

City of Fort Lauderdale

City Hall
100 N. Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov



Meeting Minutes - DRAFT

Monday, June 24, 2013

9:30 AM

Resource Recovery System

City Commission Chambers

CITY COMMISSION - SPECIAL MEETING

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
HARRY A. STEWART, City Attorney

Meeting was called to order at 9:36 a.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, and Commissioner Romney Rogers

Also Present: 4 - City Manager, Lee R. Feldman; City Auditor, John Herbst; City Clerk, Jonda K. Joseph; City Attorney, Harry A. Stewart

Absent: - Commissioner Bobby B. DuBose

Vote Roll Call Order for this Meeting

Commissioner DuBose, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis, and Mayor Seiler

The City Manager advised that several cities are considering initiating a lawsuit against Broward County relating to distribution of assets from the Resource Recovery System. The intended day of filing the lawsuit is July 2. Mayor Seiler noted the last day for the Resource Recovery Board is July 2. On July 3, Broward County will take over this responsibility. The City Auditor advised that the assets are distributable to the contract cities at the end of the interlocal agreement which is approaching. It is likely that the County will institute themselves as board members and as such could simply dismiss the lawsuit. The City Attorney believed that the issues are not totally clear and litigation is probably the only way for there to be clarification. The injunction needs to occur before July 2. He responded to Commissioner Rogers' idea of a receivership, indicating that is possible however an injunction is needed because of the timing. He also responded to Mayor Seiler's question about the potential recusal of judges, noting historically it has been possible to get a judge assigned. It will be requested to be placed on the complicated case docket. Mayor Seiler explained for Commissioner Trantalis that there has been a county commissioner on the Resource Recovery Board (RRB), Ilene Lieberman and most votes have been unanimous. When she was term-limited, a new county commissioner, saw distribution differently and voted no. It has been brought to the County Administrator's attention. Information requests were suddenly slowed down. The City Auditor confirmed that the level of County staff cooperation has been minimal at best. The City Manager advised that the County Administrator agreed to meet with a task force created by the Broward County City Managers Association however the County is still taking several unilateral and irreversible actions that are defeating the purpose of meeting. Mayor Seiler felt that litigation is the last resort. In response to Commissioner Rogers, Mayor Seiler expanded on requests of the RRB related to assets where answers were not provided and the County Commission would then move assets. The City Auditor advised there is roughly \$60 million in cash available as of the September 30 financial statements. Other assets including landfills are probably about \$50 million and fair market value could easily be \$100 million or more. He went on to comment on the County Commission's action on June 11 to divert \$9.2 million of assets to their own benefit was not presented to the RRB and is in violation of the interlocal agreement. Mayor Seiler indicated as a member of the RRB he made repeated requests concerning asset distribution and for the County's position.

Commissioner Trantalis introduced the resolution, which was read by title only.

Aye: 4 - Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis, and Mayor Seiler

The meeting adjourned at 9:55 a.m.