

WEBVTT

1

00:00:05.759 --> 00:00:06.270

Greg Ross: Take something.

2

00:00:07.649 --> 00:00:07.919

Beam Furr: off.

3

00:00:07.950 --> 00:00:08.429

Greg Ross: Thank you.

4

00:00:09.480 --> 00:00:23.700

Greg Ross: All right now we got it so i'll repeat it, and say good morning everyone, thank you for showing up again we've got some heavy hitters we've got 35 people and counting so that's wonderful and I do just want to say.

5

00:00:24.390 --> 00:00:40.380

Greg Ross: Thank you to the attorneys i've been in touch you know, obviously over the two weeks, you know me breaking chops that we get everything done yesterday and and candidly the attorneys once again came through you've all had the ability to see what they.

6

00:00:40.890 --> 00:00:41.820

Ralph Trapani: put forth.

7

00:00:41.910 --> 00:00:43.710

Greg Ross: And we'll be discussing it shortly.

8

00:00:43.740 --> 00:00:46.350

Greg Ross: Let me first do some housekeeping details.

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00:00:46.590 --> 00:00:47.520

Greg Ross: and find out.

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00:00:47.700 --> 00:00:48.870

Greg Ross: Or the phone number.

11

00:00:49.140 --> 00:00:50.040

Greg Ross: For two.

12

00:00:50.220 --> 00:00:51.540

Greg Ross: or excuse me.

13

00:00:51.810 --> 00:00:55.860

Greg Ross: 24367 who is that.

14

00:00:58.770 --> 00:00:59.670

It looks like 60.

15

00:01:01.920 --> 00:01:02.970

Greg Ross: i'm sorry once again.

16

00:01:04.020 --> 00:01:04.410

Ralph Trapani: rob.

17

00:01:05.730 --> 00:01:10.680

Greg Ross: Thank you very much, I appreciate it, I was with your mayor last night, and it was a pleasure.

18

00:01:13.620 --> 00:01:23.250

Greg Ross: And I do once again say thank you to everyone for showing up we're we're in the homestretch and we're really looking to get this completed.

19

00:01:23.820 --> 00:01:29.040

Greg Ross: But having said that i'll turn it over to Vice chair Commissioner mean for.

20

00:01:29.880 --> 00:01:38.970

Beam Furr: Thank you Greg just real quick, I also want to thank the attorneys they've been working overtime on this and I hope we're able to bring this into a closed today it'd be nice.

21

00:01:40.710 --> 00:01:44.850

Beam Furr: to it, I know me too let's hope let's hope we get there okay that's it.

22

00:01:45.330 --> 00:01:57.900

Greg Ross: I thank you very much do we have and I apologize, because I haven't been able to figure out how to work my screen both ways, what is the next item on the agenda is the waist generation study update.

23

00:01:58.110 --> 00:01:58.920

Michael Ryan: The tears.

24

00:02:01.140 --> 00:02:04.800

Greg Ross: Are Thank you very much i'll do a roll call, please.

25

00:02:05.610 --> 00:02:06.450

Mary Lou Tighe: Man for.

26

00:02:07.590 --> 00:02:08.250

Mary Lou Tighe: Ross.

27

00:02:08.490 --> 00:02:11.790

Greg Ross: Yes, i'm here, and I think, Commissioner, first.

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00:02:13.800 --> 00:02:14.070

Beam Furr: yep.

29

00:02:14.580 --> 00:02:16.500

Becky Tooley: mentally yeah.

30

00:02:17.040 --> 00:02:18.060

Mary Lou Tighe: We should glassman.

31

00:02:18.690 --> 00:02:19.950

Commissioner Steven Glassman: The morning here.

32

00:02:20.280 --> 00:02:21.720

Mary Lou Tighe: Good morning, Commissioner, good.

33

00:02:22.980 --> 00:02:24.270

Tom Good: Yes, i'm present Thank you.

34

00:02:24.660 --> 00:02:25.680

Mary Lou Tighe: Commission McMahon.

35

00:02:26.310 --> 00:02:27.990

Mary Lou Tighe: Here mayor Ryan.

36

00:02:28.110 --> 00:02:30.060

Mary Lou Tighe: present Commissioner mayor says.

37

00:02:30.420 --> 00:02:31.200

Bob Mayersohn: i'm here.

38

00:02:31.560 --> 00:02:32.250

Mary Lou Tighe: To have a Yana.

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00:02:33.000 --> 00:02:38.520

Mary Lou Tighe: Here is to share, you have a quorum with all members of the salaries working group President.

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00:02:39.120 --> 00:02:41.550

Greg Ross: that's wonderful Okay, do we have.

41

00:02:41.940 --> 00:02:46.710

Mary Lou Tighe: So, the next item on the agenda is the legal counsel updates but.

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00:02:47.730 --> 00:02:50.700

Mary Lou Tighe: If you wanted to take their waste generation standing progress report.

43

00:02:51.450 --> 00:02:55.620

Greg Ross: yeah I think let's do that do we have Kevin Keller on the phone.

44

00:02:56.490 --> 00:02:57.210

Greg Ross: or on do.

45

00:02:57.780 --> 00:02:58.080

Yes.

46

00:02:59.340 --> 00:03:00.360

Greg Ross: Thank you Kevin if you.

47

00:03:00.360 --> 00:03:01.230

Greg Ross: would please.

48

00:03:01.800 --> 00:03:05.400

SWRS: Good morning, just brief update just from our last meeting.

49

00:03:06.930 --> 00:03:20.100

SWRS: fcs continues to reach out to our forming haulers waste magic bullet waste bronco so they've done so on April 27 as a fall to their their email.

50

00:03:21.330 --> 00:03:32.190

SWRS: From April 19 there continue to work in the halls on participation agreements, the request is for those municipalities that user services or republican waste broker encourage.

51

00:03:33.510 --> 00:03:38.190

SWRS: Those entities to respond to the consultant, that would be appreciated.

52

00:03:39.690 --> 00:03:56.430

SWRS: SDS is working on analyzing all our data and franchise agreement information provided by the misspellings and developing sample protocol for the summer composition analysis we've received collection franchise agreements from 18 minutes Belize and all the data.

53

00:03:57.570 --> 00:04:09.720

SWRS: we've received from 12 minutes apologies we provide the list prior to this meeting to Mary Lou that that will send out to the attack and committee chairs and.

54

00:04:10.920 --> 00:04:18.510

SWRS: Just as a reminder, there was optional services, any agreement that the financial and I every time they, we need to.

55

00:04:19.620 --> 00:04:26.190

SWRS: Asia consult we have not engaged nato's optional services and that's all we have to report on a we should we should study.

56

00:04:27.210 --> 00:04:40.320

Greg Ross: Thank you any questions if Kevin at this time, or we do have, I believe the waist generation study individuals we've got Stacy and Vito with us any questions from anyone.

57

00:04:43.500 --> 00:04:48.030

Greg Ross: I don't see any hands raised Mary Lou Am I missing it.

58

00:04:48.960 --> 00:04:52.110

Mary Lou Tighe: militia sure I do not see any hands raised and there's nothing in the chat.

59

00:04:52.650 --> 00:04:56.370

Greg Ross: alrighty then let's move back to the legal update.

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00:04:58.260 --> 00:05:12.330

Greg Ross: i'll start with Mike cirillo any any legal update other than Thank you gentlemen for doing what you've done and getting the draft to us and we're going to discuss it momentarily, but do you have anything else for an update.

61

00:05:13.230 --> 00:05:21.300

Michael Cirullo: A good morning everyone now we're going to go through the last articles 17 and 18 we had been working just so everybody knows.

62

00:05:21.720 --> 00:05:28.440

Michael Cirullo: attorneys have been collectively working on getting the entire document in a form that we could bring back to you.

63

00:05:29.040 --> 00:05:38.160

Michael Cirullo: We were pretty close to it, but we hadn't quite gotten it through, for lack of a better term its quality checks yet wanted to go through it and make sure that.

64

00:05:38.850 --> 00:05:45.540

Michael Cirullo: You know we've captured things accurately with the most recent chart of this direction of policy directions and maybe.

65

00:05:46.260 --> 00:05:51.750

Michael Cirullo: You know, when you get for lawyers together, you might find eight different viewpoints on the same point.

66

00:05:52.500 --> 00:06:02.190

Michael Cirullo: And there's a couple things that we've noticed that were what would bring back, but would slow down, providing you an ultimate proposed draft iowa.

67

00:06:02.760 --> 00:06:16.290

Michael Cirullo: We would expect that after today and we get this final discussions with you on these these last few points that will be at a position where we can get something to the to the committee or to the working group that they could.

68

00:06:17.340 --> 00:06:25.170

Michael Cirullo: hope for we review quickly and confirm is so appropriate speech distributed so that's so you know, although you only see.

69

00:06:26.370 --> 00:06:36.480

Michael Cirullo: And a few changes in there that's not the only thing we've been working on behind the scenes, we know we need to get you a document together that we looked at and its entirety.

70

00:06:36.840 --> 00:06:45.630

Michael Cirullo: And encapsulated encapsulates all your discussion, and we feel we're close to that and should have that fairly soon after we finish what we're discussing this morning.

71

00:06:46.530 --> 00:06:51.210

Greg Ross: Very good, I appreciate that any of the the returnees want to add anything.

72

00:06:54.570 --> 00:07:07.500

Greg Ross: I don't see anyone jumping forward so let's get into the summon substance matt would you do as a courtesy again and be the be the scribe and put up the PowerPoint presentation.

73

00:07:08.640 --> 00:07:10.140

Matthew Haber: The word document I can put that up.

74

00:07:10.290 --> 00:07:11.550

Greg Ross: yeah that's what I meant.

75

00:07:13.710 --> 00:07:14.730

Greg Ross: But you knew that.

76

00:07:19.080 --> 00:07:29.880

Greg Ross: Wonderful here's article 17 i'm sure everyone has read it memorized it and it's familiar with it so let's go through 17.1.

77

00:07:30.720 --> 00:07:40.800

Greg Ross: I don't feel the need to read it, but does anyone have any difficulties with how it is written or what the intent of it is.

78

00:07:41.520 --> 00:07:56.700

Greg Ross: And let me, let me just start the conversation by asking the attorneys do you think 45 days is sufficient or asked a different way, do you think 30 would would do, or maybe 60 is better, how come 45.



79

00:08:00.690 --> 00:08:07.350

Michael Cirullo: i'm not sure we're married to 45 we just wanted I think that's a realistic time frame, we thought, because obviously when you have.

80

00:08:08.460 --> 00:08:11.790

Michael Cirullo: Government entities in a dispute and you've got to.

81

00:08:13.320 --> 00:08:16.470

Michael Cirullo: resolve it through the series of meetings or mediation.

82

00:08:17.250 --> 00:08:30.960

Michael Cirullo: cetera you know there's some logistical concerns with the shorter period of time, I mean it's really up to you all, if you want to expedite that but I think 45 days when you have a dispute that gets to the point where someone submits a written notice.

83

00:08:32.880 --> 00:08:41.490

Michael Cirullo: To be you know we thought I mean I can speak for me, I thought that that was a reasonable period of time, given that just expect go into.

84

00:08:43.230 --> 00:08:46.800

Michael Cirullo: Getting government entities together to meet and discuss items.

85

00:08:47.670 --> 00:08:53.880

Greg Ross: I appreciate Mike when when you indicate written notice would email be sufficient.

86

00:08:57.090 --> 00:09:09.810

Michael Cirullo: there's no particular form identified so I would assume that would be fine, although I don't have in front of me the rest of it we're talks about if there's a map maybe you could help me if there's a formal notice provision.

87

00:09:10.080 --> 00:09:14.010

Matthew Haber: We don't have a formal notice provision in the you know local agreement.

88

00:09:15.150 --> 00:09:23.430

Matthew Haber: That would be a lot of parties make it an executive Working Group wants and I don't know that it's necessary.

89

00:09:23.520 --> 00:09:33.840

Michael Cirullo: And we don't have anything that specifically not withstanding the list the of where to notice, as we go anything that requires notice has to be in a certain format so.

90

00:09:34.860 --> 00:09:39.960

Michael Cirullo: In the absence of that I would assume an email would be sufficient.

91

00:09:41.160 --> 00:09:42.090

Greg Ross: aren't very good.

92

00:09:43.590 --> 00:09:52.020

Greg Ross: Any difficulties with 17.1 from anyone, I think it really is pretty much self explanatory.

93

00:09:52.590 --> 00:09:54.330

Greg Ross: But man yes.

94

00:09:54.600 --> 00:09:59.670

Commissioner Steven Glassman: Just a question Might there be times when there's more than two parties involved in this dispute.

95

00:10:01.770 --> 00:10:03.030

Commissioner Steven Glassman: or any dispute.

96

00:10:05.310 --> 00:10:15.810

Commissioner Steven Glassman: The reason i'm asking is if it is going to be contemplated that there'll be issues where there's more than two parties and the authority, I would just change all of the between to among.

97

00:10:18.660 --> 00:10:27.510

Michael Cirullo: Is it is written to contemplate more than two parties if you see any number of parties between the any number of parties.

98

00:10:28.170 --> 00:10:38.040

Commissioner Steven Glassman: Then I would change the two times when we see the word between, on the third line i'm sorry second line and then at the end, where it says between them, I would just I would just say among.

99

00:10:39.720 --> 00:10:45.390

Greg Ross: And I understand the verbiage, once again I think you're accurate.

100

00:10:46.650 --> 00:10:46.950

Greg Ross: It goes.

101

00:10:47.340 --> 00:10:48.540

Beam Furr: Quite the Gray area in there, oh.

102

00:10:48.570 --> 00:10:49.920

Greg Ross: Yes, yes, he really is it.

103

00:10:49.920 --> 00:10:50.400

Beam Furr: goes to.

104

00:10:50.490 --> 00:10:52.560

Greg Ross: The reality, I like that.

105

00:10:54.630 --> 00:11:00.960

Commissioner Steven Glassman: And then, on the second line up above between parties based on matters, yes, thank you.

106

00:11:03.330 --> 00:11:03.660

Matthew Haber: Oh.

107

00:11:04.800 --> 00:11:05.460

Greg Ross: Third, one.

108

00:11:05.640 --> 00:11:14.130

Matthew Haber: you're changing the meaning of the first clause, or rather the second clause in this first part of the sentence it's it's all one run on sentence.

109

00:11:15.300 --> 00:11:24.570

Matthew Haber: So this part is saying between the authority and any number of parties, so it could be the authority and one party, the authority and three parties.

110

00:11:25.260 --> 00:11:39.480

Matthew Haber: And then separately, we have here or between parties, so this is not involving the authority it's it's involving at least two parties that have a dispute about the I la.

111

00:11:40.680 --> 00:11:41.040

Matthew Haber: So.

112

00:11:42.480 --> 00:11:44.820

Matthew Haber: You know Cooper city in pembroke pines right.

113

00:11:46.380 --> 00:11:46.860

Greg Ross: sure.

114

00:11:47.700 --> 00:11:48.180

Okay.

115

00:11:49.350 --> 00:11:53.820

Greg Ross: No, that that I can appreciate, but the last one can stay as it is.

116

00:11:55.020 --> 00:11:57.390

Matthew Haber: We are we can meet, we can change this to a month.

117

00:11:57.750 --> 00:12:02.070

Matthew Haber: yeah I mean the other attorneys bowl jump in if you have an issue i'm fine with that.

118

00:12:03.240 --> 00:12:03.690

Okay.

119

00:12:04.980 --> 00:12:05.820

Greg Ross: All right, very good.

120

00:12:06.990 --> 00:12:12.960

Greg Ross: anyone else commenting on 17.1 forever hold up so let's move on to 17.2.

121

00:12:14.700 --> 00:12:16.560

Greg Ross: The formal dispute resolution.

122

00:12:18.360 --> 00:12:26.340

Greg Ross: And you're referring to right chapter 164 and that basically encompasses everything.

123

00:12:27.720 --> 00:12:35.610

Greg Ross: So we're governed by that it says it's as simple as whether we want to be governed by that or not, and I think you'd be foolish not to be.

