

RESOLUTION NO. 24-07

A RESOLUTION OF THE CITY OF HOLMES BEACH, FLORIDA, RENEWING THE FRANCHISE AGREEMENT WITH WASTE PRO OF FLORIDA, INC., PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City entered into a Franchise Agreement (the “Agreement”) with Waste Pro of Florida, Inc. (“Waste Pro”) via Ordinance 15-06 on April 22, 2015; and

WHEREAS, the Agreement provides that the initial term of shall commence on June 1, 2015, and terminate of May 31, 2025, unless otherwise extended for a duration as may be agreed upon by the parties, but for no less than two (2) years and no greater than five (5) years, without requiring competitive bidding; and

WHEREAS, the City and Waste Pro have agreed that the terms of the Agreement shall be renewed for an additional five (5) years, commencing on June 1, 2025, and terminate on May 31, 2030; and

WHEREAS, the Agreement provides that the rates, terms, and provisions of any renewals shall be in effect prior to such renewal; and

WHEREAS, the rates, terms, and provisions provided by the Agreement and all amendments thereto, shall constitute the rates, terms, and provisions in effect for purposes of this renewal; and

WHEREAS, the Board of Commissioners of the City of Holmes Beach, Florida, desires to continue to maintain a high level of service for the City’s residents and visitors relative to waste collection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THIS CITY OF HOLMES BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. The City Commission approves a one-time renewal of the Waste Pro Franchise Agreement adopted via Ordinance 15-06, for a period of five (5) years.

SECTION 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase in this resolution is held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions thereof.

SECTION 64. Effective Date. This Resolution shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Holmes Beach.

PASSED AND ADOPTED, by the City Commission of the City of Holmes Beach, Florida, in regular session assembled, this 11th day of September 2024.

Dan Diggins

Pat Morton

Greg Kerchner

Carol Soustek

Terry Schaefer

APPROVED BY ME THIS 11th DAY OF SEPTEMBER 2024.

Judy Titsworth, Mayor

ATTEST:

Stacey Johnston, MMC, City Clerk