

**CITY OF OAKLAND PARK, FLORIDA
CITY COMMISSION AGENDA ITEM REPORT**

AGENDA ITEM NO. 2

MEETING DATE: 10/3/2018

PREPARED BY:	Albert J Carbon III, P. E., Public Works Director	DEPARTMENT HEAD APPROVAL:	PUBLIC WORKS
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SUBJECT:

Second Amendment to the Settlement Agreement Regarding Dissolving the County Resource Recovery Board (RRB)

1. BACKGROUND/HISTORY

Issue Statement:

On September 13, 2018, the Broward County Board of Supervisors approved the Second Amendment to the Resource Recovery Board (RRB) Settlement Agreement relating the use and/or sale of the RRB land asset known as the Alpha 250 Site. The proposed amendment will not go into effect until all participating municipalities approve the second amendment. Oakland Park is a participating municipality under the agreement.

The proposed amendment extends the Settlement Agreement, the Alpha 250 sale date until October 11, 2019, and provides the group of Mayors the ability to further extend the Alpha 250 sale date for up to three additional periods, each for up to one year.

Recommended Action:

Adopt a Resolution for the Second Amendment to the Settlement Agreement regarding dissolving the County Resource Recovery Board (RRB).

HISTORY

Broward County and most of the municipalities entered in to a Settlement Agreement to settle litigation regarding dissolving the Resource Recovery Board (RRB). The RRB was a dependent county special district that handled solid waste disposal until June 2013. Pursuant to the RRB Settlement Agreement, the cities were collectively paid \$32 million, and the Alpha 250 property, an RRB property asset located in Pompano Beach (map attached), was to be sold within one year (with the proceeds paid pro rata to the cities).

In 2016, the Settlement Agreement was amended to extend the date for the sale of the Alpha 250 property in order to allow the County to have a consultant do a study of the Alpha 250 property and solid waste disposal issues in Broward County. The First Amendment extended the Alpha 250 sale date for one year (until October 11, 2017), and also gave a group of Mayors (selected by the participating municipalities) the ability to extend it for one additional year, until October 11, 2018. That extension was done.

2. CURRENT ACTIVITY

The time period set forth in the First Amendment is coming to an end and a second amendment is needed to complete report on Solid Waste and Recycling Issues in Broward County. An interim final report by the County's consultant has been completed, a copy of which is attached. Also, attached in Oakland Park's staff comments to the Interim Report.

Based upon the Consultant's recommendations, the County and the group of Mayors determined that they would like to do a Second Amendment to the Settlement Agreement, which would further extend the Alpha 250 sale date until October 11, 2019, and provides the group of Mayors the ability to further extend the Alpha 250 sale date for up to three additional periods, each for up to one year. The County and the cities will continue to work together to try to develop a comprehensive plan for the future of solid waste disposal in Broward County. During this amendment period, including the three extensions, City staff will continue to attend meetings and monitor the progress and provide update reports to City Commission.

The County Commission approved (on September 13, 2018) and executed the proposed Second Amendment (on September 20, 2018). In order for the amendment to become effective, all of the Settling and Consenting Municipalities will need to approve the Second Amendment.

3. FINANCIAL IMPACT

No financial impact to this action

4. RECOMMENDATION

Staff recommends City Commission adopt a resolution approving the Second Amendment to the Settlement Agreement of the Resource Recovery Board that includes extending the Settlement Agreement till October 11 ,2019 and for up to three additional one year periods.

ATTACHMENTS:

[Resolution](#)

[County Approved Second Amendment](#)

[Litigation Settlement Cities](#)

[Alpha 250 Site Map](#)

[Interim Solid Waste and Recycling Report](#)

[City Oakland Park Comments on Interim Report](#)

[July 6, 2016 City Commission Report on First Amendment](#)