124

00:12:48.660 --> 00:12:50.880

Matthew Haber: That was just for consistency with the rest of the document.

125

00:12:51.030 --> 00:12:51.990

Greg Ross: Okay, very good.

126

00:12:54.510 --> 00:12:57.780

Greg Ross: No comment on that will move on to 17.3.

127

00:12:59.640 --> 00:13:09.270

Greg Ross: The failure to resolve through formal dispute resolution just read that for a moment, and if there are any concerns i'd like to to hear them.

128

00:13:29.670 --> 00:13:42.780

Greg Ross: So up to this point, gentlemen, what you're indicating is written notice any shape form or fashion, of the issue at hand in formality in.

129

00:13:43.320 --> 00:14:00.930

Greg Ross: meeting with each other to resolve that can't be done you go through the formal mediation resolution or conflict resolution, I should say, and if that doesn't fly, and let me just confirm 164 it's not arbitration it's just mediation.

130

00:14:03.960 --> 00:14:04.650

Greg Ross: I think i'm right.

131

00:14:07.260 --> 00:14:09.480

Greg Ross: Then it goes to litigation.

132

00:14:10.590 --> 00:14:12.270

Greg Ross: And that's where we are now.

133

00:14:14.670 --> 00:14:17.520

Greg Ross: Okay anyone have any comments on that.

134

00:14:21.090 --> 00:14:22.530

Greg Ross: No difficulties.

135

00:14:24.960 --> 00:14:25.650

Greg Ross: Okay.

136

00:14:27.390 --> 00:14:49.020

Greg Ross: here's 17.4 being I guess my question, not a not a true concern, but why is it that you're giving up right by trial by jury, as opposed to let six people decide why we given an over to a judge.

137

00:14:51.660 --> 00:14:56.010

Greg Ross: How come, it was decided that way, as opposed to a jury have a hand nathaniel.

138

00:14:56.850 --> 00:14:57.630

Nathaniel: morning there.

139

00:14:57.870 --> 00:14:58.650

Greg Ross: How are you doing.

140

00:14:59.130 --> 00:15:18.210

Nathaniel: i'm well, thank you hope the same for everybody else and i'll also defer to Mr pillow as well he's got other comments on this, the the jury waiver is a standard provision that many local governments utilize in their agreements as well as the county.

141

00:15:19.260 --> 00:15:27.960

Nathaniel: Given the nature of the kinds of conflicts that potentially could result from this, including the possibility of.

142

00:15:28.800 --> 00:15:39.240

Nathaniel: Something as extreme as the potential dissolution of the authority if there's you know those A and B situations that are referenced in 17.3 come about.

143

00:15:40.080 --> 00:15:58.560

Nathaniel: It is ultimately a pure policy decision, but it seems that many governmental entities, including many cities and broward county and the county elect to have these types of intergovernmental disputes resolved by bench trial run by a jury trial.

144

00:15:59.670 --> 00:16:08.610

Nathaniel: i'll defer to Mike if he's got other comments on that, but again, ultimately, a pure policy decision for the party, the ultimate parties to the agreement.

145

00:16:09.720 --> 00:16:10.590

Greg Ross: Thank you Mike.

146

00:16:11.520 --> 00:16:12.750

Michael Cirullo: I don't have anything.

147

00:16:13.770 --> 00:16:16.890

Michael Cirullo: Further, it i'm familiar with seeing this language.

148

00:16:18.540 --> 00:16:24.450

Michael Cirullo: In most of not all you know county iowa and you know I know in cities that I.

149

00:16:25.800 --> 00:16:34.740

Michael Cirullo: want to say is I represent it's a specific issue for the Commission to not have jury trials, maybe they tend to be more expensive and complex as well.

150

00:16:35.130 --> 00:16:42.030

Michael Cirullo: To resolve an issue which a lot of times when you involve a government agency it's going to be less about the facts and more about the law.

151

00:16:44.070 --> 00:16:54.720

Greg Ross: And those are both very good explanations and I appreciate that, no, no difficulty with that anyone else have any comments on 17.4.

152

00:17:00.930 --> 00:17:03.390

Greg Ross: Okay, then we'll move on to.

153

00:17:09.360 --> 00:17:10.020

Greg Ross: This is the.

154

00:17:11.190 --> 00:17:12.990

Michael Cirullo: Note in your environment right there.

155

00:17:13.080 --> 00:17:15.720

Greg Ross: yeah I know exactly which we.

156

00:17:15.810 --> 00:17:23.730

Michael Cirullo: overlooked when we were looking at seven so it looks like all notices would have to be done this way Mer sorry I didn't notice that before.

157

00:17:24.420 --> 00:17:27.570



Greg Ross: Alright well that's 18.2, which I appreciate.

158

00:17:29.400 --> 00:17:31.500

Greg Ross: Come back to 18.1 for a moment.

159

00:17:33.330 --> 00:17:36.930

Greg Ross: that's that's your boilerplate assignment clause.

160

00:17:38.640 --> 00:17:42.510

Greg Ross: So i'm not sure if anyone has any difficulties with that.

161

00:17:45.090 --> 00:17:48.390

Greg Ross: I don't see any hands again Mary Lou Am I missing one.

162

00:17:57.420 --> 00:17:58.350

Greg Ross: I don't think so.

163

00:18:00.780 --> 00:18:04.860

Greg Ross: And no comments on it so let's move on Mike to the 18.2.

164

00:18:07.170 --> 00:18:07.950

Mary Lou Tighe: least your chair.

165

00:18:09.810 --> 00:18:10.200

Michael Cirullo: Oh.

166

00:18:10.290 --> 00:18:10.860

Michael Cirullo: i'm sorry.

167

00:18:10.950 --> 00:18:14.010

Greg Ross: I thought it was from before and it then you'll know getting around I did.

168

00:18:14.400 --> 00:18:20.340

Nathaniel: No worries so everything leading up to 18.9.

169

00:18:21.450 --> 00:18:26.610

Nathaniel: Is is pure I don't want to say it's boilerplate but it's it's all boilerplate.

170

00:18:27.870 --> 00:18:39.180

Nathaniel: I don't know if there's any real policy issues here, the only thing would be whether or not in 18.2 in terms of notice, whether or not expanding it to also include notice can be done by email with contemporaneous email.

171

00:18:40.470 --> 00:18:40.890

Nathaniel: So that.

172

00:18:41.970 --> 00:18:49.740

Nathaniel: Everybody is is getting noticed by by appropriate mail and also electronically, which will speed up the process.

173

00:18:50.910 --> 00:18:57.480

Nathaniel: I typically add that into many of my agreements and again it's a policy decision to some extent.

174

00:18:58.830 --> 00:19:01.350

Nathaniel: I certainly would recommend requirement.

175

00:19:02.370 --> 00:19:16.020

Nathaniel: For contemporaneous email, as well as we formal delivery, but then again we until 18.9 and 18 point 10 I don't think there's anything that's of.

176

00:19:17.190 --> 00:19:20.550

Nathaniel: Great importance for purposes of using the time at the meeting.

177

00:19:22.020 --> 00:19:28.110

Greg Ross: or enough, I appreciate it, and I think it would be a good idea for the email yeah there you go Thank you man.

178

00:19:32.700 --> 00:19:36.390

Greg Ross: Does anyone else have any questions or comments about 18.2.

179

00:19:38.370 --> 00:19:41.280

Greg Ross: With Daniel do you have another question or is your hand still up.

180

00:19:46.380 --> 00:19:47.040

Greg Ross: Okay.

181

00:19:48.750 --> 00:19:50.610

Greg Ross: 18.3.

182

00:19:51.750 --> 00:19:55.320

Greg Ross: Again, as you say standard boilerplate.

183

00:20:03.840 --> 00:20:07.770

Greg Ross: I personally have no no questions on 18.3 does anyone else.

184

00:20:11.040 --> 00:20:15.060

Greg Ross: Seeing no hands will move it up to 18.4.

185

00:20:17.820 --> 00:20:21.390

Greg Ross: The severability is again your boilerplate.

186

00:20:23.880 --> 00:20:30.300

Greg Ross: And personally, no, no problems with it anyone have any difficulties with 18.4.

187

00:20:38.220 --> 00:20:40.680

Greg Ross: Seeing none will move that down.

188

00:20:42.540 --> 00:20:45.840

Greg Ross: voice is going really well 18 point 5.1.

189

00:20:49.530 --> 00:20:51.870

Greg Ross: I think that self explanatory.

190

00:20:53.760 --> 00:21:01.980

Greg Ross: Not a big deal 18 point 5.2.

191

00:21:03.630 --> 00:21:04.200

Greg Ross: again.

192

00:21:05.610 --> 00:21:13.950

Greg Ross: Straightforward nothing with nothing if any I think you're right until we get down to the nitty gritty 18 point 5.3.

193

00:21:15.540 --> 00:21:16.800

Greg Ross: Any difficulties.

194

00:21:24.450 --> 00:21:27.270

Greg Ross: I see no hands will move it down.

195

00:21:29.280 --> 00:21:37.980

Greg Ross: To 18 point 5.4.

196

00:21:44.970 --> 00:21:49.500

Greg Ross: Any difficulties with that any comments questions concerns.

197

00:21:50.520 --> 00:21:53.940

Greg Ross: I see nothing in the chat and I do not see any hands raised.

198

00:21:55.170 --> 00:21:59.460

Greg Ross: You guys really did a hell of a job 18.7 can we move that up a little.

199

00:22:03.960 --> 00:22:04.560

Greg Ross: Thank you.

200

00:22:08.640 --> 00:22:09.960

Greg Ross: That is simple enough.

201

00:22:13.980 --> 00:22:16.110

Greg Ross: 18.8 the intellectual property.

202

00:22:29.700 --> 00:22:31.110

Greg Ross: Again, straightforward.

203

00:22:32.970 --> 00:22:37.260

Greg Ross: let's talk about 18.9 right of first refusal.

204

00:22:42.450 --> 00:22:44.790

Greg Ross: Like a you delineated the asset.

205

00:22:59.310 --> 00:23:02.820

Greg Ross: We have to insert the number of days, what we think is reasonable.

206

00:23:06.990 --> 00:23:13.440

Greg Ross: But I guess, we should start, because I know I heard you know rumblings the other day, where people were not.

207

00:23:15.720 --> 00:23:22.620

Greg Ross: thrilled with the right of first refusal so let's just start with do we want the right of first refusal in there.

208

00:23:24.000 --> 00:23:30.330

Greg Ross: Do we need it, you know candidly i've got two hands up we've got Tom good and then nathaniel.

209

00:23:35.010 --> 00:23:36.270

Tom Good: Thank you, Mr America can you hear me.

210

00:23:36.510 --> 00:23:38.130

Greg Ross: Yes, Sir, thank you, sir.

211

00:23:38.700 --> 00:23:49.890

Tom Good: yeah i'm I am of the opinion that we should probably not have this section included, so let me tell you why my what what my opinion is.

212

00:23:51.120 --> 00:24:03.360

Tom Good: So I see this first right of first refusal as given the county sort of an unfair advantage over to participating municipalities, not to tell you why.

213

00:24:05.070 --> 00:24:13.470

Tom Good: So let's say the authority decides to sell it to a third party in this third party wants to potentially continue service.

214

00:24:14.670 --> 00:24:19.860

Tom Good: The third party could be a private entity or it could be even a municipal entity.

215

00:24:20.610 --> 00:24:42.930

Tom Good: And the reason why it could be considered for sale is because, maybe there's a cost effectiveness that's associated with that exchange maybe there's operational improvements and there's even the possibility of even having a relocation, you know the sale would support.

216

00:24:44.790 --> 00:24:46.590

Tom Good: The placement in a different location.

217

00:24:48.090 --> 00:25:08.550

Tom Good: there's also the you know there's been in the last couple of years conversation that i've been hearing in an even out of the county administrators mouth Bertha Henry about forming some sort of tri county regional system and there's a potential for that to eventually get some traction.

218

00:25:10.290 --> 00:25:28.860

Tom Good: So that tri county regionalisation would possibly need to take these assets, as well as well, but but giving the first right of refusal, I believe, would give the counting more right than any of the other participating in this pally in deciding the future of the authority.

219

00:25:30.000 --> 00:25:43.260

Tom Good: The secondary issue, which is, which was also discussed, probably at the last meeting was you know it does impact the sale price, I mean if if we remove pure competition.

220

00:25:43.980 --> 00:26:00.420

Tom Good: I think we're going to limit the ability to maximize the value of these assets, so I am of the opinion that this section should not be included in the iot Thank you Mr America appreciate you allowing me to.

221

00:26:00.930 --> 00:26:04.710

Greg Ross: present it and now for the opposing opinion, Commissioner, being proud.

222

00:26:07.170 --> 00:26:19.080

Beam Furr: Thank you mayor, I think the important part on this, to look at is any asset that is then being used by the system, not a not a just a vacant piece of land.

223

00:26:20.040 --> 00:26:36.210

Beam Furr: The county is not asking for right of first refusal on a on a vacant piece of land that's a big distinction if it's being used by this entity and it's being used for disposal purposes in this county.

224

00:26:37.290 --> 00:26:54.660

Beam Furr: there's probably a good reason to want to keep it in service in the public domain that's you know that's you know to to make to keep that going I don't think you would want to to have a be able to be bought right out from under the public by.

225

00:26:58.590 --> 00:26:59.010

Greg Ross: happening.

226

00:27:00.360 --> 00:27:00.780

Greg Ross: Maybe me.

227

00:27:02.730 --> 00:27:10.920

Beam Furr: So you know, I think, as long as we make that distinction that is you know we're not saying bacon piece of land we're saying it's being used now.

228

00:27:11.940 --> 00:27:24.330

Beam Furr: For disposal services, allow the allow the candy to continue to have you know, have access to that it's in all of our interest to you know the entire county's interest.

229

00:27:26.850 --> 00:27:30.720

Beam Furr: And I think it just makes sense, I mean it's it's it's one of the reasons well.

230

00:27:32.820 --> 00:27:40.110

Beam Furr: I think what we're trying to do is is be able to control our own destiny, on this, this is how we do that we keep it in the public domain.

231

00:27:40.890 --> 00:27:52.980

Beam Furr: And because we all know, it's not easy to have pieces of property their zone or have land use that have these have this capability and good luck, trying to put other newer pieces of land.

232

00:27:53.670 --> 00:28:08.790

Beam Furr: Under under a land use that allows for it it's not gonna be very easy, given how built out, we are so those places that are that we already have, we need to keep as much as possible that's my that's my opinion.

233

00:28:09.840 --> 00:28:10.800

Greg Ross: I appreciate that.

234

00:28:12.030 --> 00:28:12.600

Greg Ross: Let me just.

235

00:28:12.660 --> 00:28:14.880

Greg Ross: open it up anyone else.

236



00:28:15.570 --> 00:28:16.620

Greg Ross: Wanting to.

237

00:28:18.360 --> 00:28:20.730

Greg Ross: put their two cents in on this issue.

238

00:28:22.620 --> 00:28:25.860

Greg Ross: And I don't up Mike Ryan, yes Mare.

239

00:28:26.130 --> 00:28:32.910

Michael Ryan: This chair, as usual, both Tom and being grace excellent points.

240

00:28:33.990 --> 00:28:47.190

Michael Ryan: Not so much counterpoints as I think complimentary in the sense that we all agree what the ultimate goal is my gut reaction, though, is Tom raises probably a more persuasive point.

241

00:28:48.300 --> 00:28:50.430

Michael Ryan: In so far as.

242

00:28:52.050 --> 00:28:53.760

Michael Ryan: concerns that.

243

00:28:54.930 --> 00:29:05.850

Michael Ryan: A good plan that could be implemented or saw amongst participating municipalities could be undermined.

244

00:29:07.110 --> 00:29:14.520

Michael Ryan: for strategic reasons by Commission not this Commission obviously we have great cooperation but 20 years from now.

245

00:29:15.570 --> 00:29:31.200

Michael Ryan: Is that concerned I don't I don't have any hesitation, if it was this Commission in this near term to go with the writer first refusal, because I believe in the commitment of this Commission, but having lived through the back end of our rv.

