required by law. City Attorney, Terrill Pyburn and Special Counsel, Ralph DeMeo, met with San Melina residents to discuss the Monarch Hill Landfill horizontal and vertical Expansion.</p>
	<p><b>City of Coconut Creek receives Broward County’s first round of discovery including Request for Production, Request for Admissions, and Interrogatories.</b></p>
	<p><b>City Attorney, Terrill Pyburn, and Special Counsel, Ralph DeMeo, attended Broward County’s Motion to Dismiss</b>, or in the Alternative, Motion to Strike Portions of the Petition and the City of Deerfield Beach’s Motion for Leave to Intervene in the case against Waste Management, Inc.</p>
	<p><b>City Attorney, Terrill Pyburn, met with Julia Gardens residents</b> to discuss the Monarch Hill Landfill horizontal and vertical expansion.</p>

June 2025	<b>City Attorney, Terrill Pyburn and Special Counsel Ralph DeMeo, had a follow up meeting with San Melina residents</b> to discuss the Monarch Hill Landfill horizontal and vertical expansion.
	<b>City of Coconut Creek filed its Amended Petition</b> , pursuant to Chapter 120, Florida Statutes, for Formal Administrative Hearing against Broward County challenging two small scale development amendments to the Broward County Comprehensive and Land Use Plan.
	<b>City of Coconut Creek Staff attended, and encouraged its residents to also attend, the public hearing regarding the Solid Waste Authority of Broward County's Solid Waste and Recycling Master Plan</b> to support the City's position regarding the Landfill horizontal and vertical expansion.
	<b>City of Coconut Creek Staff attended, and encouraged its residents to also attend, the public hearing regarding the Solid Waste Authority of Broward County's Solid Waste and Recycling Master Plan</b> to support the City's position regarding the Landfill horizontal and vertical expansion.
	<b>City Attorney, Terrill Pyburn, and Commissioner Sandra Welch, met with Banyan Trails residents</b> to discuss the Monarch Hill Landfill horizontal and vertical expansion.
	<b>Broward County filed an Amended First Request for Production, Request for Admissions, and Interrogatories.</b>
	<b>Waste Management Inc. of Florida, filed an Amended First Request for Production, Request for Admissions, and Interrogatories.</b>



July 2025

Commissioner Josh Rydell, City Attorney, Terrill Pyburn along with Special Counsel, Ralph DeMeo, and City Manager, Sheila Rose as well as Representatives of the City of Deerfield Beach, Broward County, and Waste Management of Florida, Inc. attended an informal settlement discussion.

Waste Management Inc. of Florida filed its Second Request for Request for Production and Interrogatories.

City of Coconut Creek filed its First Request for Production and Interrogatories to Waste Management, Inc. of Florida.

City of Coconut Creek filed its First Request for Production and Interrogatories to Broward County.

City Attorney, Terrill Pyburn, and Commissioner Sandra Welch, met with Coco Lakes residents to discuss the Monarch Hill Landfill horizontal and vertical expansion.

City of Coconut Creek filed its Response to Waste Management Inc. of Florida's, Amended First Request for Production, Request for Admissions, and Interrogatories.

City of Coconut Creek received a public records request from Holland and Knight, legal counsel for Waste Management, Inc. of Florida, PRR 2025-737, for responsive records from January 1, 2022, until present.

City of Coconut Creek filed its Response to Broward County's Amended First Request for Production, Request for Admissions, and Interrogatories.

August 2025

City Attorney, Terrill Pyburn and Special Counsel Ralph DeMeo, attended the deposition of City of Deerfield Beach Director, Planning and Development Services, Eric Power, regarding the Monarch Hill Landfill case.

City Attorney, Terrill Pyburn, met with City of Coconut Creek Deputy City Manager Scott Stoudenmire to prepare for his deposition in the Monarch Hill Landfill case.

City Attorney, Terrill Pyburn, met with City of Coconut Creek City Manager, Sheila Rose, to prepare for her deposition in the Monarch Hill Landfill case.

City Attorney, Terrill Pyburn and Coconut Creek Special Counsel attended deposition of Heather Cunniff, Broward County Sr. Planner.

