

PROPOSED RESOLUTION NO. 2025-R-19

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE SECOND AMENDMENT TO LICENSE AGREEMENT REGARDING PEMBROKE PINES MITIGATION BANK BETWEEN THE CITY OF PEMBROKE PINES AND THE WETLANDSBANK COMPANY, LLC.; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE NECESSARY DOCUMENTS TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1992, the City entered into an Agreement with the Florida Wetlands Bank, the predecessor in interest of The Wetlandsbank Company, LLC., (“TWC”) for the purpose of developing the Pembroke Pines Mitigation Bank (the “Mitigation Bank”), on certain City property identified in the Original Agreement (the “Original Property”) that could be restored to a functioning wetlands; and

WHEREAS, the decades-long collaboration between the City and TWC on the development of the Mitigation Bank has led to the restoration and preservation of hundreds of acres of wetlands within the City while permitting developers to mitigate the impacts of their development on local wetlands and generating revenue to fund a trust fund for the properties’ permanent conservation and to augment operating revenue in the City; and

WHEREAS, in 2019, the City entered into a new agreement (the “2019 Agreement”) with TWC to continue to market and sell the federal wetlands mitigation credits held in the Mitigation Bank; and

WHEREAS, the 2019 Agreement was amended in 2020 to permit TWC to market and sell additional state wetlands mitigation credits it had identified as available under the original permit; and

WHEREAS, the Parties desire to amend the License Agreement as provided in the Second Amendment to the License Agreement, attached hereto as **Exhibit “A”**, to expand and enhance wetlands preservation in the City by creating a new Permittee-Responsible

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Mitigation Process, using certain City-owned real property that is appropriate for the process;
and

WHEREAS, the City Commission for the City of Pembroke Pines finds that approval of the Second Amendment to the License Agreement with TWC is in the best interests of the health, safety, and welfare of the residents of the City of Pembroke Pines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The City Commission of the City of Pembroke Pines does hereby approve the Second Amendment to License Agreement Regarding Pembroke Pines Mitigation Bank, attached hereto as Exhibit "A", providing for additions and enhancements to the Mitigation Bank.

Section 3. The City Manager and City Administration are hereby authorized to execute the Second Amendment to the License Agreement and to take all steps necessary to coordinate and effectuate the intent of this Resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE
PINES, FLORIDA, THIS ____ DAY OF _____, 2025.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST: By: _____
MAYOR ANGELO CASTILLO

_____ DEBRA ROGERS, CITY CLERK	CASTILLO	_____
APPROVED AS TO FORM:	HERNANDEZ	_____
	GOOD	_____
	SCHWARTZ	_____
_____ OFFICE OF THE CITY ATTORNEY	RODRIGUEZ	_____