246

00:29:32.520 --> 00:29:38.400

Michael Ryan: i'm not entirely sure that this right of first refusal.

247

00:29:39.900 --> 00:29:41.580

Michael Ryan: is consistent.

248

00:29:42.960 --> 00:29:45.120

Michael Ryan: With the maximum flexibility.

249

00:29:46.140 --> 00:30:01.590

Michael Ryan: And i'm not so sure that it is a disease to worry much about in the sense that, if the county doesn't have this that the system becomes less sustainable less viable has less integrity.

250

00:30:02.130 --> 00:30:14.520

Michael Ryan: So I you know i'd love to hear from others, and I see the Matthews raise his hands I love the sea firm others what they're thinking But, all in all, I agree with with Tom on this one, thank you, Miss sure.

251

00:30:14.820 --> 00:30:16.200

Greg Ross: Thank you matt Haber.

252

00:30:18.090 --> 00:30:18.990

Matthew Haber: Thank you, Mr chair.

253

00:30:20.070 --> 00:30:22.770

Matthew Haber: Just to reiterate what the Commissioner was saying.

254

00:30:24.390 --> 00:30:37.860

Matthew Haber: This writer first refusal does not relate to any asset owned by the authority, it has to be two sets of conditions number one it's an asset that the authority is already looking to get rid of.

255

00:30:39.750 --> 00:30:47.400

Matthew Haber: So it's not where the county can cherry pick stuff and pursuant to the conversation that this group had last time.

256

00:30:48.480 --> 00:31:01.140

Matthew Haber: There was conversation of well you know, maybe not abroad right of first refusal, but of first refusal, that is very targeted towards protecting the county's obligations to provide disposal capacity.

257

00:31:01.860 --> 00:31:15.930

Matthew Haber: And so that's where we came in on this idea of only a asset that's being used for solid waste disposal, and one that is currently being used for solid waste disposal.

258

00:31:16.800 --> 00:31:27.960

Matthew Haber: If a municipality were to acquire, for example, a landfill that the authority owned, it would have essentially have bought a brownfield.

259

00:31:28.380 --> 00:31:35.820

Matthew Haber: It would not be able to operate that site as a landfill, so what we're saying is let's keep this landfill and public hands.

260

00:31:36.270 --> 00:31:44.580

Matthew Haber: In the public hands like 10 operated as a landfill and we're also happy to add in language, where it says that the county is going to continue.

261

00:31:45.060 --> 00:32:02.850

Matthew Haber: Operating this as a landfill, you know, for that solid waste disposal purpose, but that is again the idea here is that we want to make sure that the county is able to actually fulfill its obligations under 43706.

262

00:32:04.590 --> 00:32:05.310

Greg Ross: I thank you.

263

00:32:05.850 --> 00:32:07.170

Greg Ross: mayor Ryan, do you have your.

264

00:32:07.170 --> 00:32:08.670

Greg Ross: hand up next gen.

265

00:32:08.820 --> 00:32:13.110

Mary Lou Tighe: miskin chair, yes, Mr mason and mayor Ryan in the queue.

266

00:32:13.650 --> 00:32:14.610

Greg Ross: Okay, so.

267

00:32:14.670 --> 00:32:15.450

Mary Lou Tighe: If I.

268

00:32:16.620 --> 00:32:17.430

Michael Ryan: Go to Bob first.

269

00:32:17.460 --> 00:32:19.320

Greg Ross: I was gonna say if it's a new hand for Mike.

270

00:32:20.610 --> 00:32:21.960

Michael Ryan: It isn't new handbook go to Bob.

271

00:32:21.990 --> 00:32:24.210

Greg Ross: Personally, I will give us in your medicine.

272

00:32:25.410 --> 00:32:35.640

Bob Mayersohn: I, I agree with the Commissioner good in the sense that it I, I believe that this ties the authorities hands.

273

00:32:36.720 --> 00:32:52.800

Bob Mayersohn: into creating deals that works out for the authority, I mean I look, for example at palm beach, there are some assets that palm beach owns others that they are contractually leasing or utilizing if there's a facility.

274

00:32:53.820 --> 00:33:00.060

Bob Mayersohn: That let's say the authority owns and, for some reason they decide that you know the authority decides they don't want to operate it anymore.

275

00:33:00.690 --> 00:33:10.860

Bob Mayersohn: and wants to be able to work out an agreement with a third party and the county wants to step in and have for us right of refusal that may preempt the authorities ability to.

276

00:33:11.400 --> 00:33:20.910

Bob Mayersohn: create a lower rate for our residents, so it may be disadvantaged than necessarily being advanced, so I agree with Commissioner good theory.

277

00:33:22.200 --> 00:33:23.880

Bob Mayersohn: I think we should just take this out.

278

00:33:25.110 --> 00:33:26.910

Greg Ross: I thank you mayor Ryan.

279

00:33:27.660 --> 00:33:46.290

Michael Ryan: So, as always it's helpful to matt's comments are helpful in an effort to understand what is it we are trying to accomplish or protect against, and I understand the county's thinking in this regard that it has the ultimate responsibility.

280

00:33:48.810 --> 00:33:51.810

Michael Ryan: i'm not entirely sure from what matt said that.

281

00:33:53.790 --> 00:34:05.280

Michael Ryan: That this is a restrictive is perhaps intended it, you know it says, if it 30 elects to dispose of any asset and nothing to say oh that's being used by the system.

282

00:34:07.260 --> 00:34:19.350

Michael Ryan: So may not be a county asset may have been a municipal asset that you know was provided to the authority under some future agreement 20 years from now, whether to property or something else.

283

00:34:20.940 --> 00:34:36.270

Michael Ryan: And I can understand why, in that scenario county may say, well, we don't want to dispose that we want to keep using it, but the authorities already making that judgment call that it's no longer necessary it's you know superfluous property or an asset that can be done.

284

00:34:37.290 --> 00:34:40.170

Michael Ryan: That can be disposed of, I mean and and so.

285

00:34:41.100 --> 00:34:50.670

Michael Ryan: we're trying to construct something in a scenario that's so far out in the future it's hard to think of all the unintended consequences and that's really where.

286

00:34:50.940 --> 00:35:00.000

Michael Ryan: I get tied up I think matt raises an excellent point I think beams point is well taken I think they're legitimate and sincere concerns, I just have.

287

00:35:00.540 --> 00:35:17.100

Michael Ryan: More anxiety in putting something in here that truly handcuffs the authority later on your circumstances after you know, leaving aside, and you know immortality we're all long gone right so.

288

00:35:18.870 --> 00:35:22.410

Michael Ryan: The only other thing I would say is I guess.

289

00:35:24.120 --> 00:35:31.740

Michael Ryan: You know, there could be an exception is Tom says, you know listen it's going to be an asset it's going to a regional you wouldn't necessarily want some county Commissioners.

290

00:35:31.920 --> 00:35:46.320

Michael Ryan: tying it up, because they mean a regional 30 like with palm beach county Miami dade county tying it up because of some other interest or strategy or whatever else I guess there's one other option but it doesn't give me great comfort and that is to say.

291

00:35:47.820 --> 00:35:48.900

Michael Ryan: You know that that.

292

00:35:50.340 --> 00:36:03.120

Michael Ryan: That there's not first right of refusal if it's being disposed to another public entity or municipal authority or something, but at the end of the day, i'm not really sure.

293

00:36:04.650 --> 00:36:23.910

Michael Ryan: You know that that that accomplishes what the county really wants anyway, and again it leads to a whole nother parade of unintended potential consequences so as a as a whole, right now, again, I support the county's concern I just am not in a position today to support 18.9.

294

00:36:25.320 --> 00:36:26.670

Greg Ross: And we've got mad Haber.

295

00:36:28.170 --> 00:36:29.130

Greg Ross: followed by nothing.

296

00:36:29.610 --> 00:36:34.680

Matthew Haber: Right so and actually commissioner for, so I am going to make one point, and then turn it over.

297

00:36:36.870 --> 00:36:47.160

Matthew Haber: This would have to be an asset that is owned outright by the Authority because it's being disposed of the sale and that's my only comment.

298

00:36:48.960 --> 00:36:49.740

Greg Ross: So maybe if we.

299

00:36:50.310 --> 00:36:52.080

Michael Ryan: don't I don't think it actually raised that way.

300

00:36:52.140 --> 00:37:03.810

Greg Ross: that's i'm saying I was just gonna say that my maybe if we insert those exact words in essence that it is in fact owned by the authority that may help.

301

00:37:04.890 --> 00:37:07.830

Greg Ross: explain what we're attempting to do.

302

00:37:08.490 --> 00:37:25.410

Michael Ryan: And I, I would note that in my initial comments I had mistakenly perceive that that's what this meant but it doesn't read that way, and so my comments don't change with the addition of that protective language I, I have the same concerns.

303

00:37:26.370 --> 00:37:30.240

Greg Ross: Fair enough, I appreciate that will go to nathaniel and then Commissioner her.

304

00:37:31.050 --> 00:37:35.970

Nathaniel: i'll defer to Commissioner for, and then a follow up with any any additional.

305

00:37:36.060 --> 00:37:38.670

Beam Furr: comments, you know as soon as I know, i'd like to hear what you had to say.

306

00:37:39.300 --> 00:37:50.520

Nathaniel: Okay, then, then, that being would have said, I will continue the biggest issue that that 18.9 is intended to resolve, as Commissioner first at earlier and matt followed up with.

307

00:37:50.940 --> 00:38:02.580

Nathaniel: Is a scenario where the authority is operating a disposal facility facility, this is being used for disposal solid waste and it no longer wishes to do that the county still winds up with a scenario.

308

00:38:03.330 --> 00:38:12.240

Nathaniel: By statute, which is not being abrogated or modified by this agreement, where it still needs to provide for disposal capacity, that is a non delegated to.

309

00:38:12.930 --> 00:38:23.640

Nathaniel: To enlarge way it is potentially completely non delegate obligations that the county has if the county is intending to exercise their right of first refusal.

310



00:38:24.090 --> 00:38:32.160

Nathaniel: To take that asset into its system so that it can continue to provide the statutorily required disposal capacity for the account.

311

00:38:32.580 --> 00:38:39.360

Nathaniel: Whether or not it needs to be utilized at that moment to provide for that disposal capacity or, to be held.

312

00:38:39.990 --> 00:38:45.030

Nathaniel: On so that that disposed so that increase disposal capacity will always be unveiled.

313

00:38:45.510 --> 00:38:51.570

Nathaniel: that's really what 18.9 is intended to address, and I appreciate Commissioner goods comments appreciate.

314

00:38:51.930 --> 00:39:04.440

Nathaniel: mayor ryan's comments on this and I think that again this language was revised from the last meeting to help narrow the focus to just dealing with that those specific issues, and if we haven't achieved that.

315

00:39:05.610 --> 00:39:18.480

Nathaniel: I would ask that we get some feedback as to whether or not a right of first refusal that specifically addresses that particular concern, which is that we want to be able to maintain.

316

00:39:19.680 --> 00:39:21.030

Nathaniel: Interest disposal facility.

317

00:39:22.170 --> 00:39:28.140

Nathaniel: in public hands by the entity which is statutorily required to provide for disposal capacity.

318

00:39:28.710 --> 00:39:37.980

Nathaniel: So that that capacity always exists as matt said earlier, I mean this apology that were to exercise a writer first refer to the municipality that were to purchase.

319

00:39:38.310 --> 00:39:46.860

Nathaniel: A disposal facility has purchased a brownfield they don't have the ability to operate a disposal facility by statute as a matter of right.

320

00:39:48.000 --> 00:39:58.650

Nathaniel: So they're they're acquiring a a disposal site that they cannot use for any purpose that, for which it was intended and again have acquired a Brown.

321

00:39:59.430 --> 00:40:12.600

Nathaniel: The possibility of a disposal facility going into private hands that may utilize the capacity of that disposal facility to provide disposal capacity to places, other than broward county.

322

00:40:13.140 --> 00:40:21.690

Nathaniel: is also, I think, something that the working group on you know throughout all the meetings that i've attended certainly understands as a concern so.

323

00:40:22.950 --> 00:40:26.160

Nathaniel: You know, without be laboring the point anymore, I think that.

324

00:40:27.360 --> 00:40:43.440

Nathaniel: If we narrow it further to specifically address that particular concern if that's something that the working group is supportive of we can certainly make that attempt, obviously it is ultimate policy decision, and with that I will turn it over to one of the ultimate policymakers to.

325

00:40:43.590 --> 00:40:45.690

Greg Ross: And that would be super.

326

00:40:46.020 --> 00:41:00.060

Beam Furr: Well then, you're you made some really good points and out and just to piggyback on that my my thinking is if somebody else is going to buy this if the brow if the county is not going to buy it, you probably going it's probably going into private hands into a private waste.

327

00:41:01.290 --> 00:41:12.600

Beam Furr: Companies hands to do exactly what you just said nathaniel they could serve any other county or any anywhere else they'd like to and that's that's your Prime most.

328

00:41:14.430 --> 00:41:19.140

Beam Furr: Best probability of who would want that who else would want that who else wants a brownfield.

329

00:41:21.000 --> 00:41:21.420

Beam Furr: and

330

00:41:21.480 --> 00:41:28.440

Beam Furr: What this actually does it protects you know you, I think, in some ways this actually helps protect.

331

00:41:29.340 --> 00:41:36.870

Beam Furr: Cities and and county and in a different in a different way of really having control of what goes there.

332

00:41:37.620 --> 00:41:54.450

Beam Furr: You get much more control if it's in the public's hands, because you know you the there can be discussion and stuff that goes into private hands and its disposal anybody can bring anything anywhere, or do you know where or you can start doing all kind of.

333

00:41:56.940 --> 00:42:08.100

Beam Furr: Recycling stuff that people don't don't approve of and there's lots of those you know there's there's lots of ways that people like recycling and lots of ways they don't.

334

00:42:08.820 --> 00:42:14.490

Beam Furr: And so you know, this could be one of those ones that we decided we didn't want to do, but somebody else says, I can make money doing that.

335

00:42:14.970 --> 00:42:27.150

Beam Furr: And the public's again say well it's it's the it's already got the land who's already got the zoning i'm buying it and suddenly it's out of our control, so this actually has a better chance of protecting.

336

00:42:28.230 --> 00:42:39.900

Beam Furr: The county and cities, then, by allowing it to go out to anybody buying it and using it in the way they want it and it's also, it is the right of first refusal it's not as if.

337

00:42:41.970 --> 00:42:47.730

Beam Furr: What you know where you would people wouldn't get be getting paid for this so it's still you know.

338

00:42:49.140 --> 00:42:51.870

Beam Furr: it's still still gets paid if we did but.

339

00:42:53.430 --> 00:43:04.350

Greg Ross: I appreciate that we've got mayor Mike Ryan, followed by Convention and Tom good and I thought I saw Commission, I have a line his hand up, but now I don't see she has time to figure that one out.

340

00:43:06.600 --> 00:43:07.980

Michael Ryan: There this Chair I.

341

00:43:09.240 --> 00:43:21.840

Michael Ryan: Thank you for those comments, you know that the issue here is the way this is authored and maybe you know nathaniel's right to go back and further refine and clarify right now reads it any asset.

342

00:43:22.920 --> 00:43:24.390

Michael Ryan: In relation to.

343

00:43:25.830 --> 00:43:37.950

Michael Ryan: it's pretty broad I mean I know we're thinking you know, a a waste site we're thinking I don't know that we're thinking of transfer station, but perhaps that and.

344

00:43:38.940 --> 00:43:43.560

Michael Ryan: Presumably the authority said Look, we no longer need this we've made a decision that.

345

00:43:44.430 --> 00:44:02.490

Michael Ryan: in meeting our collective objectives we voted together at some level to go ahead and dispose of this into a Marco for some good reason and the county perhaps wants it doesn't have to be to meet the non della will do.

346

00:44:06.120 --> 00:44:07.440

Beam Furr: realize like okay.

347

00:44:07.860 --> 00:44:08.940

Greg Ross: Mike you lost your MIC.

348

00:44:11.850 --> 00:44:13.770

Greg Ross: We made last night well off.

