

RESOLUTION NO. R-2018-296

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY AGREEMENT FOR HOUSEHOLD HAZARDOUS, BULK AND YARD WASTE PROGRAM AGREEMENT FOR A ONE YEAR TERM FROM SEPTEMBER 30, 2018 TO SEPTEMBER 30, 2019.

WHEREAS, on September 4, 2013, the City Commission passed and adopted Resolution No. R-2013-254, authorizing the appropriate City officials to execute an Interlocal Agreement with Broward County for the disposal of Household Hazardous Waste and Bulk Trash and Yard Waste Drop-Off at permanent drop-off locations for a five year term on a per capita cost basis; and

WHEREAS, the Interlocal Agreement currently in effect expires on September 30, 2018, and does not provide for renewals; and

WHEREAS, Broward County has proposed that the current Interlocal Agreement be extended for a one year term under the same terms and conditions and has provided the attached First Amendment to the Interlocal Agreement for consideration by the City; and

WHEREAS, Article 4 of the current Interlocal Agreement provides that the City's payment for such services, which is based upon a per capita calculation, shall be escalated by an amount not to exceed three percent annually during the term of the Agreement; and

WHEREAS, the County's Household Hazardous Waste Program provides disposal services and electronics recycling at permanent collection sites and at remote collection events, and offers the Recycled Paint Program to residents free of charge; and

WHEREAS, the per capita fee for Household Hazardous Waste under the proposed First Amendment and pursuant to Article 4 will increase from \$2.06 to \$2.12, which increases the annual amount from \$289,982.00 to \$298,428.00; and

WHEREAS, the per capita fee for Residential Drop-Off Program of Bulk Trash and Yard Waste will increase from \$.52 to \$.54, which increases the annual amount from \$73,199.00 to \$76,015.00; and

WHEREAS, although the per capita fee payment for the City will increase, the County's Residential Drop-Off Program of Bulk Trash and Yard Waste disposal services to residents will be free of charge at permanent collection sites; and

WHEREAS, funding for this service will be provided in the FY 2019 budget in the Department of Public Works Budget Account Numbers 45.5121.00000.534.004360 - Waste Disposal and 45.5121.00000.534.004631- Waste Disposal – Broward County; 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 First Amendment to the Interlocal 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 20 day of September, 2018.


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 

This is a First Amendment to the Interlocal Agreement for Optional County Services for Keep Broward Beautiful, Household Hazardous Waste, and Bulk Trash and Yard Waste Drop-Off Programs ("Agreement") between Broward County, a political subdivision of the State of Florida ("County") and the City of Hollywood, a municipality established under the laws of the State of Florida ("City") (collectively, the "Parties").

Recitals

- A. On August 28, 2012, the Board of County Commissions approved the form of an interlocal agreement to allow municipalities in Broward County to use County services for Keep Broward Beautiful, Household Hazardous Waste, and Bulk Trash and Yard Waste programs (the "Programs") on a fee-for-service basis.
- B. Keep Broward Beautiful program focuses on the organization, education, and coordination of volunteers for the removal of litter, including Adopt-A-Street, waterway cleanups, beach sweeps, and municipal events.
- C. Household Hazardous Waste program involves three permanent locations for residential drop-off of household hazardous waste and electronics.
- D. Bulk Trash and Yard Waste Drop-Off program involves three permanent locations for bulk trash and residential yard waste drop-off.
- E. On October 1, 2013, City entered into the Agreement with County. The Agreement currently expires on September 30, 2018.
- F. County is in the process of evaluating the next steps for the Programs.

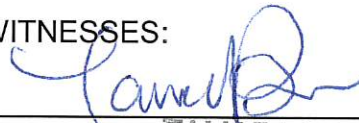
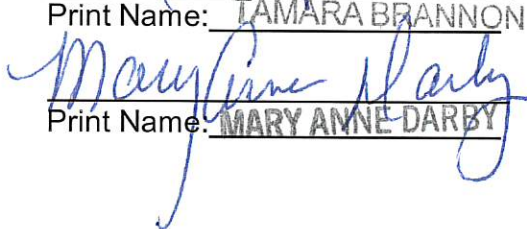
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, County and City hereby agree as follows:

- 1. The Agreement, which expires on September 30, 2018, is extended for one year, with a new expiration date of September 30, 2019.
- 2. All other terms, conditions, and covenants contained in the Agreement shall remain in force and effect.


IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to the Interlocal Agreement: BROWARD COUNTY, through its County Administrator, authorized to execute same pursuant to Board action at the April 10, 2018 meeting, and the CITY OF HOLLYWOOD, signing by and through its MAYOR, duly authorized to execute same.

COUNTY

WITNESSES:


Print Name: TAMARA BRANNON

Print Name: MARY ANNE DARBY

BROWARD COUNTY, by and through
its County Administrator

By 
Bertha Henry, County Administrator

30th day of October, 2018

Insurance requirements
approved by Broward County
Risk Management Division

Approved as to form by
Andrew J. Meyers Broward
County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By C Pounall 10/25/18
Signature (Date)

Colleen Pounall Risk Analyst
Print Name and Title above

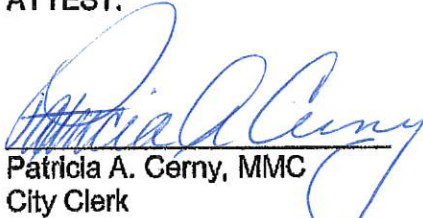
By  10/30/18
Keoki M. Baron (Date)
Assistant County Attorney



First Amendment to the Interlocal Agreement between Broward County and the City of Hollywood for Optional County Services for Keep Broward Beautiful, Household Hazardous Waste, and Bulk Trash and Yard Waste Drop-Off Programs.


CITY OF HOLLYWOOD, a municipal
corporation of the State of Florida

ATTEST:


Patricia A. Cerny, MMC
City Clerk

By: 
Josh Levy, Mayor

Date: 10/9/18

Approved by: 
Cintya Ramos, Director
of Financial Services

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


Douglas R. Gonzales, City Attorney