

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED *CITY OF SUNRISE ET. AL. V BROWARD COUNTY*; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Broward County (the "County") and several Broward municipalities entered into a Settlement Agreement to settle the litigation styled *City of Sunrise et. al. v Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the municipalities defined in the Settlement Agreement as the Settling Municipalities shall be collectively referred to herein as the "Settling Municipalities"); and

WHEREAS, the Settlement Agreement provides for the County and the Settling Municipalities to agree to use their best efforts (and to take all reasonable steps) to sell the parcel of land known as Alpha 250, as further described in the Settlement Agreement ("Alpha 250"); and

WHEREAS, the City of Margate approved on August 24, 2016, by Resolution 16-262, a First Amendment to the Settlement Agreement to delay the sale of Alpha 250 while a joint independent study was performed by a Consultant; and

WHEREAS, based upon the Consultant's recommendations, the County and the Settling Municipalities determined that they desire a Second Amendment to the Settlement Agreement to further extend the Alpha 250 sale date until October 11, 2019 and provide an option to extend the Alpha 250 sale date for up to three additional periods, each for up to one year, during which the County and the cities would continue to work together to try to develop a comprehensive plan for the future of solid waste disposal in Broward County.

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

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the City of Margate as its legislative findings relative to the subjects and matters set forth in this Resolution.

Section 2. Approval of Second Amendment to the Settlement Agreement. The Second Amendment to Settlement Agreement, attached as Exhibit "A", is hereby approved.

Section 3. Authorization to Execute Second Amendment.
The appropriate City officials are authorized to execute the Second Amendment to Settlement Agreement, attached as Exhibit "A".

Section 4. Implementing Actions. The City Manager and the City Attorney are hereby authorized to take any actions necessary to implement the aims of this Resolution.

Section 5. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the City Commission that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

Section 6. Conflicts. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED, ADOPTED AND APPROVED THIS _____ day of _____ 2018.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR ANTHONY N. CAGGIANO

RECORD OF VOTE

Simone	_____
Arserio	_____
Schwartz	_____
Ruzzano	_____
Caggiano	_____