

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA AUTHORIZING THE CITY ATTORNEY TO FILE A CIVIL ACTION AGAINST ECOLOGICAL PAPER RECYCLING, INC. ("ECOLOGICAL") FOR DAMAGES RESULTING FROM BREACH OF THAT CERTAIN AGREEMENT ("THE AGREEMENT") BETWEEN ECOLOGICAL AND THE CITY ENTERED INTO ON JULY 2, 2013, FOR RECYCLABLES PROCESSING SERVICES.

WHEREAS, on July 2, 2013, Ecological and the City entered into an agreement for recyclables processing services; and

WHEREAS, on May 7, 2014, the City Commission adopted Resolution No. R-2014-111 terminating the Agreement effective immediately; and

WHEREAS, at the time the City Commission voted to terminate the Agreement, Ecological was delinquent in payments owed to the City in an amount that was close to \$250,000.00; and

WHEREAS, Section 7.02(b)(4) of the City Charter requires the City Attorney, when requested to do so by resolution of the City Commission, to prosecute and defend on behalf of the City all complaints, suits and controversies in which the City is a party; and

WHEREAS, the City Attorney recommends that the City Commission authorize him to file a civil action against Ecological to recover all monies owed by Ecological to the City under the Agreement;

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

Section 1: That the City Attorney is hereby authorized to file a civil action against Ecological Paper Recycling, Inc. to recover all monies owed by Ecological to the City under the Agreement and to seek any and all other remedies that may be appropriate.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2014.

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PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:

JEFFREY P. SHEFFEL, CITY ATTORNEY