City Attorney, Terrill Pyburn, and Special Counsel, Ralph DeMeo, attended deposition of City of Coconut Creek, Deputy City Manager, Scott Stoudenmire.

Special Counsel, Ralph DeMeo, attended deposition of Ernest Hoch, expert witness for the City of Coconut Creek.

City of Coconut Creek filed its Response to Waste Management Inc. of Florida's Amended First Request for Production and Interrogatories.

## **COMING UP:**

### **August 19, 2025- August 22, 2025**

- Deposition of City of Coconut Creek, City Manager, Sheila Rose.
- Deposition of City of Coconut Creek Director, Sustainable Development Justin Proffitt
- Deposition of City of Coconut Creek Sustainability Manager, Linda Whitman.
- Deposition of Christopher Carey, Corporate Representative for Waste Management, Inc.
- Deposition of City of Coconut Creek Solid Waste Project Manager, Mike Heimbach.
- Deposition of City of Coconut Creek Director of Public Works, Harry Mautte.
- Depositions of Broward County Witnesses Barbara Blake-Boy, Darby Delsalle, and Kevin Kellerer.

### **August 26-29, 2025**

- City of Coconut Creek v. Broward County and Waste Management, Department of Administrative Hearing regarding the Monarch Hill Landfill.

### **August 28, 2025**

- Joint Board meeting pursuant to Chapter 164, Florida Statutes, with City of Coconut Creek Commission members, City Attorney, Terrill Pyburn, Special Counsel, Ralph DeMeo, City Staff, City of Deerfield Beach Commission members and City of Deerfield Beach Staff, and Broward County Commission members and County Staff.

The Proposed Settlement would result in dismissal of all litigation and the Chapter 164 Intergovernmental Dispute Resolution Process



# Landfill Expansion and Limits

Expansion limited to 2025 Approvals, both footprint & height.


No further expansions beyond approved limits.

No landfill within 1 mile of current site.

~25M cubic yards = ~25 more years of capacity.

Declaration of Restrictive Covenants to be filed in Public Records memorializing these limitations.





# Environmental and Operational Controls

Odor control: misting, daily cover, gas capture, quarterly testing.

Traffic: WMIF to undertake reasonable traffic management plan for vehicles directly or indirectly controlled by WMIF and accessing the Landfill & street sweeping in front of landfill twice weekly.

Litter: \$15,000 annually to each city (Coconut Creek and Deerfield Beach) for cleanup along Wiles, Sample, Powerline, and Lyons roads around the perimeter of the landfill.

Increased groundwater monitoring (increased number and frequency placement of wells).

Bird abatement program with wildlife experts.



# Waste Disposal Restrictions

Predominantly Class III Waste and C&D Only after September 30, 2027 as well as waste allowed by Coconut Creek's 2015 Settlement Agreement.

Cap: max 20% of waste from outside Broward annually.

Exceptions:

State of Emergency declared impacting any portion of Southeast Florida from Palm Beach County south.

Upon an express finding by County Commission that temporary acceptance is in the public interest and still subject to Coconut Creek's 2015 Settlement Agreement.





# Renewable Energy and Gas Plant

Gas-to-energy plant retained for ~10 years unless unfeasible.

WMIF must supply landfill gas to County's wastewater sludge dryer. County to provide at County's discretion. They will advise the cities if they move ahead with this.



## Financial Commitments from WMIF and Broward County to Cities

\$30,000 annual litter mitigation (\$15k per city).

County receives Host Charge from WMIF (after all permits obtained for both vertical and horizontal expansion).

Cities can claim up to 5% of the Host Charge for unique impacts (5 years). Exhibit B.



# Community and Re-Naming

Post-closure public reuse planning within five years after execution of Settlement Agreement to take place between Cities and Broward County.

Additional landscaping to be provided along Wiles Road.

Also, landfill must be renamed (no city/county names, "Monarch," or butterflies).



# Conclusion

Cities dismiss lawsuits with prejudice.

Mutual release of all claims.

Agreement enforceable; breaches subject to legal remedies.  
Our 2015 Settlement Agreement remains in place, except to the extent of any direct conflict.

Agreement void if required permits for horizontal and vertical expansion not obtained.