349

00:44:14.820 --> 00:44:17.070

Michael Ryan: The hook, the host muted me, for some reason.

350

00:44:18.270 --> 00:44:22.920

Michael Ryan: I I can understand why am I i'm sure there was a straw poll, and it was unanimous.

351

00:44:22.920 --> 00:44:27.990

Mary Lou Tighe: My name Ryan, I was trying to put your hand down and is Dan muted you I apologize well.

352

00:44:28.680 --> 00:44:30.240

Michael Ryan: That was probably more effective.

353

00:44:30.270 --> 00:44:35.640

Michael Ryan: So i'll just finish with this, I understand the point, maybe give the lawyer some more time.

354

00:44:36.450 --> 00:44:47.610

Michael Ryan: to refine and clarify still have some difficulties, though, I would say that I do appreciate use of the term non downloadable and I would make a motion to make sure the county pays for everything, because it's their non downloadable do.

355

00:44:49.440 --> 00:44:50.550

Greg Ross: And here we go.

356

00:44:52.080 --> 00:44:54.570

Greg Ross: we've got Commissioner Tom good.

357

00:44:55.620 --> 00:45:06.060

Tom Good: I can miss me, I appreciate that yeah so yeah there's a there's a lot of different perspectives on this and I think what's happening is we're taking positions when we look at an extreme.

358

00:45:06.390 --> 00:45:18.180

Tom Good: And there's there's multiple views on this here as Mayor Ryan has has indicated so it's very broad if the county has something more specific that they believe would be.

359

00:45:19.680 --> 00:45:23.940

Tom Good: would appeal to the participating communities, and you know great show it.

360

00:45:24.360 --> 00:45:32.670

Tom Good: But I do want to, I want to make a comment as well you know, Daniel made a statement about statutory requirement for the county to provide services again.

361

00:45:33.090 --> 00:45:51.750

Tom Good: I still take the position that you know the case, the county you know, must provide the services if it's necessary if there are other options available I don't think then that the county has has need to step in on that, but even if it did let's just say for a moment.

362

00:45:53.310 --> 00:45:54.600

Tom Good: that there was a.

363

00:45:55.800 --> 00:45:57.060

Tom Good: need to provide that service.

364

00:45:57.120 --> 00:45:58.590

Tom Good: that's captured in 18.

365

00:46:00.030 --> 00:46:04.320

Tom Good: we're all talking about how to make the system better maximize.

366

00:46:05.130 --> 00:46:21.660

Tom Good: The utilization of the assets in order to provide the best service possible at the most cost effective rate to the residents that are being served, or even to the business can serve, but when you talk about having to provide the service when you talk about abandonment or or giving.

367

00:46:22.140 --> 00:46:29.280

Tom Good: A service that that that cannot be provided by well in this case the authority, so I think.

368

00:46:29.520 --> 00:46:43.860

Tom Good: That argument that was made prior by Nathaniel's already captured in 1810 so I still stand, you know that the way it's written now I can't support it, either at all, so thank you, Mr Mayor.

369

00:46:44.280 --> 00:46:45.360

Greg Ross: Commission, I have a wanna.

370

00:46:46.710 --> 00:46:54.240

Sabrina Javellana: Thank you um and always good points on both sides, which I think helps create a better product, so I mean I.

371

00:46:55.440 --> 00:47:03.030

Sabrina Javellana: You know I agree with Tom and Mike that you know the the section could be phrased a little differently so that everyone can.

372

00:47:03.630 --> 00:47:10.530

Sabrina Javellana: agree and it works for everyone, but I do think we should have the right of first refusal, I do agree with beam that we should be keeping.

373

00:47:11.100 --> 00:47:20.340

Sabrina Javellana: are making the best efforts to keep this publicly own land publicly owned afterwards and I don't think it would affect you know, competition and sale price.

374

00:47:21.240 --> 00:47:27.630

Sabrina Javellana: If developers are waste companies really want to purchase it they they will, and they have the means to.

375

00:47:28.260 --> 00:47:42.660

Sabrina Javellana: But I really think we should keep the few publicly own lands and assets that we have in in public hands and keeping this section in here whether we rewarded or add some different words or not, I think it's important that we have this Thank you.

376

00:47:43.380 --> 00:48:01.860

Greg Ross: All right, thank you i'm going to because I don't see any other hands i'm going to throw out two different issues and and i'm i'm doing it for discussion purposes only so i'm prefacing it by saying I don't have a an opinion, one way or another, but i'm throwing it out number one.

377

00:48:03.480 --> 00:48:12.450

Greg Ross: And i'll ask the attorneys this question whether Now let me rephrase it if there is no right of first refusal.

378

00:48:13.320 --> 00:48:28.110

Greg Ross: First of all, does that prevent the county from bidding and what effect would it have on the county continuing with their obligation that we all know that they have let me ask it that way.

379

00:48:30.030 --> 00:48:30.720

Greg Ross: nathaniel.

380

00:48:32.700 --> 00:48:44.400



Nathaniel: mayor, so the first comment No, of course, the county would still have the ability to participate and whatever solicitation the authority would put out in terms of potential sale.

381

00:48:45.690 --> 00:48:55.560

Nathaniel: The latter point is the is the greater concern and and the bigger unknown, because you know, to Commissioner good point earlier.

382

00:48:56.610 --> 00:49:05.670

Nathaniel: Absolutely, but the fact is that the if the authority is determined that it does not then currently need a particular disposal asset.

383

00:49:06.510 --> 00:49:20.460

Nathaniel: To meet the needs of the Community at at that point and elects to dispose of this asset, it can certainly choose to do so, it owns it has the ability to do that the county though does need to have.

384

00:49:21.900 --> 00:49:26.370

Nathaniel: A a lengthy view as well because, while the county may be.

385

00:49:27.480 --> 00:49:39.750

Nathaniel: You know, wanting to exercise the right of first refusal at that point, if it were to have one in order to have the disposal capacity to plan for the future rather than having it go to potentially a private entity.

386

00:49:41.190 --> 00:49:48.420

Nathaniel: that's going to use it for bringing in trash from any number of other localities in Florida or beyond.

387

00:49:50.700 --> 00:49:58.200

Nathaniel: So again, the the the statutory obligation that exists is not one that is just a mere presence.

388

00:49:59.640 --> 00:50:10.020

Nathaniel: idea it's one that the county and needs to be obviously looking to the future, to plan for so to answer your question again, we would certainly the county would certainly have the ability to participate.

389

00:50:11.130 --> 00:50:11.760

Nathaniel: But.

390

00:50:14.430 --> 00:50:29.880

Nathaniel: It would be in a situation where it may be in a position to lose out to a private entity that's going to use that asset for purposes that are detrimental to our ability to provide for disposal capacity, either at that point, or in the future.

391

00:50:31.380 --> 00:50:40.230

Greg Ross: All right, I appreciate that beam I see your hand up, can you hold that thought for a moment, because I have my part B and and that may muddy the waters.

392

00:50:40.320 --> 00:50:42.240

Greg Ross: or or open it up a little.

393

00:50:43.740 --> 00:50:58.590

Greg Ross: The way it's written a city can in fact purchase now i'm I heard and I forget which one of you gentlemen said it, but I heard that a city cannot buy.

394

00:50:59.460 --> 00:51:17.520

Greg Ross: Anything you know disposal related so if they cannot buy in and I need to confirm that, then why don't we have in there, that no city will be permitted to purchase etc, etc, and that way, we understand that it's going to either be the county or private entity.

395

00:51:20.580 --> 00:51:21.870

Greg Ross: Daniel go back to you.

396

00:51:22.590 --> 00:51:33.570

Nathaniel: Thank you, and then i'll add that i'm sure matt will be able to jump in or Joe or MIC when I inevitably botched this specifically the answer.

397

00:51:34.230 --> 00:51:53.490

Nathaniel: Which is there's nothing that prohibits a city from owning land that has been utilized as a landfill, there is an issue with the city municipality being able to operate a landfill or a facility that provides disposal capacity under the section.

398

00:51:54.840 --> 00:51:55.800

Greg Ross: Okay, thank you.

399

00:51:56.580 --> 00:51:56.970

Nathaniel: Sorry.

400

00:51:57.000 --> 00:52:07.140

Nathaniel: If you've got if it if it wants to own a brownfield can own a brownfield it just can't operate a landfill by statute, without having to go through a number of other hoops.

401

00:52:08.670 --> 00:52:15.210

Greg Ross: Fair enough we've got commissioner for followed by mayor Ryan, and Commissioner for.

402

00:52:15.810 --> 00:52:33.960

Beam Furr: Thanks um you know, I just want to emphasize, I think the importance of taking the long view on this, and much like we have the 500 or so acres that are out in West broward that you know aren't being most of it's not being used.

403

00:52:35.130 --> 00:52:48.600

Beam Furr: But it's there for the for the long future and one of the things I think that we've been doing well together in this whole group is recognizing that you know this is.

404

00:52:49.320 --> 00:53:11.670

Beam Furr: We are trying to take care of our our own garbage we're trying not to have to go to other counties and take our garbage because frank, I mean they're they're taking a now, but as you as most of you all know, palm beach said we're not taking years anymore and that's only been recently.

405

00:53:12.690 --> 00:53:24.900

Beam Furr: okeechobee arkady and although there's gonna be a point they're going to say sorry we're done we're full so our our you know from from all of our point of view, I think it's really important to be thinking.

406

00:53:26.310 --> 00:53:30.780

Beam Furr: Taking the really long view i'm not just talking to a couple years i'm telling long.

407

00:53:31.380 --> 00:53:41.340

Beam Furr: That, if this county is going to take care of its own half have the capability and the capacity to Kate take care of its own garbage and waste we have you know.

408

00:53:41.880 --> 00:53:53.370

Beam Furr: Taking taking things away that allow for us to do that isn't in the public's best interest it's in our best interest to try to land bank.

409

00:53:53.850 --> 00:53:58.590

Beam Furr: when and where we can for in those places that it makes that it's feasible.

410

00:53:59.130 --> 00:54:08.550

Beam Furr: So you know, and there may be times, why we may say we don't you know this doesn't make sense it's not big enough maybe it is a transfer station.

411

00:54:08.820 --> 00:54:17.400

Beam Furr: there's nothing there's not much we can do with this, you know we can't put a landfill here it's not gonna you know, so we can't use it, but there might be other ones where.

412

00:54:18.180 --> 00:54:25.080

Beam Furr: You might be done with the landfill, it might be a capacity and you may say Okay, I want you know we're done with this let's sell it.

413

00:54:26.790 --> 00:54:32.460

Beam Furr: Well, the the you know the the reality there is somebody still got to take care of.

414

00:54:34.020 --> 00:54:41.400

Beam Furr: And that's going to be, you know at all, so I just want us to be taking the long view on this, I think I think that's what this is.

415

00:54:42.060 --> 00:54:52.500

Beam Furr: The right of your first refusal allows for this county to take the long view and and look into the future and make sure that we can take care of ourselves as far as we can see.

416

00:54:54.120 --> 00:54:57.150

Greg Ross: I appreciate it i've got mayor Ryan, followed by Convention merrison.

417

00:54:59.220 --> 00:55:08.580

Michael Ryan: Right so again because of how this is worded and it's any asset, I mean even, as you just indicated beam it could be something like a transfer station which.

418

00:55:08.850 --> 00:55:15.360

Michael Ryan: is not necessarily a brownfield right, it may have issues of contamination that have to be addressed, but it could be repurposed into some other.

419

00:55:16.320 --> 00:55:22.350

Michael Ryan: And a municipality may want to you know whether it's converted to a park and ride, or they want something else to do with it.

420

00:55:22.800 --> 00:55:32.100

Michael Ryan: So I think we're we're looking at a bunch of hypotheticals that are difficult to classify I don't think anyone disagrees that if it's a land banking and the county at wants to.

421

00:55:32.580 --> 00:55:39.600

Michael Ryan: Do that it makes some sense and there's nothing in here that certifies or requires the county to certify that it is part of its.

422

00:55:40.140 --> 00:55:48.750

Michael Ryan: The decision to do this and to maintain that property in the future that asset in the future as part of its non delegate will duty, and it will intend to do so, as opposed to.

423

00:55:49.470 --> 00:56:01.590

Michael Ryan: You know, taking it and then having the right, the right to decide what to do with the property, I know that the intent of saying the county will have to purchase it at the same terms.

424

00:56:02.340 --> 00:56:11.340

Michael Ryan: Please meant to be somewhat protective but that the property is undoubtedly located in a municipality, and they may have strong very strong feelings about whether the county should have.

425

00:56:12.270 --> 00:56:18.660

Michael Ryan: The future control of that property because it's a county asset, you know who knows, maybe there could be some crazy charter amendment that.

426

00:56:19.080 --> 00:56:23.820

Michael Ryan: You know, undermines the city's ability to regulate you know planning and zoning.

427

00:56:24.600 --> 00:56:39.930

Michael Ryan: And I can provide a footnote for that one if you wanted in the area, transportation, but, but I think that it is not necessarily, just as you save but being something that we all could agree with, and that is if the county said look, this is a dumb.

428

00:56:40.950 --> 00:56:50.370

Michael Ryan: I don't know why third party would buy, but we want to make sure that somebody's not going to do it and then hyped up rates and we think the authorities made a bad decision there's been a broken dimmock democratic process.

429

00:56:50.850 --> 00:56:59.130

Michael Ryan: I could see it, but again we're not classing the assets were saying any asset we're not putting it in the context that the county's going to use it.

430

00:56:59.370 --> 00:57:09.660

Michael Ryan: For its non delegated duty exclusively and they're not going to turn around and try to build a convention Center on it, or something else, so I think there's just a lot here that I could understand why.

431

00:57:10.950 --> 00:57:21.360

Michael Ryan: Our municipal partners might feel just a little angsty thinking this through, and so i'll end with this, I would again turn to Daniel mad and maybe the question is, can you can you.

432

00:57:21.960 --> 00:57:30.720

Michael Ryan: refine and clarify and maybe address some of these issues, and it may be that we can't at the end of the day, but I think the points that have been raised around the table here.

433

00:57:31.050 --> 00:57:37.830

Michael Ryan: Are all legitimate and sincere I just think we this this particular provision as it sits today doesn't do it, thank you, Mr chair.

434

00:57:38.370 --> 00:57:39.870

Greg Ross: Thank you i've got, Commissioner.

435

00:57:39.930 --> 00:57:41.580

Greg Ross: merrison followed by nathaniel.

436

00:57:42.630 --> 00:57:59.700

Bob Mayersohn: yeah i'm not going to belabor the point I just think just send it back in the manual and matt give them an opportunity to revise it we work it they've heard what we had to say and hopefully at our next meeting, they can come up with some language that would be palatable to all of us.

437

00:58:01.290 --> 00:58:02.910

Greg Ross: Thank you nathaniel.

438

00:58:03.750 --> 00:58:13.920

Nathaniel: And, and thank you, Mr Mayor son Thank you mayor Ryan, for the last comments, I think that we've gotten some very good feedback in terms of.

439

00:58:15.120 --> 00:58:25.140

Nathaniel: Language but i'm hoping mayor Ross that we can just make sure that there's consensus amongst the group obviously subject to reviewing the final but.

440

00:58:26.460 --> 00:58:35.550

Nathaniel: If everybody is just make sure that everybody's on board with the concept of tightening up the language to specify what specific type of assets that we are talking about.

441

00:58:36.330 --> 00:58:47.310

Nathaniel: As well as the tightening up of the language regarding that the county has the right of first refusal when its intent is to utilize.

442

00:58:47.850 --> 00:59:01.110

Nathaniel: That specific again tightened up classification of asset to for the purposes provided under 43706 which is providing for capacity disposal capacity within the camp.

443

00:59:02.790 --> 00:59:16.200

Nathaniel: I am the will of the working group, then we will go back with with Mike and with Jamie when he gets back from his wonderful vacation and we'll take it understand the language and tighten for.

444

00:59:17.190 --> 00:59:28.230

Greg Ross: That I appreciate you let me ask of the members of the group are there Is there anyone that objects to that methodology that nathaniel just went over.

