

ORDINANCE NO. 2026-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING AND RESTATING THE FRANCHISE AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES OF FLORIDA, L.P. DATED SEPTEMBER 10, 2019 AND AMENDED SEPTEMBER 9, 2021; PROVIDING FOR THE REINSTATEMENT OF CURBSIDE RECYCLING, ALLOWING FOR PRICE ADJUSTMENTS DUE TO INCREASING LABOR AND EQUIPMENT COSTS, AS WELL AS ADDITIONAL SOLID WASTE GENERATION; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED AMENDED AND RESTATED FRANCHISE AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES OF FLORIDA, L.P.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City entered into an exclusive franchise agreement for the collection of solid waste and recyclable materials with Republic Services of Florida, L.P. on September 10, 2019 (“Agreement”) through Ordinance No. 2019-014; and

WHEREAS, on September 9, 2021, through Ordinance No. 2021-001, the City Commission amended the agreement to remove certain provisions within the Agreement related to recycling based on changes to market conditions at that time that made source separated recycling collection in the traditional sense impractical; and

WHEREAS, the current Agreement expires September 30, 2026, but has one (1) additional five (5)-year renewal available; and

WHEREAS, it is in the best interests of the City to extend the Agreement, and City staff has negotiated the Agreement to return curbside recycling to the City with anti-contamination artificial intelligence software, using electric battery powered curbside collection vehicles, while allowing for increased labor and equipment costs, and recognizing the increase in household waste production.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance. Exhibit “A,” Amended and Restated Franchise Agreement between the City of Coconut Creek and Republic Services of Florida, L.P. dated _____, 2026, attached hereto, is incorporated herein and made a specific part of this ordinance.

Section 2: That the City Commission has reviewed and hereby approves the attached Amended and Restated Franchise Agreement between the City of Coconut Creek and Republic Services of Florida, L.P. for the collection of solid waste and recyclable materials.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached Amended and Restated Franchise Agreement between the City of Coconut Creek and Republic Services of Florida, L.P. for the collection of solid waste and recyclable materials.

Section 4: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS _____ DAY OF _____, 2026.

PASSED SECOND READING THIS _____ DAY OF _____, 2026.

Jeffrey R. Wasserman, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

	<u>1st</u>	<u>2nd</u>
Wasserman	_____	_____
Brodie	_____	_____
Welch	_____	_____
Rydell	_____	_____
Railey	_____	_____