

**GOLDEN BEACH, FLORIDA  
RESOLUTION NO. 1056.97**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA APPROVING THE TRANSFER OF THE CONTRACT FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD RECYCLING MATERIALS BETWEEN BROWNING-FERRIS INDUSTRIES OF FLORIDA, INC. AND THE TOWN OF GOLDEN BEACH TO BFI WASTE SYSTEMS OF NORTH AMERICA, INC.; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE CONSENT TO THE TRANSFER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Browning-Ferris Industries of Florida, Inc. has requested that the Town of Golden Beach give written consent to the transfer of the contract for recycling household materials to BFI Waste Systems of North America, Inc. ("BFI Waste"); and

**WHEREAS**, Sec.4.01(a)(2) of the Town Charter authorizes the Mayor to execute all contracts or other obligations on behalf of the Town as approved by the Council; and

**WHEREAS**, the request for transfer has been presented to the Town Council for consideration;

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** That the written consent for transfer of the contract between Browning-Ferris Industries of Florida, Inc., a/k/a Industrial Waste Services, Inc. d/b/a Community Recycling, and the Town of Golden Beach, dated February 14, 1994, for collection and disposal of household recyclable materials, to BFI Waste Systems of North America, Inc., a wholly-owned subsidiary of Browning-Ferris Industries of North America, is hereby approved. The Assignment is attached to and made a part of this Resolution.

**Section 2.** That the Mayor is authorized and directed to execute the written consent to the transfer referenced in this Resolution.

**Section 3. Severability.** That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.


**Section 4. Conflict.** That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** That this Resolution shall become effective immediately upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by Lisa Lowrance, seconded by Charles Fistel and on roll call the following vote ensued:

Mayor Cuenca	<u>AYE</u>
Vice Mayor Chikovsky	<u>AYE</u>
Councilwoman Addicott	<u>AYE</u>
Councilman Fistel	<u>AYE</u>
Councilwoman Lowrance	<u>AYE</u>

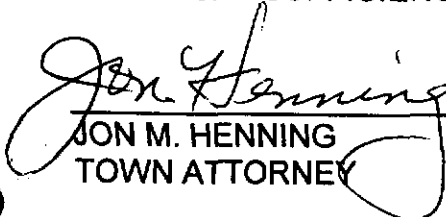
**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach this 16th day of September, 1997.

  
MAYOR JUDY CUENCA

ATTEST:

  
TOWN CLERK PAT MONGIELLO

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JON M. HENNING  
TOWN ATTORNEY



August 28, 1997

Skip Johnston, City Manager  
Town of Golden Beach  
1 Golden Beach Drive  
Golden Beach, Florida 33160-2296

Re: Agreement between Browning-Ferris Industries of Florida, Inc. and the Town of Golden Beach

Dear Mr. Johnston:

Browning-Ferris Industries of Florida, Inc. hereby requests that the Town of Golden Beach give written consent to the transfer of the above-referenced contract to BFI Waste Systems of North America, Inc. ("BFI Waste"), a wholly-owned subsidiary of Browning-Ferris Industries, Inc., a Delaware corporation. BFI Waste hereby agrees to assume all of the existing obligations under the contract. It is desired to effectuate this transfer on or before September 30, 1997.

This transfer is being requested as a result of BFI's internal efforts to consolidate its U.S. subsidiaries; however, the current management and operations of the various facilities will not be affected by the merger of Browning-Ferris Industries of Florida, Inc., into BFI Waste. We remain fully committed to servicing our customers.

Please confirm your written consent to the transfer of the contract by executing this letter on behalf of the Town of Golden Beach below and returning it to the following address:

**Browning-Ferris Industries of Florida, Inc., 2380 College Avenue, Davie, Florida 33317**

Sincerely,

**BROWNING-FERRIS INDUSTRIES OF FLORIDA, INC. AND BFI WASTE SYSTEMS OF NORTH AMERICA, INC.**

Anthony Spadaccia  
Public Affairs Director

AGREED AND ACCEPTED TO THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 1997

TOWN OF GOLDEN BEACH

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_