445

00:59:30.840 --> 00:59:35.850

Greg Ross: i've got two hands, I see Tom good, are you objecting to that.

446

00:59:36.720 --> 00:59:54.150

Tom Good: Well, I must admit i'm what i'm doing is is making a point that the most important element of concern for me in particular is to preserve the flexibility of the authority going into the future that's what i'm most concerned about.

447

00:59:54.780 --> 00:59:58.770

Greg Ross: And and and if annual will you take that back as well.

448

01:00:00.510 --> 01:00:03.000

Nathaniel: we're going to take all all of the feedback.

449



01:00:04.170 --> 01:00:07.110

Nathaniel: Back in terms of in terms of the drafting room for this.

450

01:00:07.500 --> 01:00:10.890

Greg Ross: All right, thank you i've got commissioner for followed by me Ryan.

451

01:00:15.750 --> 01:00:26.730

Beam Furr: Just to reiterate, there are places where I think we definitely want to keep this as a right of first refusal, I really think there's places where it's important I think nathaniel's trying to speak to that.

452

01:00:27.960 --> 01:00:39.930

Beam Furr: The second part of it is if we didn't have right of first refusal and that, if the county feels like they need to buy it for capacity purposes.

453

01:00:41.910 --> 01:00:55.620

Beam Furr: What could end up happening is that our citizens are going to have to be paying way more than we would have to pay normally because we're going to be having a match or have some kind of bidding war.

454

01:00:56.700 --> 01:00:58.650

Beam Furr: that that is not in the public interest.

455

01:01:00.240 --> 01:01:17.280

Beam Furr: And I just want us to think of that because it's it's in our interest to be able to hold on to public land for use by the public, where we can having to buy land at a pretty you know at a over premium price you imagine this market, where it is right now.

456

01:01:18.300 --> 01:01:26.340

Beam Furr: 10 2030 years from now, and then you try to buy it and suddenly it's like you know you're you're having to bond it out just to buy it.

457

01:01:27.480 --> 01:01:32.610

Beam Furr: I don't know I don't think we wanted to be in that kind of situation where where the public for getting outbid.

458

01:01:34.620 --> 01:01:38.370

Beam Furr: And then having it used against you, I just want to think about that.

459

01:01:40.020 --> 01:01:43.590

Greg Ross: I thank you very much, and I see Mike Ryan.

460

01:01:44.670 --> 01:01:51.690

Michael Ryan: Thank you, Miss cherry i'm supportive of seeing what the next draft looks like I don't think Daniel was asking for a consensus on.

461

01:01:52.710 --> 01:02:01.830

Michael Ryan: It as a blank check, I think we can look at that I think beams point is very well taken, and you know, the question of what is a bonafide purchaser, I think, will end up being.

462

01:02:02.370 --> 01:02:12.570

Michael Ryan: In in such a scenario left to the lawyers and the judges in some sort of litigation, to avoid the taxpayers from from from that process but.

463

01:02:12.990 --> 01:02:20.910

Michael Ryan: It just in the meantime, I think we can get the categorization of assets put some guardrails on what the county will use it for and as.

464

01:02:21.360 --> 01:02:32.130

Michael Ryan: As Tom said, ensure that we're providing flexibility to all these right now inconceivable hypotheticals I would be willing to look at it again that's as far as I can go today, though, thank you.

465

01:02:32.520 --> 01:02:39.210

Greg Ross: I thank you well i'm going to ask you to go one step further, because we still have the blank that has to be filled in.

466

01:02:39.840 --> 01:02:47.640

Greg Ross: If there is a right of first refusal within how many days after the counters received of the offer should they notify.

467

01:02:48.120 --> 01:03:02.280

Greg Ross: So I because nathaniel is is drafting you know redrafting, I think, at this point in time, he could insert that so i'd like to get some thoughts on what that would be Mike you still have your hand up or.

468

01:03:02.460 --> 01:03:05.850

Michael Ryan: I didn't lower, but I can answer that I would give them a you know full day.

469

01:03:05.910 --> 01:03:06.750

Michael Ryan: Maybe two days.

470

01:03:08.370 --> 01:03:09.570

Very magnanimous.

471

01:03:10.590 --> 01:03:22.440

Michael Ryan: No, I don't I don't think that's the big issue, I think, as long as it's not you know 365 or 180 or too long, I think, whatever if there's other agreements that can be looked at, to what's a reasonable timeframe.

472

01:03:22.950 --> 01:03:37.200

Michael Ryan: I would just say this and it's it's, not just for the county it's true for municipalities that the ability to maneuver rapidly on decisions like this, you know government is not the best example of it and so it's got to be.

473

01:03:38.430 --> 01:03:39.180

Michael Ryan: Rational.

474

01:03:40.200 --> 01:03:46.290

Michael Ryan: But it can't be so long to accommodate the slowness of government, so I don't have a strong feeling.

475

01:03:47.040 --> 01:03:47.910

nathaniel.

476

01:03:49.110 --> 01:04:04.530

Nathaniel: So just just in, and I think mayor Ryan is 100% correct the date within the brackets is the is the least of the concerns in terms of in terms of the provision as a whole, I will say from my my prior life.

477

01:04:05.160 --> 01:04:15.330

Nathaniel: As real estate attorney for one of the largest real estate brokerage and development company on the planet, when you're dealing with sites that are going to be like this.

478

01:04:15.930 --> 01:04:26.370

Nathaniel: that are going to go through a number of environmental reviews by any purchaser I would think that a 90 day period is not going to create any impact on any purchaser.

479

01:04:26.880 --> 01:04:35.610

Nathaniel: Given the amount of time that they're going to be they're going to have a right for their due diligence as part of that process, but again.

480

01:04:36.180 --> 01:04:45.810

Nathaniel: I think we're still going to leave it blank and we can probably talk more about it at the once the languages is is hammered out amongst all the lawyers, on the other point.

481

01:04:46.290 --> 01:04:52.320

Nathaniel: I would just ask since Commissioner Ryan erickson be mayor Ryan, and Commissioner good if talk about flexibility.

482

01:04:52.650 --> 01:05:00.420

Nathaniel: Could you just could one of you just give a little bit of an example there so that we have that thought process in our mind when we're going back to the drafting table on this.

483

01:05:03.450 --> 01:05:04.260

Greg Ross: Tom or Mike.

484

01:05:06.420 --> 01:05:19.470

Tom Good: So yes, so I mean we're to easily a talking a little bit about how municipality may want to procure the asset potentially to either operate it because of.

485

01:05:19.980 --> 01:05:31.530

Tom Good: You know, Community concerns or maybe even to you know, use the sale proceeds to relocate it to another location or even you know sort of things like that to repurpose.

486

01:05:36.000 --> 01:05:37.230

Greg Ross: Does that help you Nathaniel.

487

01:05:39.300 --> 01:05:58.710

Nathaniel: Given the fact that a municipality can't operate if we've narrowed the the asset type down to a disposal facility and since the Statute doesn't provide for a municipality to operate disposal facility, I understand, in some ways, what Commissioner good is talking about and.

488

01:06:00.510 --> 01:06:08.580

Nathaniel: In in terms of the repurposing and things of anything in terms of that we probably look into what kind of language to use there but.

489

01:06:10.170 --> 01:06:22.230

Nathaniel: I think I have a little bit of a better idea and I think that by narrowing if we narrowed the nature of the right of first refusal to things that a city doesn't have the ability to operate in and of itself.

490

01:06:23.160 --> 01:06:29.310

Nathaniel: And that the county is utilize that only has the right when it is intending to use it.

491

01:06:29.730 --> 01:06:42.570

Nathaniel: For a statutory purpose for which it is pretty much the only party that has the ability to utilize it for that purpose we've narrowed the ability, it gives the authority flexibility to sell all sorts of assets.

492

01:06:42.960 --> 01:06:50.040

Nathaniel: Other than one very narrow class of assets which it can still sell but the county has its right of first refusal.

493

01:06:50.520 --> 01:07:04.290

Nathaniel: And i'm hoping that the language that we can come up with and discuss with the municipal attorneys get us to a point that we may be able to go around the back end to resolve the concern that Commissioner good is.

494

01:07:04.740 --> 01:07:13.380

Tom Good: So nathaniel, if I may just for a moment, more just add a little bit we're talking about any asset we're not talking about just an asset that's a landfill.

495

01:07:15.420 --> 01:07:16.410

Tom Good: So you need to expand.

496

01:07:17.400 --> 01:07:21.690

Tom Good: Growing and move away from some of the statutory element, because we're talking about.

497

01:07:21.780 --> 01:07:22.860

Michael Ryan: assets.

498

01:07:23.160 --> 01:07:25.560

Tom Good: That are owned by the authority to be sold.

499

01:07:26.970 --> 01:07:35.190

Tom Good: I mean, it could be easily enough and asset, just like mere Ryan had spoken about earlier that was no longer necessary, and you know.

500

01:07:36.480 --> 01:07:39.630

Tom Good: We wouldn't want the opportunity for.

501

01:07:40.890 --> 01:07:52.260

Tom Good: The authority to move forward with its future where we have one member that has more rights than any other participating Member in order to meet a strategic objective.

502

01:07:53.250 --> 01:08:01.920

Nathaniel: understood, Commissioner, do, and I think that will be able to revive that so that we provide that flexibility through the definition of what kind of asset we're really talking about.

503

01:08:02.310 --> 01:08:09.870

Nathaniel: So that when it's any particular type of asset that a city municipality would have the ability to operate that either.

504

01:08:10.890 --> 01:08:16.740

Nathaniel: There is no right of first refusal for anyone or there's a right of first refusal amongst the parties potentially so.

505

01:08:17.550 --> 01:08:23.430

Nathaniel: Although that becomes very difficult when you have so many parties that will have very his rights, so it may.

506

01:08:24.180 --> 01:08:34.380

Nathaniel: But I think I understand better what what you're asking for, and I think we have an ability to to do that through the definition of the assets to provide for a broader sale, without the right of first refusal.

507

01:08:35.610 --> 01:08:48.450

Greg Ross: And I appreciate it now, I see Mike Cyril his hand up but Mike Ryan was still on the issue, if you want to give an explanation of the flexibility that has not been hit upon now's your time.

508

01:08:48.870 --> 01:08:57.420

Michael Ryan: I agree with the commentary between nathaniel and Tom I think you know if it's an asset that you know the this this valleys could not operate.

509

01:08:58.890 --> 01:09:05.760

Michael Ryan: it's hard to imagine they would purchase it just to keep it, but that could be there, I will wait until we see the revised language.

510

01:09:06.150 --> 01:09:09.030

Greg Ross: Fair enough, thank you, then I go back to Mike cirillo.

511

01:09:09.960 --> 01:09:18.030

Michael Cirullo: I just want to clarify what the limitations, you know municipality cannot operate a solid waste disposal facility, but but they.

512

01:09:18.660 --> 01:09:26.580

Michael Cirullo: Under normal circumstances, but they could, if there's an inner local agreement and they do make some specific requirements in the statute so.

513

01:09:27.240 --> 01:09:37.650

Michael Cirullo: The presumption is the city cannot operate a solid waste disposal facility to facility wanted to get in that business, they would need a special act, they would need inherit a local agreement with the county.

514

01:09:38.010 --> 01:09:49.860

Michael Cirullo: And they would have to meet the specific requirements in the Statute in order to do so, so it's not it's not completely to foreclose is city from buying it to operate, but there are a lot more pieces.

515

01:09:50.670 --> 01:09:59.280

Michael Cirullo: And to the puzzle that would need to be added in order for them to actually use that disposal asset for that purpose of disposing their own way.

516

01:10:00.510 --> 01:10:04.050

Greg Ross: Thank you Mike appreciate it i've got mad Haber followed by Commissioner for.

517

01:10:04.440 --> 01:10:06.990

Matthew Haber: Actually i'm going to swap that order and defer to the Commissioner.

518

01:10:08.280 --> 01:10:28.170

Beam Furr: Well, I might be just brought thanks Matthew you just brought up a point if you're doing another I la that that you be you would be reconstructing the flow aware garbage would be going Bay, that would be counteracted, to the to the agreements that we would already have as an entity.

519

01:10:29.820 --> 01:10:43.260



Beam Furr: If if this entity we're making sure that everything is going to the assets now and now listen you change that agreement where it's going to one city, then they didn't that counterproductive.

520

01:10:43.740 --> 01:10:49.410

Greg Ross: Which brings me to what I had said before of, should we not allow any cities to purchase.

521

01:10:51.600 --> 01:11:04.410

Beam Furr: I mean you don't yeah you don't want it, this is that you want to you want to make sure that the entity is strong and is helping itself not being not you know diminishing its own capacity that didn't make sense.

522

01:11:05.460 --> 01:11:07.410

Tom Good: Again I it's.

523

01:11:07.440 --> 01:11:16.530

Tom Good: we're talking about assets not disposal facility, which is defined in section 437 of three, which is where you have final resting of your disposals.

524

01:11:17.250 --> 01:11:33.600

Beam Furr: Well Okay, so I guess, I guess, if we're able to make fine tune this to talk about assets that are being used as disposal and will then again be used for disposal continue to be used for disposal if we limited to that is that good.

525

01:11:35.640 --> 01:11:36.570

Tom Good: Not quite certain.

526

01:11:36.720 --> 01:11:41.370

Greg Ross: I think we need to be honestly, I think, and I go back to what me Ryan said.

527

01:11:41.970 --> 01:11:48.780

Greg Ross: i'm open to looking at the new verbiage and nope no question nathaniel and matt and Mike and.

528

01:11:49.050 --> 01:12:02.070

Greg Ross: and Joe and and and you know candidly you guys have been where and Jamie he's not even here, but you guys have been working tremendously well together and I look forward to looking at the verbiage on that.

529

01:12:02.580 --> 01:12:15.030

Beam Furr: But man I think what they're looking for is more guides and I think we're we're muddying the waters, a little bit for them if i'm not mistaken, I think that's what nathaniel.

530

01:12:15.570 --> 01:12:26.820

Beam Furr: was trying to get a handle on so he could be writing this that you know, we need to be very clear so we're not just doing this two weeks from now and saying that's not what I meant.

531

01:12:28.020 --> 01:12:32.910

Beam Furr: You know, we want to, I think that I think clarity is needed here my right nathaniel.

532

01:12:34.440 --> 01:12:40.440

Nathaniel: Yes, Commissioner, absolutely right again I think we've gotten.

533

01:12:41.880 --> 01:12:49.530

Nathaniel: A lot of from the from the comments, a lot of good feedback that will help us narrow again through narrowing the asset type.

534

01:12:50.250 --> 01:12:51.900

Nathaniel: To disposal facility.

535

01:12:52.590 --> 01:13:06.870

Nathaniel: Narrowing the circumstances, on which the county is going to habits right of first refusal, which is its commitment to you know continuing either the utilization or the holding of the property for the purpose, that it was being used by the authority again disposal capacity.

536

01:13:07.980 --> 01:13:17.970

Nathaniel: I think, from the comments from Commissioner good and from mayor Ryan, in terms of flexibility, I think again unless there's other comments from Members of the working group we're going to.

537

01:13:18.330 --> 01:13:25.530

Nathaniel: Try to create that flexibility through the narrowing of the asset type so that we're not dealing with a facility that.

538

01:13:26.700 --> 01:13:32.640

Nathaniel: A municipality, for example, could convert to another use or a private entity could.

539

01:13:33.480 --> 01:13:50.310

Nathaniel: purchase and and utilize in a way that's not going to negatively impact the county's ability to meet its requirements, of course, will take any other narrowing or feedback and the only other comment that I have in response to mayor ross's comment earlier was.

540

01:13:51.390 --> 01:13:52.830

Nathaniel: matt and Joe are gonna write it.

541

01:13:54.960 --> 01:14:03.630

Beam Furr: I mean you know the heart the hard part of the reason, this is so kind of goofy is the authority wouldn't be buying land and less and needed it.

542

01:14:05.190 --> 01:14:14.160

Beam Furr: So they're you know they're they're buying land you're creating asset for based on the fact that they know they're going to need it for disposal purposes.

543

01:14:15.690 --> 01:14:16.590

Beam Furr: You know it's.

