

**RESOLUTION NO. 2010 - 022**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING (MOU) AMONG BROWARD COUNTY, THE BROWARD SOLID WASTE DISPOSAL DISTRICT, WHEELABRATOR SOUTH BROWARD, INC. AND WHEELABRATOR NORTH BROWARD INC. PROVIDING THAT THIS RESOLUTION SHALL BE BINDING ONLY UPON APPROVAL OF AN ADDITIONAL RESOLUTION APPROVING A NEW INTERLOCAL AGREEMENT FOR THE BROWARD SOLID WASTE DISPOSAL DISTRICT.**

**WHEREAS**, the agreements relating to the operation of the Wheelabrator factories and the Interlocal Agreements with the participating municipalities are about to expire; and

**WHEREAS**, the parties desire to extend the term of the Agreement; and

**WHEREAS**, as an inducement to extend the term of the Agreement, Wheelabrator has agreed to give all participating municipalities their pro-rata share of \$12,000,000 based upon each municipality's fiscal year 2008 tonnage; and

**WHEREAS**, preliminary numbers show that the Town of Southwest Ranches would be eligible to receive \$68,000.00 for agreeing to execute this non-binding Memorandum of Understanding and entering into an extended agreement; and

**WHEREAS**, the Town Council believe that the execution of this Memorandum of Understanding is in the best interest of the health, safety, and welfare of its residents.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Southwest Ranches, Florida:

**Section 1:** The Memorandum of Understanding (MOU) attached hereto reflects the material terms agreed to among Broward County, the Broward Solid Waste Disposal District, Wheelabrator South Broward, Inc. and Wheelabrator North Broward Inc., and forms the basis of an amended Service Agreement to replace the current Service Agreements between Broward County and Wheelabrator and all amended versions of same.

**Section 2:** The Town of Southwest Ranches, Florida, hereby approves the terms of the MOU attached hereto for a term of ten years from August 4, 2011, with an option for a ten (10) year extension by mutual agreement.

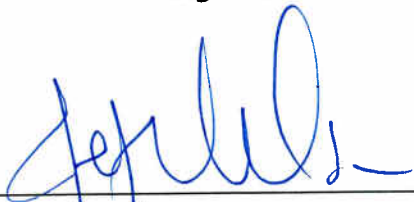
**Section 3:** This Resolution shall be binding only upon the passage of an additional resolution approving a new Interlocal agreement for the Broward Solid Waste Disposal District.

**Section 4:** The Town Clerk is hereby directed to send a certified copy of this resolution to the Resource Recovery Board and Broward County Board of County Commissioners.

**Section 5:** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 3rd day of December 2009, on a motion by Council Member McKay and seconded by Vice Mayor Knight.

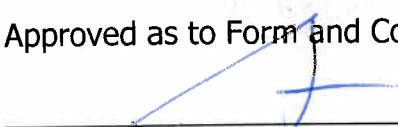
NELSON	<u>YES</u>	Ayes	5
KNIGHT	<u>YES</u>	Nays	0
BREITKREUZ	<u>YES</u>	Absent	0
FISIKELLI	<u>YES</u>	Abstaining	0
McKAY	<u>YES</u>		



---

Jeff Nelson, Mayor

ATTEST:  
  
\_\_\_\_\_  
Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:  
  
\_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney