

RESOLUTION NO. R-2012-61

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO NOTIFY EXISTING PRIVATE WASTE COLLECTORS WITH THE THREE (3) YEAR NOTICE OF DISPLACEMENT PURSUANT TO FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on January 24, 2012, the Mayor and City Council of the City of North Miami ("City") passed and adopted Ordinance Number 1326 ("Ordinance"), authorizing the collection and disposal of all garbage, bulk trash, rubbish, solid waste, and recyclable materials generated within the City ("Services") by a private solid waste collector selected by the City under a franchise agreement; and

WHEREAS, Section 403.70605, Florida Statutes, and other applicable provisions of law authorize the City to enter into one or more exclusive franchises for the provision of Services within the City boundaries; and

WHEREAS, on February 12, 2012, the Mayor and City Council passed and adopted Resolution Number R-2012-18, authorizing the City Manager to execute a franchise agreement between the City and Waste Pro of Florida, Inc. ("Contractor"), for the provision of Services consistent with Florida law and the provisions of the Ordinance ("Agreement"); and

WHEREAS, the City intends to have an exclusive franchise with Contractor for the provision of Services throughout the City; and

WHEREAS, the City has, pursuant to Section 403.70605, Florida Statutes, mailed notice of the public hearing to those solid waste collectors currently doing business in the City; and

WHEREAS, a public hearing was held on May 8, 2012, and comments and objections of all interested persons were heard and considered by the Mayor and City Council as required by Section 403.70605, Florida Statutes; and

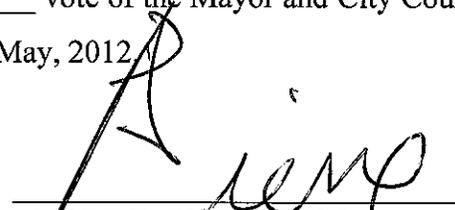
WHEREAS, City administration respectfully requests direction from the Mayor and City Council to provide notice to solid waste collectors operating within the City, in accordance with Section 403.70605, Florida Statutes.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Authority of City Manager. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to notify existing private waste collectors with the three (3) year notice of displacement pursuant to Florida law.

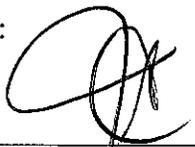
Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 3-2 vote of the Mayor and City Council of the City of North Miami, Florida, this 8 day of May, 2012.

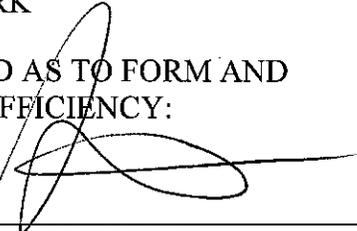


ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Mayor Pierre

Seconded by: Councilwoman Steril

Vote:

Mayor Andre D. Pierre, Esq.	<u> X </u>	(Yes)	<u> </u>	(No)
Vice Mayor Jean R. Marcellus	<u> X </u>	(Yes)	<u> </u>	(No)
Councilperson Michael R. Blynn, Esq.	<u> </u>	(Yes)	<u> X </u>	(No)
Councilperson Scott Galvin	<u> </u>	(Yes)	<u> X </u>	(No)
Councilperson Marie Erlande Steril	<u> X </u>	(Yes)	<u> </u>	(No)