544

01:14:17.730 --> 01:14:30.120

Beam Furr: it's such a hypothetical it's just driving all of us a little NUTS here, you know, because if they're going to buy it they're going to be using it, and then, if they you know it's hard to figure out why they wouldn't be using it was they couldn't.

545

01:14:31.530 --> 01:14:34.650

Beam Furr: You know I don't know it's just kind of goofy sorry.

546

01:14:36.210 --> 01:14:39.090

Beam Furr: I think it's why I think that's why we're tying ourselves in knots on this.

547

01:14:40.650 --> 01:14:42.480

Greg Ross: And and i've just thought of another.

548

01:14:43.980 --> 01:14:59.190

Greg Ross: I guess problem that while it a city may purchase an asset and let's let's argue the fact that the authority is is has built a nother incinerator and.

549

01:14:59.970 --> 01:15:14.400

Greg Ross: They decide that it's not fulfilling their needs, at this point so they'll turn around and sell it a city purchases it but says i'm not operating the management an operation of it is given to another entity.

550

01:15:14.910 --> 01:15:28.110

Greg Ross: argument's sake, you know, whatever you want to call it ABC and therefore they're now making money and as beam indicated the flow of control is now changed.

551

01:15:30.540 --> 01:15:31.710

Greg Ross: I don't know how you're going to.

552

01:15:33.270 --> 01:15:36.750

Greg Ross: Literally utilize verbiage, to protect that from happening.

553

01:15:37.380 --> 01:15:41.280

Beam Furr: And what if what if another city buys the property in another city.

554

01:15:42.840 --> 01:15:43.140

Greg Ross: sure.

555

01:15:43.650 --> 01:15:57.840

Beam Furr: which happened, which is happening, it has happened in Hollywood for loud, it was bought property right and yeah and they've used it for different purposes same things happening live in places, so you know you're opening up a can of worms.

556

01:15:59.700 --> 01:16:03.630

Tom Good: it's a can of worms to just to go with the first right of refusal, as it is right now.

557

01:16:05.100 --> 01:16:07.230

Beam Furr: And I like I like that can of worms.

558

01:16:07.860 --> 01:16:10.200

Tom Good: And me because it benefits the county.

559

01:16:11.220 --> 01:16:12.270

Beam Furr: Which is all of us.

560

01:16:13.440 --> 01:16:14.070

Tom Good: Might not.

561

01:16:14.280 --> 01:16:15.990

Greg Ross: apply let's.

562

01:16:16.290 --> 01:16:30.450

Greg Ross: let's give the county and opportunity MAC and and Joe see what they come up with not look forward in a couple of weeks to come back in and rehash this and and it's been done in a very, very nice manner.

563

01:16:31.170 --> 01:16:38.970

Greg Ross: Do we let's go on and we do need to go to 18 point 10 I think it was referenced earlier.

564

01:16:40.950 --> 01:16:45.570

Greg Ross: And I think was Tom was it you that reference did it originally.

565

01:16:45.960 --> 01:16:46.440

Tom Good: Yes, sir.

566

01:16:47.070 --> 01:16:52.950

Greg Ross: Do you have any difficulties with how it's written or, in fact, I think you were supporting the fact that it was there.

567

01:16:54.270 --> 01:17:01.500

Tom Good: No, I actually had some some comments to this as well to as matter of fact, I made those comes official to the attorneys earlier.

568

01:17:02.640 --> 01:17:03.630

Tom Good: Before this meeting.

569

01:17:05.400 --> 01:17:06.930

Tom Good: So are we on 810.

570

01:17:07.320 --> 01:17:08.610

Greg Ross: Yes, Sir okay.

571

01:17:09.060 --> 01:17:12.330

Tom Good: So if it's if it's possible i'd like for.

572

01:17:13.470 --> 01:17:18.210

Tom Good: Mr cirilo to at least speak to the first comment that I had.

573

01:17:19.980 --> 01:17:20.730

Tom Good: Mr surreal.

574

01:17:21.780 --> 01:17:22.980

Tom Good: Or you will speak to that.

575

01:17:23.520 --> 01:17:27.480

Michael Cirullo: yeah just a couple just a clarification and the first one.

576

01:17:28.920 --> 01:17:42.690

Michael Cirullo: We want to the term in there is, as defined in section 403 Point seven or three the terminus defined in that section is solid waste disposal facility and Tom pointed out that it's not clear that that.

577

01:17:43.350 --> 01:17:58.350

Michael Cirullo: phrase that defined in whether refers to the poor to Bandon men that were solid waste disposal facility or the entire term abandonment of a solid waste disposal Thor facility, so I think we can clarify that with some.

578

01:17:59.100 --> 01:18:08.400

Michael Cirullo: With some changes because the only word that's actually defined in that phrase thawed waste disposal authority and.

579

01:18:09.690 --> 01:18:11.820

Michael Cirullo: The second was.

580

01:18:13.020 --> 01:18:15.900

Michael Cirullo: You know, looking at the concept that's being.

581

01:18:19.380 --> 01:18:29.220

Michael Cirullo: discussed here, and I can let the county attorney's explain what the intent is but the Statute that is reference in 706.

582

01:18:29.790 --> 01:18:41.550

Michael Cirullo: It talks about a scenario where a city does have the right to operate its own facility and then abandon its own facility and as a result of chuck salts waste.

583

01:18:42.150 --> 01:18:49.350

Michael Cirullo: into the county's program and now the county stuck saying Well, now we don't know if we have enough space for that city's way.

584

01:18:49.860 --> 01:19:10.770

Michael Cirullo: So that city, because it abandoned it now has to pay the county to expand its facilities to take on that city garbage because up to now that city was taking care of its own, so the Statute provides for mechanism what what the issue here is is in a similar scenario, if this if the.

585

01:19:12.600 --> 01:19:19.110

Michael Cirullo: If the authority abandons a solid waste disposal facility for any reason.

586

01:19:20.160 --> 01:19:31.710

Michael Cirullo: there's a premise here that that means that the authorities waste is going to some parallel system, maybe that the county has, for its for its.

587

01:19:32.520 --> 01:19:45.930

Michael Cirullo: For expansion for its for solid waste because the way that the Authority was disposing of needs to go somewhere now because of that it's abandoned it and particularly if.

588

01:19:46.470 --> 01:20:00.420

Michael Cirullo: it's abandoned at the end of the agreement it's going to the county, but is it going to the county for facility that the county own separate from inheriting that the the.

589

01:20:00.900 --> 01:20:16.860

Michael Cirullo: Assessments from the authority or is it looking to have take on the responsibility from the authority and wanting the parties to continue to pay for it, after that, so the analogy to that statute about abandonment is it's not really.

590

01:20:17.880 --> 01:20:25.830

Michael Cirullo: You know, clear, I guess i'm talking with Tom and understanding what what it's about is what is it that is.

591

01:20:26.010 --> 01:20:27.540

Michael Cirullo: Trying to be accomplished here.

592

01:20:27.900 --> 01:20:32.190

Michael Cirullo: And what is in also that you know just for clarification to what is operate.

593



01:20:32.250 --> 01:20:37.920

Michael Cirullo: The maybe there's some examples of of what of what that what that could be.

594

01:20:40.590 --> 01:20:52.440

Michael Cirullo: So that was it that was in a nutshell, the comments that that that that Tom shared with me when I was able to share with the attorneys on this revision that there's a lot in this paragraph that needs to be fleshed out.

595

01:20:55.110 --> 01:20:57.990

Greg Ross: Thank you i've got man haters hand up.

596

01:21:00.480 --> 01:21:05.670

Matthew Haber: Thank you, Mr chair, so this is not the easiest.

597

01:21:06.930 --> 01:21:13.440

Matthew Haber: Drafting task we're attempting to import the statutory language into this agreement.

598

01:21:14.610 --> 01:21:25.560

Matthew Haber: there's a couple challenges there number one that the statutory language isn't great To begin with, so we're attempting to be more clear and also that statutory language.

599

01:21:25.950 --> 01:21:40.380

Matthew Haber: Is within a huge paragraph that provides a lot of context and we didn't think it made sense to import all of that, because we are trying to also fulfill the directive that this not be a huge agreement.

600

01:21:41.880 --> 01:22:02.520

Matthew Haber: So, with that in mind, we were trying to address many of the things that might just brought up so first off in terms of which term is being defined, this is the only term that is listed and 43743793 by added quotes to make it clear, this is the term.

601

01:22:03.810 --> 01:22:21.240

Matthew Haber: So I think i'm hoping that that add some clarity, but the other two parts of this that I think we certainly can improve on, and you know we're very willing to work with municipal council to make it more clear there's two bits of this number one.

602

01:22:22.440 --> 01:22:42.540

Matthew Haber: What kind of facility or what facility, are we talking about the intent of the Statute and the intent of this language is that it's completely unrelated to the road for right and the road for it, the way that's designed right now the county would be purchasing.

603

01:22:43.770 --> 01:22:49.530

Matthew Haber: A asset from the authority right is the authorities facility it's a facility that was part of the system.

604

01:22:50.610 --> 01:22:51.450

Matthew Haber: The intent of.

605

01:22:53.610 --> 01:22:58.890

Matthew Haber: Is that is a facility not previously included in the system.

606

01:23:00.870 --> 01:23:07.470

Matthew Haber: it's buried in there, understand that we can work on drafting this so that it's a little bit more clear.

607

01:23:08.730 --> 01:23:26.880

Matthew Haber: But but, again, the intent is that this is a whole separate assets right, it may be, for some reason that the authority is shutting down, it may be that the authority on its own, has decided to shift gears in terms of what it's focusing on perhaps recycling over disposal.

608

01:23:28.320 --> 01:23:37.440

Matthew Haber: But but, again, the intent is that this is a wholly separate asset of the counties and that it is not something that the county.

609

01:23:38.880 --> 01:23:42.450

Matthew Haber: You know inherited from from the authority so.

610

01:23:43.560 --> 01:23:45.840

Matthew Haber: A good example would be the current broward county landfill.

611

01:23:47.910 --> 01:23:56.160

Matthew Haber: Which which the county owns on its own, the other part of this is it's not just any time that the.

612

01:23:58.380 --> 01:24:04.230

Matthew Haber: that the authorities abandoning a solid waste disposal facility it's when that abandonment.

613

01:24:05.730 --> 01:24:22.650

Matthew Haber: forces the county into a situation where it has to take on that what we're what we're calling a disagreement system ways to know all of the flow all of the tonnage that the Authority was previously handling so we wrote in here again this this tracks, the Statute.

614

01:24:24.570 --> 01:24:34.830

Matthew Haber: You know, necessary to accommodate the parties waste for the remaining projected useful life of the counties facility, and that is taken from 43706.

615

01:24:35.610 --> 01:24:45.780

Matthew Haber: But, again, I can see where this is a very long sentence with a lot of things going on in it, and we can try to break it up, but the idea, in short, is.

616

01:24:46.680 --> 01:24:53.970

Matthew Haber: it's a facility that the authority did not previously own it's the county's facility and.

617

01:24:54.510 --> 01:25:14.310

Matthew Haber: it's only when there's a capital expansion, that is truly necessary to accommodate the parties waste at the county's facility and so those are big ideas, but they are the that those are the ideas and the Statute and we're just trying to make it so that it is a applicable here.

618

01:25:15.480 --> 01:25:17.550

Greg Ross: I appreciate that we've got commissioned a good.

619

01:25:19.410 --> 01:25:25.410

Tom Good: Thank you, Mr Mayor so following up with matt Thank you matt the first i'm gonna go with the easiest.

620

01:25:27.990 --> 01:25:36.840

Tom Good: 1234 fifth line down, where it says previously included in the system i'm assuming that the county system.

621

01:25:39.180 --> 01:25:39.780

Tom Good: I mean, because we.

622

01:25:39.870 --> 01:25:40.830

Tom Good: are very sorry.

623

01:25:40.920 --> 01:25:44.640

Matthew Haber: um, so this is where having the full document makes a huge difference.

624

01:25:46.110 --> 01:26:03.780

Matthew Haber: we've added some definitions, to the top of the IRA and its current draft, and when we say the system and it's capitalized that refers to the assets of the authority that it is using to meet at obligations right that it's assumed to meet its goals of.

625

01:26:05.220 --> 01:26:18.240

Matthew Haber: You know, for flow control recycling, you know all of that stuff that this agreement contemplates so when we say not previously included in a system that means it it's a facility that the authority wasn't running that the authority wasn't.

626

01:26:19.350 --> 01:26:22.500

Matthew Haber: Using for its for its purposes.

627

01:26:25.440 --> 01:26:27.510

Tom Good: So it's the it's the.

628

01:26:28.650 --> 01:26:41.280

Tom Good: Authorities system, not the county so that actually brings more questions to me, I need to digest and a little bit more I don't know why we would do, why would the county build something that we already didn't have in our system.

629

01:26:43.620 --> 01:26:45.930

Matthew Haber: More We already have a landfill, for example.

630

01:26:48.840 --> 01:26:50.760

Tom Good: Alright, so let me, let me move on to.

631

01:26:50.820 --> 01:26:56.130

Tom Good: to another thing as well, then so you know I do agree with you that you're trying to capture the essence of.

632

01:26:57.480 --> 01:27:11.070

Tom Good: What 47370 6.1 a lot of this language is very similar, the only thing that aren't that isn't similar are two things which I didn't really pick up one is the word operated operated to me is.

633

01:27:12.240 --> 01:27:12.990

Tom Good: seems.

634

01:27:14.610 --> 01:27:15.660

Tom Good: really open ended.

635

01:27:16.800 --> 01:27:30.120

Tom Good: sort of like what the what we were speaking to in 18.9 where we talked about any asset used, I see this operated sort of in the same way it's very broad and potentially.

636

01:27:32.520 --> 01:27:34.110

Tom Good: has a lot of exposure to it.

637

01:27:35.130 --> 01:27:55.650

Tom Good: um So what is operated what what what does that mean, how does does this play in to this abandonment language, if all the authority is doing is operating a facility, but it doesn't own I understand owned owned is easy, but the operating piece of it, I don't understand.

638

01:27:59.970 --> 01:28:03.540

Matthew Haber: i'm happy to take that but also see, Commissioner, first hand is up so.

639

01:28:03.570 --> 01:28:06.570

Greg Ross: don't know matt if you would answer the question and then i'll go over.

640

01:28:06.720 --> 01:28:07.800

Matthew Haber: To try um.

641

01:28:09.960 --> 01:28:12.360

Matthew Haber: I have two thoughts on this.

642

01:28:15.120 --> 01:28:19.230

Matthew Haber: operated in terms of like operating there actually are.

643

01:28:21.000 --> 01:28:22.320

Matthew Haber: In federal law.

644

01:28:23.370 --> 01:28:34.110

Matthew Haber: there's there's quite a bit of regulation around what operation means, but we don't site to that here um you know, so I think it's very easy actually.

645

01:28:34.710 --> 01:28:49.740

Matthew Haber: Just to delete operate it or leave it to owned I mean at the end of the day, what we're talking about right we're talking about a solid waste disposal facility that the authority controls and has the ability to abandon to me that implies it owns it.

646

01:28:51.420 --> 01:28:54.360

Matthew Haber: So um it was.

647

01:28:55.830 --> 01:29:01.320

Matthew Haber: intended to be basically one in the same and i'm happy to get rid of operated or.

648

01:29:03.420 --> 01:29:04.500

Tom Good: Okay i'm.

649

01:29:05.520 --> 01:29:07.560

Tom Good: That solves me.

650

01:29:08.670 --> 01:29:11.640

Greg Ross: Very good, thank you how about to mention the first is it's all do.

651

01:29:13.530 --> 01:29:29.610

Beam Furr: I understand what tom's concern is there yeah I can see taking that out, and I was just trying to think about trying to put this in real terms, the idea that at the authority was running a murph and then decided they didn't they wanted to abandon it or good running it.

652

01:29:30.690 --> 01:29:44.190

Beam Furr: And there was still a need for it, and the county has to build them or if all of a sudden, then there, then the county needs to be made whole that's exactly that's what we're trying to do here right Am I correct attorneys.

