

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BROWARD COUNTY, FLORIDA, FOR BILLING PAYMENT SERVICES RELATED TO USE OF THE BROWARD COUNTY LANDFILL FOR DISPOSAL OF STORM WATER DEBRIS.

WHEREAS, Broward County, Florida, owns and operates the Broward County Landfill located in Fort Lauderdale, Florida; and

WHEREAS, the Department of Public Utilities desires to deliver solid waste accumulated from the Stormwater infrastructure to the landfill which is waste that is acceptable for Broward County to process at the landfill; and

WHEREAS, the Department of Public Utilities has utilized Broward County's Landfill in the past; and

WHEREAS, Broward County provides as an option for use of the landfill, a mechanism to pay for services using a charge account that the City desires to take advantage of; and

WHEREAS, in order to utilize the landfill and make payments through a charge account, Broward County requires the City to execute the attached agreement, which terms and conditions include that the City indemnify and hold Broward County harmless for any damages caused by the City's negligence; and

WHEREAS, the estimated cost for these services is \$50,000.00; and

WHEREAS, funding for the agreement with Broward County has been provided in the Fiscal Year 2019 Budget in the Department of Public Utilities Account Numbers 443.410101.53800.531170.000000.000.000 and 443.410101.53800.543600.000000.000.00, and funding will be budgeted in subsequent fiscal years subject to the passage and adoption of each subsequent fiscal year's Operating Budget by the City Commission; and

WHEREAS, Section 38.40(C)(8) of the City's Purchasing Ordinance provides that when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from the competitive bidding and competitive proposal requirements.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached Agreement with Broward County, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2019.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY