

RESOLUTION NO. 13-111

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, STRONGLY OPPOSING BROWARD COUNTY'S MOTION TO ADOPT BUDGET RESOLUTION NO. 2013-459, AT THEIR COUNTY COMMISSION MEETING ON JUNE 11, 2013, TO TRANSFER FUNDS FROM THE RESOURCE RECOVERY FUND RESERVES TO THE SOLID WASTE FUND IN THE AMOUNT OF NINE MILLION TWO HUNDRED TEN THOUSAND SIX HUNDRED SEVENTY-FOUR DOLLARS (\$9,210,674.00) FOR THE PURPOSE OF RETAINING SUFFICIENT FUNDING TO MEET COUNTY OBLIGATIONS REGARDING SOLID WASTE DISPOSAL.

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WHEREAS, in 1987, 26 Contract Communities, including the City of Fort Lauderdale, along with unincorporated Broward County, entered into an Interlocal Agreement ("ILA") to establish a Resource Recovery System ("System") including two waste to energy plants, providing a long term alternative to conventional land-filling; and

WHEREAS, to provide governance for the System, the ILA also provided for the creation of the Broward Solid Waste Disposal District, which is a special dependent district of Broward County; and

WHEREAS, during the term of the ILA, the Contract Communities have participated in and financially supported the acquisition, development and expansion of additional programs, real property investments, and infrastructure improvements; and

WHEREAS, in addition, the System has made partial distributions of financial reserves to the Contract Communities during the ILA term, pursuant to the ILA and its Amendments; and

WHEREAS, section 15.2 of the above described ILA states that the "Resource Recovery Board shall provide for the equitable distribution of the Broward Solid Waste Disposal District's assets and liabilities to the Contract Communities, unincorporated County and County at the end of the term of this agreement"; and

WHEREAS, during their Regular Commission Meeting of June 11, 2013, Broward approved a motion to adopt budget Resolution No. 2013-459, to transfer funds from

the Resource Recovery Fund reserves to their Solid Waste Fund in the amount of Nine Million Two Hundred Ten Thousand Six Hundred Seventy-Four Dollars (\$9,210,674.00); and

WHEREAS, according to the aforementioned ILA, while Broward County Commission has budgetary approval authority, they do not have the authority to unilaterally withdraw the assets of the Resource Recovery Board;

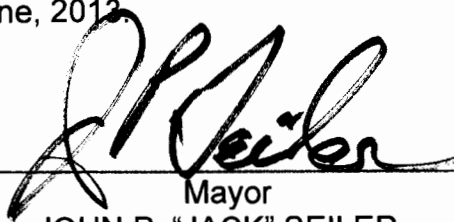
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida is hereby strongly opposed to Broward County's motion adopting Budget Resolution No. 2013-459 to transfer funds from the Resource Recovery Fund reserves to the Solid Waste Fund in the amount of Nine Million Two Hundred Ten Thousand Six Hundred Seventy-Four Dollars (\$9,210,674.00) for the purpose of retaining sufficient funding to meet the County's obligations regarding solid waste disposal.

SECTION 2. That the City strongly urges Broward County to rescind Budget Resolution No. 2013-459 and replenish and/or maintain the \$9,210,674.00 in the Resource Recovery Fund.

SECTION 3. That a copy of this resolution shall be sent to Bertha Henry, County Administrator for Broward County.

ADOPTED this the 18th day of June, 2013

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

  
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City Clerk  
JONDA K. JOSEPH