653

01:29:44.970 --> 01:29:50.730

Matthew Haber: Well it's a solid waste disposal facility so that would be a landfill or a wt not a murph.

654

01:29:51.360 --> 01:29:51.630

Oh.

655

01:29:52.860 --> 01:29:57.810

Beam Furr: Okay, so what's the one of those are that's that's a little different mm hmm.

656

01:29:59.430 --> 01:30:00.990

Beam Furr: Okay, let me think about that then.

657

01:30:02.010 --> 01:30:03.480

Greg Ross: While you're thinking Tom good.

658

01:30:04.080 --> 01:30:16.320

Tom Good: Thank you, Mr American so the other, the other phrase origin if you can give a little explanation seem to be added, what what is the remaining projected useful life for the county facility, this is where.

659

01:30:20.550 --> 01:30:30.090

Tom Good: Can you explain that what is me, I mean if the useful life of the facility is 50 years it means that the cities are going to have to pay for 50 years worth of an asset.

660

01:30:32.280 --> 01:30:40.560

Matthew Haber: So full disclosure I copied that from the Statute, which says, for the remaining projected useful life of the county disposal facility.

661

01:30:43.440 --> 01:30:49.380

Tom Good: And what is, what is the useful life of the county disposal facility, I mean is that is that even beyond closure.

662

01:30:51.060 --> 01:30:57.690

Matthew Haber: I wouldn't have to defer to one of the technical experts on the call who actually has experience running a landfill.

663

01:30:58.710 --> 01:31:01.380

Beam Furr: The liabilities go on for a long, long Blanca.

664

01:31:01.740 --> 01:31:08.280

Matthew Haber: Sure, I yeah I hesitate to opine on this not not having factual knowledge of it.

665

01:31:12.150 --> 01:31:13.680

Tom Good: Okay, and one last thing then.

666



01:31:16.020 --> 01:31:30.450

Tom Good: So you're right the the statutes, you know do a good job, with some things in a very poor job with other in so this word abandonment in line to is is kind of a.

667

01:31:31.710 --> 01:31:42.570

Tom Good: it's a fun word in the sense if you want to play with it, so the question I have is is, if you sell an asset could that be considered a form of abandonment.

668

01:31:45.090 --> 01:31:50.610

Tom Good: Because when I was looking up that definition it's certainly seem to encompass a lot of things.

669

01:31:51.000 --> 01:31:55.950

Greg Ross: And concomitantly with that question, gentlemen, did you not define that.

670

01:31:57.030 --> 01:32:00.420

Greg Ross: Above in the initial definition section.

671

01:32:01.440 --> 01:32:02.160

Greg Ross: nathaniel.

672

01:32:03.150 --> 01:32:11.100

Nathaniel: I know that that term is not defined in the agreement that term is is again straight from the statutory language.

673

01:32:11.880 --> 01:32:12.990

Nathaniel: And it talks about.

674

01:32:13.650 --> 01:32:24.060

Nathaniel: You know if if that entity subsequently abandoned such facility it she'll be responsible for the payment of the camp capital expansion necessary to accommodate municipality solid waste the remaining.

675

01:32:24.750 --> 01:32:32.790

Nathaniel: projected useful life of the county disposal facility again that sentences is is tracking direct from the Statute and to Commissioner good comment.

676

01:32:33.180 --> 01:32:45.120

Nathaniel: I would say that if the authority were to sell the selling asset and again we're talking about it this boat solid waste disposal facility, and it goes to a private party.

677

01:32:45.540 --> 01:32:55.770

Nathaniel: That is not going to be utilizing that to accommodate the the capacity capacity needs of the county and meaning all of the municipalities, all the residents of the county.

678

01:32:57.270 --> 01:33:08.850

Nathaniel: And the county as an entity needs to expand expand one of these facilities, then, then yes, that is, that does constitute an abandonment capacity that was.

679

01:33:09.630 --> 01:33:25.740

Nathaniel: Now can actually that was being provided by the authority now has to be provided by the county potentially at one of its facilities or it needs to acquire capacity at a facility in order to accommodate the solid waste that the Authority was previously disposing.

680

01:33:27.780 --> 01:33:34.470

Nathaniel: Because the authority elected to abandon that asset, and it is no longer being utilized for.

681

01:33:36.120 --> 01:33:44.190

Nathaniel: Addressing the solid waste needs of the residents in the camp, so an abandonment that circumstances would include a fat.

682

01:33:46.260 --> 01:33:47.880

Tom Good: So, so let me further.

683

01:33:49.650 --> 01:33:58.110

Tom Good: give you what my thought is on this, and it certainly is a far reach out, so I don't see this as any.

684

01:33:59.250 --> 01:34:00.960

Tom Good: Anything really, really happening, but.

685

01:34:02.430 --> 01:34:07.980

Tom Good: Somebody wins, a lot of once once a once a month at least right those odds are pretty long.

686

01:34:08.790 --> 01:34:16.200

Tom Good: But, but when you took a look at abandonment and if if the sale of an asset is considered a form of abandonment, then in the prior.

687

01:34:16.950 --> 01:34:25.200

Tom Good: Item we have 89 and if we did get first right of refusal to the county to county did by the asset and is considered abandoned.

688

01:34:25.740 --> 01:34:30.780

Tom Good: It this could almost play into where the city's would have to pay back.

689

01:34:31.290 --> 01:34:40.830

Tom Good: The county for the purchase of the asset, because the abandoned because there was an expense that was me so that was the thought that I have that's the that's.

690

01:34:41.310 --> 01:34:49.320

Tom Good: that's what i'm why i'm asking about that word abandonment and the sale of an abandonment could or what a sale of an asset could that be considered abandonment.

691

01:34:50.010 --> 01:34:51.900

Greg Ross: And i'll ask nathaniel.

692

01:34:52.230 --> 01:34:53.430

Greg Ross: To respond to that I got.

693

01:34:53.430 --> 01:34:55.680

Greg Ross: matt and i'm going back to you a Commission of our.

694

01:34:56.730 --> 01:35:07.590

Nathaniel: Commissioner good that scenario could couldn't happen, given the language in both 89 and 1810 the county's acquisition of a system assets.

695

01:35:09.090 --> 01:35:21.630

Nathaniel: couldn't be a expansion of an of a county facility that was not previously included in the system, so if the county purchased their disposal facility that the.

696

01:35:22.260 --> 01:35:31.410

Nathaniel: authority was selling, whether by exercise of right of first refusal or by submitting a response to an rfp or a solicitation to to purchase that asset.

697

01:35:31.980 --> 01:35:47.190

Nathaniel: That would never be able to be an abandoned asset, within the meaning of either at knockers me 1810 because the expansion of the county's disposal capacity was with an asset that was being utilized by the system.

698

01:35:49.410 --> 01:35:50.160

Thank you, thank you.

699

01:35:51.720 --> 01:35:52.350

Greg Ross: I know I had a.

700

01:35:52.680 --> 01:35:53.670

Greg Ross: Certain region far.

701

01:35:56.760 --> 01:35:58.290

Beam Furr: No, I just had to take it down sorry.

702

01:35:58.680 --> 01:35:59.670

Greg Ross: Okay, fair enough.

703

01:36:00.120 --> 01:36:02.880

Tom Good: What was the dead, then, did you finish your statement.

704

01:36:03.210 --> 01:36:04.650

You said we could certainly whenever.

705

01:36:05.670 --> 01:36:08.370

Nathaniel: We certainly can while again.

706

01:36:09.540 --> 01:36:16.500

Nathaniel: For lawyers after we look at language in a document that we've been writing for a very long period of time.

707

01:36:17.460 --> 01:36:31.050

Nathaniel: Maybe it's just me, although I think the other lawyers on the call will concur after you look at the same words, two or 300 or 3000 times they eventually stopped being words and just become noise, so we certainly can make it.

708

01:36:32.730 --> 01:36:42.870

Nathaniel: You know doubly abundantly clear that an asset that is acquired from the authority wouldn't would not be an asset that.

709

01:36:46.080 --> 01:36:52.140

Nathaniel: That would be subject to this to this provision, I mean I my personal view is, I think that it's clear, given the.

710

01:36:53.400 --> 01:37:11.250

Nathaniel: specification that was a facility that was not previously included in the system, which is the authorities system, but again I think that the intention is exactly what you're talking about so we'll make sure that the language adequately reflects that particular issue.

711

01:37:12.720 --> 01:37:13.110

Greg Ross: Thank you.

712

01:37:13.890 --> 01:37:16.650

Nathaniel: And did anybody, drawing on the document.

713

01:37:17.550 --> 01:37:22.230

Matthew Haber: Or that was going to be my question about someone else was seeing a modern art piece appearing on the Doc.

714

01:37:23.820 --> 01:37:29.190

Matthew Haber: I believe curl Kennedy has been adding some lines to the screen.

715

01:37:30.570 --> 01:37:31.890

Matthew Haber: But I do have a.

716

01:37:32.970 --> 01:37:34.140

Matthew Haber: Separate know.

717

01:37:36.150 --> 01:37:55.710

Matthew Haber: It for 1810 are our goal has been to track the language of 437 or six one as closely as possible, so it's clear that we're not doing anything untoward so that it's clear that we are simply preserving the statutory scheme.

718

01:37:58.620 --> 01:38:07.050

Matthew Haber: The language, however, could be better, and so I just want to point out that when we.

719

01:38:08.340 --> 01:38:18.750

Matthew Haber: start to clean up this language and start to clarify it which I certainly think marriage doing it's going to look less like the statutory language just by necessity.

720

01:38:21.810 --> 01:38:22.260

Greg Ross: Thank you.

721

01:38:23.430 --> 01:38:24.810

Greg Ross: anyone else on.

722

01:38:27.450 --> 01:38:28.920

Mary Lou Tighe: We should embrace.

723

01:38:29.040 --> 01:38:30.360

Greg Ross: i'm sorry, Commissioner for.

724

01:38:30.840 --> 01:38:32.670

Beam Furr: i'm just going to add on with what matt was saying.

725

01:38:33.930 --> 01:38:48.750

Beam Furr: Because I know I know what the laws are trying to do here, but it does need to be customized to this particular entity into the county and I think i'd you may almost want to start from scratch, a little bit on this one.

726

01:38:50.460 --> 01:38:53.460

Beam Furr: And really just saying you know if if.

727

01:38:54.510 --> 01:39:05.040

Beam Furr: If a disposal facility gets abandoned by the entity and the county is going to have to buy another one or start from scratch and make another one.

728

01:39:05.880 --> 01:39:12.840

Beam Furr: Through through the entity that's how that would that would be the way for it to get paid for that's I think that's really what it's.

729

01:39:13.320 --> 01:39:29.880

Beam Furr: Trying to do it and we're in you know we're doing if we're doing through assessments know that that the way that it would that it would you know we could maintain the the capacity, I think the important thing here is to be able to maintain the capacity of of solid waste disposal.

730

01:39:32.220 --> 01:39:32.880

Beam Furr: facilities.

731

01:39:34.860 --> 01:39:37.950

Greg Ross: Fair enough, and I think the inclusion, if you will.

732

01:39:38.190 --> 01:39:39.570

Greg Ross: To make everyone happy.

733

01:39:39.810 --> 01:39:55.980

Greg Ross: would be the definition of what abandonment is not, and that is the sale of a piece of a piece of the asset, if you will, when you sell it it's not abandoned just makes everyone feel that much better woman fuzzy feeling this annual.

734

01:39:57.480 --> 01:39:59.490

Nathaniel: Sale of the asset to the county.

735

01:40:00.810 --> 01:40:12.630

Nathaniel: Is it would be how I would frame that because, again, the authority selling a landfill that is now being taken out of the capacity for the county.

736

01:40:13.500 --> 01:40:20.970

Nathaniel: Is is a is exactly what this is intended to try to do and based on the discussion with Commissioner good before I would hope that we would.

737

01:40:21.600 --> 01:40:32.460

Nathaniel: that the consensus would be that an abandonment, the tightening up of the language that was discussing earlier, the abandonment does not include an acquisition of the asset by the account.

738

01:40:34.980 --> 01:40:39.810

Greg Ross: Well, we look forward to seeing the the verbiage on the new.

739

01:40:43.560 --> 01:40:44.550

Greg Ross: Commission differ.

740

01:40:47.430 --> 01:40:48.300

Greg Ross: So no.

741

01:40:48.480 --> 01:40:49.320



Beam Furr: need to sorry I.

742

01:40:49.410 --> 01:40:50.670

Greg Ross: forgot something not a problem.

743

01:40:51.000 --> 01:40:53.100

Greg Ross: Then, if we can matt can you just.

744

01:40:54.180 --> 01:40:56.760

Greg Ross: move this up a little to 1811.

745

01:40:57.900 --> 01:40:59.190

Greg Ross: The sovereign immunity.

746

01:41:00.210 --> 01:41:10.350

Greg Ross: which you know, again, is what I call boilerplate as well as the third party beneficiaries does anyone have any difficulties on 11 or 12.

747

01:41:15.600 --> 01:41:19.830

Greg Ross: Waiting a reasonable time I don't see any hands so we'll move on to 1813.

748

01:41:25.080 --> 01:41:31.950

Greg Ross: Even for me, if this is a little confusing, then you got your hand up good, please.

749

01:41:32.730 --> 01:41:36.300

Nathaniel: So the the IRA.

750

01:41:38.130 --> 01:41:42.990

Nathaniel: m again is between all of the all of the municipal parties in the county.

751

01:41:44.190 --> 01:41:54.060

Nathaniel: The, but it does provide for certain obligations of the authority which are contractual in nature, without the authority being a party to the agreement.

752

01:41:54.720 --> 01:42:10.260

Nathaniel: Now, in the corporate world you don't when when a bunch of folks get together and they form an llc or a form a corporation the articles of incorporation or the organization documents for an llc doesn't need to be joined by the newly created entity.

753

01:42:11.490 --> 01:42:23.310

Nathaniel: So in and the iowa statute that we're dealing with is silent on that particular issue, so the concern was raised, and I think that this is a a valid one and you try to come up with language that requires.

754

01:42:24.570 --> 01:42:39.840

Nathaniel: That once the parties have signed the IRA and the authority is birthed into existence that the authority needs to sign on to the IRA agreeing that it's going to do the things that the IRA says that it's not going to do the stuff that it prohibits.

755

01:42:42.090 --> 01:42:44.310

Nathaniel: it's really the last part of it.

756

01:42:46.980 --> 01:43:05.490

Nathaniel: That is the part that I commented, the thing, my comment related to very harsh and if memory serves I was the one that came up with the language, so I was criticizing my own language is particularly hard, the question becomes when do we have the authority join in the IRA.

757

01:43:06.930 --> 01:43:15.750

Nathaniel: Since it can't or shouldn't be able to exercise any powers until it's agreed to be bound by this constitution that is forming it.

758

01:43:17.490 --> 01:43:25.770

Nathaniel: I had suggested that it'd be at its first meeting at the first meeting of the of the Governing Board it its first act should be to.

759

01:43:27.150 --> 01:43:32.760

Nathaniel: to join in the I la and if that first meeting doesn't have that action.

760

01:43:33.900 --> 01:43:42.420

Nathaniel: What happens and that's the sort of the conundrum here if I analogy is this to.

761

01:43:43.830 --> 01:43:54.840

Nathaniel: When the 13 colonies ratified the Constitution and became the United States of America, there was no counter signature on the Constitution by the United States.

762

01:43:57.270 --> 01:44:14.100

Nathaniel: It was just the the part the states that signed it, so this is our Constitution, but because of the language by statute language and the Statute that silence as to whether or not the newly created independent legal entity is bound.

763

01:44:15.150 --> 01:44:25.620

Nathaniel: we've included this link, so I am it is if we get consensus from the solid waste working group that.

764

01:44:26.700 --> 01:44:34.770

Nathaniel: This should be in the agreement, which is our recommendation that it be included in the agreement and we get direction from the solid waste working group that.

765

01:44:35.850 --> 01:44:48.330

Nathaniel: The first act of the Governing Board should be to ratify and join the I la we can play around a little bit further with the language to try to figure out if there's any other.

