

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE FIRST AMENDMENT (THE FACILITIES AMENDMENT) TO THE INTERLOCAL AGREEMENT FOR SOLID WASTE DISPOSAL AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Margate, has previously 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 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”);

WHEREAS, the residents, businesses and tourists in Broward County generate 5,000,000 tons of solid waste annually, or 20,000 pounds per minute, double the national average per person;

WHEREAS, commissioned studies project that the amount of future solid waste generation in Broward County will increase by almost 50 percent over the next 40 years;

WHEREAS, the single existing Class I landfill in Broward County currently available for disposal of solid waste is reaching capacity, and will stop accepting Class I waste for disposal at the end of this year;

WHEREAS, the single existing waste-to-energy plant located in Broward County is at capacity and is unable to accept any additional solid waste;

WHEREAS, the County and its municipalities face a solid waste crisis based upon projected increases in the generation of solid waste;

WHEREAS, since the 2013 dissolution of the Resource Recovery System (which had been governed by the Resource Recovery Board), the municipalities and the County have failed to achieve the 75% statutory recycling goal, instead the County recycling rate is approximately 30%;

WHEREAS, even for those municipalities that are participating in recycling efforts, the contamination rates are far too high, resulting in less recycling and increased direct costs to the municipalities that are paid by their residents;

WHEREAS, following the dissolution of the Resource Recovery System and Resource Recovery Board, each of the 31 municipalities and the County (for the unincorporated area) were on their own to manage solid waste disposal and recycling, resulting in variability of costs and disposal services;

WHEREAS, the Solid Waste Working Group and subsequently the Authority have analyzed waste composition, waste generation, existing disposal capacity, and areas where significant improvements in solid waste management would yield economies of scale that are expected to result in lower processing and disposal costs, in order to achieve necessary goals of reduction, reuse and recycling to conserve needed disposal capacity;

WHEREAS, the Governing Board of the Authority, on April 17, 2026, adopted a Master Plan that will enable the Parties to work collaboratively, for at least the next 40 years, to implement a long-term, environmentally sustainable, transparent, innovative, and economically efficient plan and approach to reduction, reuse, recycling, and disposal of solid waste generated in the County;

WHEREAS, the Master Plan outlines strategic actions across several key areas:

- Establishing a waste management system throughout the County that decreases dependency on landfill and waste-to-energy and reduces the risk of market-driven unpredictability of costs for ILA members.
- Ensuring all Parties benefit from streamlined operations, improved access to services, and meaningful participation in long-term decision-making.
- Promoting a circular economy that maximizes the diversion of solid waste from the waste stream into beneficial uses that support domestic supply chains and manufacturing while reducing the reliance on and extraction of virgin natural resources.
- Reducing waste generation through a robust education and outreach program, behavior change, and incentives for circular economy practices.
- Expanding recovery and recycling with construction and demolition (C&D) debris and mandatory commercial recycling ordinances, implementing curbside source-separated yard trash processing, and developing convenience recycling drop-off facilities to protect current and future disposal capacity and maximize value from recovered solid waste commodities for the benefit of ILA members.

- Optimizing the use of existing public and private infrastructure in the most economical and efficient manner, while identifying the potential for new facility needs for transfer, processing, and disposal over the long term so as to achieve the goals of financial transparency, predictability and savings.
- Improving governance and financial stability via flow control mechanisms, assessment models, and regional policy and service harmonization;

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

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

WHEREAS, if the City of Margate fails to adopt and deliver to the Authority a resolution approving the Facilities Amendment within that one hundred twenty day period, it will be deemed to constitute the City of Margate's withdrawal from the ILA;

WHEREAS, 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;

WHEREAS, on March 20, 2026, the Governing Board of the Authority voted to recommend the First Amendment to the ILA, which is attached hereto as Exhibit “A” to this Resolution (the “Facilities Amendment”); and

WHEREAS, the City Commission of the City of Margate, deems it to be in the best interest of the City to support the Master Plan, to continue to be a Municipal Party of the Authority, and to approve the Facilities Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA THAT:

SECTION 1. The foregoing WHEREAS clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

SECTION 2. The Facilities Amendment attached hereto as Exhibit “A” is approved together with such non-substantive changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney.

SECTION 3. The Mayor and City Manager are authorized and directed to execute the Facilities Amendment and to send a copy of this Resolution and the executed Facilities Amendment to the Authority.

SECTION 4. The Mayor and City Manager are further authorized to execute a revised version of the Facilities Amendment, if requested by the Authority, so long as the revised Facilities Amendment is substantively the same as Exhibit “A” and includes only non-substantive changes that are acceptable to the City Manager and approved as to form and legality by the City Attorney, and to send such revised Facilities Amendment to the Authority.

SECTION 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. If any clause, section, or other part of this Resolution shall be considered unconstitutional, or invalid in part, such unconstitutional or invalid provision shall be considered ineffective and will in no way affect the validity of the other provisions of this Resolution.

SECTION 7. This Resolution shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 3RD day of JUNE, 2026.

ATTEST:

JENNIFER M. JOHNSON
CITY CLERK

ANTONIO V. ARSERIO
MAYOR

RECORD OF VOTE
Schwartz _____
Simone _____
Ruzzano _____
Caggiano _____
Arserio _____