

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH OTHER BROWARD COUNTY MUNICIPALITIES AND BROWARD COUNTY FOR THE CREATION OF THE SOLID WASTE DISPOSAL AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Solid Waste Working Group ("SWWG") has been working for over three (3) years to develop a framework for regional recycling and solid waste management in Broward County; and

WHEREAS, the SWWG has developed an Interlocal Agreement to create the Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida (the "Authority"); and

WHEREAS, as provided in the Interlocal Agreement which is attached hereto as Exhibit "A," the City of Margate ("City") and other municipalities in Broward County, along with Broward County (the "Parties") are coordinating a joint management program for System Waste, as defined in the Interlocal Agreement, through the Authority (the "System"), which will be created as an independent and separate legal entity pursuant to, and consistent with, Sections 163.01, 189.4041, 403.706(11), (12), (15), and (19), and 403.713, Florida Statutes; and

WHEREAS, the Authority must adopt a Master Plan that will provide for guidance related to the operation of the Authority in sufficient detail so that the Parties may fund and implement the System and any related facilities or programs and to allow the Authority to plan for financing, investments, and improvements related to the System; and

WHEREAS, the Interlocal Agreement does not divest any Party to the Agreement of its ultimate authority or obligation to supervise the provision of services related to System Waste generated in its jurisdiction; none of the powers granted the

Authority constitutes a transfer of powers or functions as addressed under Article VIII, Section 4, of the Florida Constitution; and

WHEREAS, until the Authority is able to fund its budget through special assessments, or other methods, each Party must financially contribute towards the costs of operations of the Authority, and as provided in the Interlocal Agreement, such expenses shall not exceed an aggregate yearly maximum amount of two million dollars (\$2,000,000), which shall be funded on a pro rata basis based on population; and

WHEREAS, the City of Margate's estimated share of the cost of operation costs of the Authority pursuant to the Interlocal Agreement, would be \$59,682.12, with 100% participation of all municipalities in Broward County, or \$79,576.16 with 75% participation of municipalities in Broward County to the Interlocal Agreement; and

WHEREAS, each Party must appoint an elected official to serve as a member and an alternate member of the Governing Board of the Authority; and

WHEREAS, in order to become effective, the Interlocal Agreement must be approved by Broward County and municipal parties representing seventy-five percent (75%) of the population of Broward County.

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

SECTION 1: That the City Commission of the City of Margate, Florida, approves the Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida, in substantially the form attached as Exhibit "A," together with such non-substantial changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney.

SECTION 2: That the Mayor and City Manager are authorized and directed to execute the Agreement, and to take all action consistent with the Interlocal Agreement and this Resolution.

SECTION 3: That this Resolution shall become effective immediately upon its passage.

RESOLUTION _____

PASSED, ADOPTED AND APPROVED THIS _____ day of _____ 2023.
ATTEST:

JENNIFER M. JOHNSON
CITY CLERK

MAYOR ANTHONY N. CAGGIANO

RECORD OF VOTE

Arserio _____
Ruzzano _____
Caggiano _____
Schwartz _____
Simone _____