766

01:44:49.920 --> 01:45:02.310

Nathaniel: option available, other than if the Authority and its first meeting of its Governing Board goes rogue and decides it's not going to sign off on the IRA, what is the ramifications.

767

01:45:03.750 --> 01:45:04.200

Nathaniel: So.

768

01:45:05.340 --> 01:45:06.540

Nathaniel: With that lengthily.

769

01:45:07.950 --> 01:45:10.500

Nathaniel: explanation I throw it to everybody else.

770

01:45:10.710 --> 01:45:11.880

Nathaniel: Thank you, I have.

771

01:45:12.120 --> 01:45:13.080

Greg Ross: mayor Mike Ryan.

772

01:45:15.630 --> 01:45:16.920

Michael Ryan: Well, this is terrifying.

773

01:45:18.330 --> 01:45:20.520

Michael Ryan: it's the same necessity.

774

01:45:22.440 --> 01:45:32.520

Michael Ryan: So a couple of questions and Daniel again explain to us what it is about the silence in the statue that requires us or you're recommending we do this.

775

01:45:33.240 --> 01:45:53.880

Michael Ryan: Where everybody's already signed on to the IRA and all the terms of it, and in its constitution stands explained to me that one more time and then maybe address what happens, I mean presumably it's an all or nothing thing, that is, it has to be.

776

01:45:54.900 --> 01:46:08.850

Michael Ryan: adopted in all respects, without amendment, otherwise the whole process we've just been true would be potentially problematic at the first meeting, but it helped me to understand how we protect against.

777

01:46:10.170 --> 01:46:16.140

Michael Ryan: A group deciding, all of a sudden, they want to change certain provisions after we've all signed on.

778

01:46:17.190 --> 01:46:18.030

Nathaniel: Right now.

779

01:46:20.070 --> 01:46:28.860

Nathaniel: It isn't 100% agree it's a terrifying thought that we need to include this or we're recommending that we include this in here and the likelihood of.

780

01:46:29.910 --> 01:46:31.680

Nathaniel: It ever coming to be.

781

01:46:32.700 --> 01:46:33.480

Nathaniel: Is.

782

01:46:34.590 --> 01:46:43.410

Nathaniel: So minuscule I think that somebody referenced winning the lotto earlier on in the meeting I think this would be winning like multiple consecutive lot.

783

01:46:43.890 --> 01:46:56.010

Nathaniel: would be the likelihood that we'd ever have to deal with the situation but mayor Ryan, as you, as you well know, lawyers, always think in worst case scenarios, which is why we're such fun at parties.

784

01:46:58.260 --> 01:46:58.860

So.

785

01:47:00.300 --> 01:47:08.310

Nathaniel: The provision here is would only come into effect, after everybody has signed off on the island, we now have.

786

01:47:08.910 --> 01:47:21.090

Nathaniel: let's say 29 cities 30 cities have signed off on the IRA the county and signed off on the IRA each of the respective bodies have appointed their members of the Governing Board, based on the iowa that the cities have signed.

787

01:47:21.960 --> 01:47:31.380

Nathaniel: They all show up at the first meeting and there's not 51% that vote to ratify and approve the La and join in the provisions.

788

01:47:32.790 --> 01:47:37.410

Nathaniel: I think again that scenario is so improbable that it is.

789

01:47:39.750 --> 01:47:41.820

Nathaniel: unfashionable to really think about.

790

01:47:42.030 --> 01:47:49.830

Michael Ryan: Okay, so leave that aside for a second what what is dry is this necessary we've aside whether it's pragmatically lightning strikes, or whatever you want to use.

791

01:47:50.730 --> 01:48:04.710

Nathaniel: Right, so there are again all sorts of restrictions on the power of the authority and on the powers of the governing board as well as expressed powers and authorities of the Governing Board and the authority that are throughout the agreement.

792

01:48:06.030 --> 01:48:07.260

Nathaniel: If the authority.

793

01:48:08.880 --> 01:48:18.330

Nathaniel: does not sign on to the agreement and then elects to take an action that is outside the the strictures of this document.

794

01:48:19.170 --> 01:48:43.320

Nathaniel: What is the remedy the remedy would then go back to the provisions in Article 17 in terms of dispute resolution and we're now disputing provisions of an agreement that the body that is the the the respondent in such a claim has not in fact signed off, and now we are.

795

01:48:44.730 --> 01:48:54.000

Nathaniel: arguing about whether or not the authority has to follow what the document says, because 51% of its Governing Board has elected not to join in.

796

01:48:55.500 --> 01:49:02.490

Nathaniel: Similarly, the question of whether or not the authority, who has not joined into this agreement.

797

01:49:03.630 --> 01:49:07.170

Nathaniel: which gives its power to sue and be sued, for example.

798

01:49:08.640 --> 01:49:20.250

Nathaniel: To tax through the assessment process, I think that it is because the Statute is silent, unlike again, unlike the llc statute, unlike the corporation statute.

799

01:49:20.730 --> 01:49:34.740

Nathaniel: Where a newly created entity does not need to join and its own organizational docket the IRA statute is clearly silence as to that issue and, in fact, there was case, there were cases that were litigated under the old llc statute that was silent.

800

01:49:35.790 --> 01:49:56.880

Nathaniel: about whether or not an llc needs to join and it's in its membership agreements, creating itself in order to be bound by the fact that that issue had to be litigated and again my personal view, is it makes no sense that the entity has to sign on to its own formation documents.

801

01:49:57.900 --> 01:50:07.680

Nathaniel: Because again, you know it's not like the United States signed the Constitution agreeing to the limitations of powers and authority in order for it to be a binding document.

802

01:50:09.300 --> 01:50:19.110

Nathaniel: But because of the silence in the Statute, the fact that it has had to be litigated under analogous types of statutes when independent legal entities are created.

803

01:50:20.340 --> 01:50:25.440

Nathaniel: We believe that it does need to, and we would strongly recommend, including it.

804

01:50:27.300 --> 01:50:39.810

Nathaniel: And again, it should be sort of the most perfunctory ministerial act of the governing board at its first meeting that after a point after after.

805

01:50:40.260 --> 01:50:55.770

Nathaniel: Selecting its chair and vice chair the first item on the agenda should be joined her into the IRA, which I would assume would be unanimously approved by the Governing Board, the Chair would then sign the IRA and then they would conduct their business.

806

01:50:57.300 --> 01:50:58.260

Greg Ross: Thank you Mike Ryan.

807

01:50:58.650 --> 01:51:05.100

Michael Ryan: Its annual and to the Lord is there unanimity in this amongst the lawyers at this is the recommendation.

808

01:51:08.370 --> 01:51:11.430

Michael Cirullo: I can tell you I really dislike swallow.

809

01:51:13.410 --> 01:51:22.590

Michael Cirullo: It probably provides a mechanism to make sure there's no doubt that the authority as an independent entity is agree to the terms with the 30.

810

01:51:23.100 --> 01:51:30.990

Michael Cirullo: Plus signatory government entities, I mean as nathaniel said, if the first meeting of the Governing Board.

811

01:51:31.800 --> 01:51:35.310

Michael Cirullo: They can agree that this is to this then there's really no.

812

01:51:35.580 --> 01:51:47.220

Michael Cirullo: purpose, and so, by the time that it goes to the governing board all the entities would have signed it, the Governing Board is comprised of representatives of all the signatories if if there's any doubt that the authority.

813

01:51:47.640 --> 01:51:53.220

Michael Cirullo: wants to be an independent entity, you know, through the IRA then.

814

01:51:53.760 --> 01:52:05.460



Michael Cirullo: Then it's going to fall apart at that we should fall apart, that, as opposed to down the road, so I don't have a problem with it, I think it would be that Item number one would make sense to just to confirm we're here we get.

815

01:52:07.290 --> 01:52:14.730

Greg Ross: I gotta tell you I think and and mere Ryan hasn't said this, but i'm i'm going to say it, because I look at this.

816

01:52:16.140 --> 01:52:37.290

Greg Ross: and say after we've done everything, this is a way of one of the parties getting out of the contract, I think this is an easy way to throw a monkey wrench into the proceedings it's an easy way to foul up what we have worked so hard to accomplish nathaniel.

817

01:52:39.210 --> 01:52:50.010

Nathaniel: mayor, I would agree if it required unanimity, but again, this is not one of the major decisions of the governing board that requires any type of supermajority.

818

01:52:50.430 --> 01:53:04.260

Nathaniel: And if, after all, of the cities and the county have signed off on the La and the the parties respective elected bodies have elected one of their own to go sit on the governing board if.

819

01:53:04.800 --> 01:53:16.560

Nathaniel: 51% of the people who just got appointed to come to the first meeting can't agree that they're there to to act as the authority.

820

01:53:17.580 --> 01:53:27.780

Nathaniel: I think that there are far greater things that have gone awry since everybody signed off on the aisle a hopefully a short time before that, then.

821

01:53:28.350 --> 01:53:37.860

Nathaniel: Anybody on this call could possibly imagine again if it required unanimous approval, I would agree that there's you don't want to allow one or two parties to.

822

01:53:38.010 --> 01:53:43.650

Nathaniel: blow up the authority after everybody assigned the iowa but we're talking about a bear majority of the governing board.

823

01:53:43.950 --> 01:53:47.040

Greg Ross: it's a point well taken Mike cirillo followed by Convention of her.

824

01:53:47.520 --> 01:53:57.360

Michael Cirullo: yeah I just want to point out, as well, this is going to occur before the master plan gets approved and the master plan which is down the road has the opt out.

825

01:53:58.350 --> 01:54:11.940

Michael Cirullo: So this this step here of having the authorities action to confirm, yes week, this is occurring before the master plan, which is already built in down the road for cities to be able to get out if they don't like the plan.

826

01:54:13.230 --> 01:54:19.260

Michael Cirullo: So the timing of it is It is early it's his initial master plan is down the road.

827

01:54:20.550 --> 01:54:29.070

Michael Cirullo: Like that out to address your way there Ross that if somebody wants out, they have they're going to find a way out at some point during this process, I.

828

01:54:29.520 --> 01:54:33.930

Greg Ross: appreciate that, with the time remaining i've got commissioner for and then Commissioner good.

829

01:54:34.440 --> 01:54:37.050

Beam Furr: Mike pretty much said what I needed to tell.

830

01:54:37.380 --> 01:54:39.720

Beam Furr: Her that was that's fine Thank you.

831

01:54:39.960 --> 01:54:40.740

Greg Ross: can mention a good.

832

01:54:44.640 --> 01:54:52.980

Tom Good: Thank you, Mr Mayor so just confirming, I mean I understand the mayor both mayor's positions on this.

833

01:54:54.390 --> 01:55:00.390

Tom Good: And i'm feeling a little anxious and as well, so So if you have a just make quorum.

834

01:55:02.250 --> 01:55:05.610

Tom Good: it's still just a majority vote of the core Is that correct.

835

01:55:07.860 --> 01:55:10.110

Tom Good: And so the second thing is would be then.

836

01:55:11.400 --> 01:55:14.550

Tom Good: Why does it have to be on the first meeting what if what if there was.

837

01:55:16.440 --> 01:55:27.660

Tom Good: For some reason, new people got appointed didn't quite understand say they're not going to vote for something they don't understand why does it have to be the first meeting could could there be a subsequent meeting today.

838

01:55:28.290 --> 01:55:28.860

nathaniel.

839

01:55:30.570 --> 01:55:37.380

Nathaniel: The reason that I included in in the draft the first meeting and, frankly, should be the first act of the Governing Board is.

840

01:55:38.580 --> 01:55:44.460

Nathaniel: on behalf of the authority is if the authority has not agreed to join into the IRA which.

841

01:55:45.630 --> 01:55:53.220

Nathaniel: gives it its powers and authorities or powers and authority to act, I don't know what other actions, it could take.

842

01:55:54.450 --> 01:56:04.500

Nathaniel: Without having joined in the agreement, moreover, if it hasn't agreed to join in into the agreement which has again it's its powers and its and its limitations.

843

01:56:05.100 --> 01:56:19.560

Nathaniel: What if an action of the Governing Board before it's agreed to join into the IRA is contrary to the powers and limitations that are contained in the island that's why the first meeting I think is so critical.

844

01:56:20.460 --> 01:56:33.900

Tom Good: For me, if I may, I, so I mean you wrote it's written in there, that no action is recognized and less this joined her is agreed to so, even if they did take.

845

01:56:34.500 --> 01:56:48.090

Tom Good: Say did business and didn't do this by the end of the first meeting, then all that business would be null and void and you know, so I mean you would have another opportunity to come back again I understand what you're saying about your first.

846

01:56:49.380 --> 01:56:54.930

Tom Good: Point of business I got it so but I just think one meeting one shot.

847

01:56:56.130 --> 01:57:01.050

Tom Good: Just considering the fact of just knowing some of the dynamics of broward county might.

848

01:57:03.030 --> 01:57:03.750

Tom Good: be risky.

849

01:57:04.770 --> 01:57:23.370

Michael Cirullo: But what we can do is, I think you see that the note that that Daniels note to self very harsh and open to the language you know we're we've got to go back and look at you know 1898 1810 so you know we'll put this on the list to try to.

850

01:57:25.290 --> 01:57:40.710

Michael Cirullo: provide that flexibility on that issue, but you know, I think that you know, maybe, maybe by I don't know let's let's attorney kind of get together and look at that language to have some some sort of action, some sort of.

851

01:57:41.820 --> 01:57:51.660

Michael Cirullo: acknowledgement somewhere that the authority acknowledges its own existence and it's found by this agreement, we can come up with something that should work there.

852

01:57:52.230 --> 01:57:53.010

Beam Furr: And that's really the goal.

853

01:57:53.310 --> 01:58:00.540

Michael Cirullo: And it doesn't need to be specific mechanism, the goal is to have the authority self recognize itself as an entity.

854

01:58:01.500 --> 01:58:02.460

Greg Ross: Convention for.

855

01:58:03.090 --> 01:58:09.930

Beam Furr: yeah can we use the language that just something goes like we are for that they had this meeting, we are affirming.

856

01:58:10.830 --> 01:58:27.300

Beam Furr: The votes that have already taken place and all the city commissions and the county Commission that we are together, creating this together, put it in a different language that you know it we're affirming what is already taken place we've already said we're going to do this, is that.

857

01:58:29.160 --> 01:58:43.950

Michael Cirullo: I have some thoughts, you know I don't know, though they can have a talk with the venue and in math or maybe, maybe, instead of having some form of action required that you know the authority, once the governing board needs to commence taking actions by that action in and of itself is.

858

01:58:43.950 --> 01:58:47.490

Michael Cirullo: Acknowledging and found by this agreement, by default, or something.

859

01:58:48.480 --> 01:59:01.050

Michael Cirullo: But you're here, you can be written into there as well, you know we can we can we can flesh that out a little bit, but I just thought of that concept as well and they're acknowledging it by acting according to its terms.

860

01:59:02.040 --> 01:59:04.680

Beam Furr: Yes, it's a hit with the hit of the first gamble boom.

861

01:59:04.920 --> 01:59:06.540

Beam Furr: yeah we're business.

862

01:59:06.960 --> 01:59:08.670

Michael Cirullo: But we'll get together on that as well.

863

01:59:09.420 --> 01:59:13.350

Beam Furr: yeah I did firming what's already been done, somehow.

864

01:59:14.850 --> 01:59:25.140

Greg Ross: Now that's all good it's one o'clock we've got the public comment, anyone wishing to comment publicly now's the time i'm looking for hands.

865

01:59:28.380 --> 01:59:30.000

Greg Ross: Mary Lou and my missing anything.

866

01:59:30.270 --> 01:59:33.450

Mary Lou Tighe: and share, I do not see any and I do not see anything in the chat.

867

01:59:34.770 --> 01:59:52.380

Greg Ross: Very good, then I want to say thank you very, very much to everyone for participating to the attorneys for really coming together and in the next few weeks of fine tuning this looking forward to seeing the verbiage on it, thank you all again have a great day.

868

01:59:53.340 --> 01:59:55.170

Beam Furr: Because i'm good, thank you, thank you.