



# Broward County

## Legislation Details (With Text)

**File #:** 22-071      **Version:** 1

**Status:** Agenda Ready

**In control:** COUNTY ADMINISTRATION

**On agenda:** 1/25/2022      **Final action:** 1/25/2022

**Title:** MOTION TO AUTHORIZE County Administrator to approve and execute a First Amendment to the Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System ("MOU"), dividing the costs for a regional solid waste and recycling generation study and report ("Study") between the County and participating municipalities, provided (a) the County's financial contribution to the costs of the Study is no more than 50% of the total cost, and (b) the participating municipalities issue payment to the County for their collective portion of the total cost upon their execution of the First Amendment, subject to review of the First Amendment for legal sufficiency by the Office of the County Attorney; to authorize the County Administrator to approve and execute any additional amendments to the MOU as may be necessary, subject to (a) and (b) above, and further subject to review of such amendments for legal sufficiency by the Office of the County Attorney; and to authorize the County Administrator to take all necessary administrative and budgetary actions to effectuate the MOU, as amended, including, without limitation, having the County receive, hold, and disburse the participating municipalities' portion of the Study costs.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### Broward County Commission Regular Meeting

**Director's Name:** Bertha Henry

**Department:** County Administration

### Information

#### Requested Action

**MOTION TO AUTHORIZE** County Administrator to approve and execute a First Amendment to the Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System ("MOU"), dividing the costs for a regional solid waste and recycling generation study and report ("Study") between the County and participating municipalities, provided (a) the County's financial contribution to the costs of the Study is no more than 50% of the total cost, and (b) the participating municipalities issue payment to the County for their collective portion of the total cost upon their execution of the First Amendment, subject to review of the First Amendment for legal sufficiency by the Office of the County Attorney; to authorize the County Administrator to approve and execute any additional amendments to the MOU as may be necessary, subject to (a) and (b) above, and further subject to review of such amendments for legal sufficiency by the Office of the County Attorney; and to authorize the County Administrator to take all necessary administrative and budgetary actions to effectuate the MOU, as amended, including,

without limitation, having the County receive, hold, and disburse the participating municipalities' portion of the Study costs.

**Why Action is Necessary**

Board authorization is required to authorize the County Administrator to take the referenced actions.

**What Action Accomplishes**

Authorizes the County Administrator to approve and execute amendments to the MOU and take the other referenced actions.

**Is this Action Goal Related**

No

**Previous Action Taken**

**Summary Explanation/Background**

On June 15, 2021, the Board authorized the County Administrator to waive the procurement code and enter into an agreement with a qualified vendor for a study, and subsequent report, of regional solid waste and recycling generation (the "Study Agreement"), provided (a) the Study Agreement does not include any services required to be competitively procured under the Consultants' Competitive Negotiation Act, and (b) the County's financial contribution to the costs of the study and report are no more than 50% of the total cost, with the remainder to be directly paid by participating municipalities (Agenda Item #124).

The Broward County Solid Waste Working Group ("SWWG"), composed of a County Commissioner and a group of elected municipal officials, voted to utilize municipal population in determining each participating municipality's share of the 50% portion of the Study costs being paid by the municipalities.

If this item is approved, the County Administrator will be authorized to enter into a First Amendment to the MOU (and subsequent amendments, as may be needed), subject to review for legal sufficiency by the Office of the County Attorney, which amendment(s) will formalize the municipal cost-sharing responsibility and the timing for payments of the municipal portion of the Study costs to the County. In addition, if approved, this item will authorize the County Administrator to take all necessary administrative and budgetary actions to implement the First Amendment (and subsequent amendments) on behalf of the County, including the receipt, retention, and disbursement of funds paid by participating municipalities pursuant to the MOU, as amended.

**Source of Additional Information**

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

None. The item addresses the method by which municipalities will pay their share of the cost of the study.