

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONDITIONALLY APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE FIRST AND SECOND AMENDMENTS TO THE INTERLOCAL AGREEMENT FOR SOLID WASTE DISPOSAL AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA.

WHEREAS, the City of Hollywood has previously entered into the Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County, Florida (the "ILA") among Broward County, Florida (the "County") and twenty-eight municipalities in Broward County (each, individually, a "Municipal Party" and collectively, the "Municipal Parties") (collectively with the County, the "Parties," and each individually a "Party") effective as of August 16, 2023 ("ILA Effective Date"), that created the Solid Waste Disposal and Recyclable Materials Processing Authority of Broward County (the "Authority"); and

WHEREAS, the residents, businesses and tourists in Broward County generate nearly 5,000,000 tons of solid waste annually, or 20,000 pounds per minute, double the national average per person; and

WHEREAS, commissioned studies project that the amount of future solid waste generation in Broward County will increase by approximately 33% percent over the next 40 years; and

WHEREAS, the single existing Class I landfill in Broward County currently available for disposal of solid waste is reaching capacity, and will stop accepting Class I waste for disposal at the end of 2026; and

WHEREAS, the single existing waste-to-energy plant located in Broward County is at capacity and is unable to accept any additional solid waste; and

WHEREAS, the County and its municipalities face an urgent need to address projected increases in the generation of solid waste; and

WHEREAS, since the 2013 dissolution of the Resource Recovery System (which had been governed by the Resource Recovery Board), the municipalities and the County have failed to achieve the 75% statutory recycling goal, instead the County recycling rate is approximately 30%; and

WHEREAS, even for those municipalities that are participating in recycling efforts, the contamination rates are far too high, resulting in less recycling and increased direct disposal costs to the municipalities that are paid by their residents; and

WHEREAS, following the dissolution of the Resource Recovery System and Resource Recovery Board, each of the 31 municipalities and the County (for the unincorporated area) were on their own to manage solid waste disposal and recycling, resulting in variability of costs and disposal services; and

WHEREAS, the Solid Waste Working Group and subsequently the Authority have analyzed waste composition, waste generation, existing disposal capacity, and areas where significant improvements in solid waste management would yield economies of scale that are expected to result in lower processing and disposal costs, in order to achieve necessary goals of reduction, reuse and recycling to conserve needed disposal capacity; and

WHEREAS, the Governing Board of the Authority, on April 17, 2026, adopted a Master Plan that will enable the Parties to work collaboratively, for at least the next 40 years, to implement a long-term, environmentally sustainable, transparent, innovative, and economically efficient plan and approach to reduction, reuse, recycling, and disposal of solid waste generated in the County; and

WHEREAS, the Master Plan outlines strategic actions across several key areas:

- Establishing a waste management system throughout the County that decreases dependency on landfill and waste-to-energy and reduces the risk of market-driven unpredictability of costs for ILA members.
- Ensuring all Parties benefit from streamlined operations, improved access to services, and meaningful participation in long-term decision-making.
- Promoting a circular economy that maximizes the diversion of solid waste from the waste stream into beneficial uses that support domestic supply chains and manufacturing while reducing the reliance on and extraction of virgin natural resources.
- Reducing waste generation through a robust education and outreach program, behavior change, and incentives for circular economy practices.
- Expanding recovery and recycling with construction and demolition debris and mandatory commercial recycling ordinances, implementing curbside source-separated yard trash processing, and developing convenient recycling drop-off facilities to protect current and future disposal capacity and maximize value from recovered solid waste commodities for the benefit of ILA members.
- Optimizing the use of existing public and private infrastructure in the most economical and efficient manner, while identifying the potential for new facility needs for transfer, processing, and disposal over the long

term to achieve the goals of financial transparency, predictability and savings.

- Improving governance and financial stability via flow control mechanisms, assessment models, regional policy and service harmonization; and

WHEREAS, for the Authority to continue in existence, the ILA requires the adoption of a “Facilities Amendment” within thirty-six months of the ILA Effective Date as part of the Formation Conditions of the Authority, all as defined in the ILA; and

WHEREAS, as part of the Formation Conditions, each Municipal Party’s elected body has one hundred twenty days to adopt and deliver to the Authority a resolution approving the Facilities Amendment; and

WHEREAS, if the City fails to adopt and deliver to the Authority a resolution approving the Facilities Amendment within that one hundred twenty-day period, it will be deemed to constitute the City’s withdrawal from the ILA; and

WHEREAS, for the Facilities Amendment to be effective, it must be approved by the elected bodies of: (a) Municipal Parties representing at least eighty percent (80%) of the total population of the Municipal Parties; and (b) the County; and

WHEREAS, on March 20, 2026, the Governing Board of the Authority voted to recommend the First Amendment to the ILA, which is attached hereto as Exhibit “A” to this Resolution (the “Facilities Amendment”); and

WHEREAS, on June 15, 2026, the Governing Board of the Authority voted to further recommend the Second Amendment to the ILA, which is attached hereto as Exhibit “B” to this Resolution and details Options to Withdraw; and

WHEREAS, the Second Amendment to the ILA is to be effective after the Facilities Amendment is effective, that would provide for two separate options for Municipal Parties to withdraw from the ILA, the first option to be exercised by the governing body of the Party adopting a resolution approving the withdrawal of such Party from the ILA and it is delivered to the Authority within 45 days after the Executive Committee recommends the award of contracts resulting from the RFP process for yard trash processing, recyclable material processing and municipal solid waste disposal, which recommendations shall be made no earlier than October 1, 2027 and no later than November 15, 2027 (which dates may be extended by majority vote of the Governing Board) and a second option for Parties to withdraw on the date that is twenty-five (25) years after the Effective Date (August 16, 2048), provided that such withdrawing Party’s governing body adopts a resolution approving the withdrawal of such Party from the ILA and it is delivered to the Authority prior to August 16, 2047; and

WHEREAS, the City deems it to be in the best interest of the City to support the Master Plan, to continue to be a Municipal Party of the Authority, and to approve the Facilities Amendment and the Second Amendment; and

WHEREAS, the City's approval of the Facilities Amendment is expressly contingent upon the approval of the Second Amendment by the County and by the required percentage of Municipal Parties as required for the Second Amendment to become effective; and

WHEREAS, in the event the Second Amendment is not approved by the County and the required percentage of Municipal Parties, the City's approval of the Facilities Amendment shall be deemed withdrawn, null, and void, and the City shall be deemed not to have approved the Facilities Amendment.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

Section 2. That it conditionally approves and authorizes the execution, by the appropriate City officials, of the attached Facilities Amendment to the ILA 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; provided, however, that such approval shall not become effective unless and until the Second Amendment is approved by the County and by required percentage of Municipal Parties. If such approvals are not obtained, the City's approval of the Facilities Amendment shall be null, void, and of no effect. The City's continued participation in the Authority is expressly conditioned upon the Second Amendment becoming fully effective pursuant to its terms. In the absence of such effectiveness, the City shall be deemed not to have approved or executed the Facilities Amendment.

Section 3. That it approves and authorizes the execution, by the appropriate City officials, of the attached Second Amendment which details Options to Withdraw from the ILA 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 4. This Resolution shall be effective immediately upon its passage and adoption.

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PASSED AND ADOPTED this _____ day of _____, 2026.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DAMARIS HENLON
CITY ATTORNEY