

**SPECIAL MEETING
JANUARY 26, 2010**

A Special Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Nelson S. McDuffie in the Commission Chambers at City Hall at 6:05 p.m., on Tuesday, January 26, 2010.

Roll call showed:

Present - Commissioner Gary P. Eliopoulos
 Commissioner Fred B. Fetzer
 Commissioner Adam Frankel
 Commissioner Angeleta E. Gray
 Mayor Nelson S. McDuffie

Absent - None

Also present were - David T. Harden, City Manager
 Brian Shutt, City Attorney
 Chevelle D. Nubin, City Clerk

Mayor Nelson S. McDuffie called the special meeting to order and announced that it had been called for the purpose of considering the following Item.

SPECIAL MEETING AGENDA

1. **REVIEW OF WASTE MANAGEMENT ISSUES:** Consider having the Financial Review Board review issues with the Waste Management Contracts.

Mayor McDuffie stated the item before Commission is to consider allowing the Financial Review Board to review the issues with the City's Waste Management Contracts. He stated he made phone calls to see what we could possibly do with outside accountants. He also called a member of the Financial Review Board and after brief discussion the person suggested that since they had spent two years reviewing the budget for the city, they would like to be considered to come in and do this review. Mr. McDuffie stated we have worked very hard to appoint people we all trusted to this board and feels they could hit the ground running.

Mr. Fetzer stated he had a productive meeting today with Mr. Harden, Mr. MacNamee and Rich Reade. He stated they discussed how to move forward with this issue and that Rich Reade would serve as the coordinator between Waste Management and our Financial Review Board. He also agrees that we appointed talented people and supports this process. Mr. Eliopoulos stated the chair of the board approached him and he did hear from Mr. Harden about this. He stated he is concerned about wasting more time and he does not know whether the Financial Review Board has the time to do this. Secondly, he asked regarding whatever information we get from the review of this waste management issue, if there is something we can start doing, are we going to enforce it. He supports this and wants it done quickly.

Mrs. Gray stated she is concerned about whether or not the Financial Review Board will have time to do this; and if this will really be settled with their review or will we end up going to an outside auditor. She wants this settled quickly. She asked the city manager how long it will take to settle this.

Mr. Harden, City Manager, stated we want to identify the disparities between the property appraiser's records and the billing records and in some cases it will require field verifications which code enforcement staff will do; and it will take 30-60 days to do the field audits. However, we understand the urgency in getting this done.

Mr. Frankel stated he agrees with letting the Financial Review Board review this. He discussed the contract and expressed his concerns with why the contract had not been updated. Mr. Frankel stated regarding some problems with getting reports, pages 27 and 28 of the contract address this. In addition, he spoke with a resident who called the city wanting a breakdown regarding his bill. He asked if cardboard is being separated for residential and commercial customers. He brought up other points in the contract. He discussed the "out" clause and re-bidding the contract if necessary.

The City Manager stated all recycling is being handled by the Solid Waste Authority.

Mayor McDuffie reference page 22(B)(2) of the contract and he has asked that the Financial Review Board review businesses processes and procedures and policies. He stated he really does not think it will be that long of a process because we will focus their attention specifically on this issue.

Discussion continued between staff and commission.

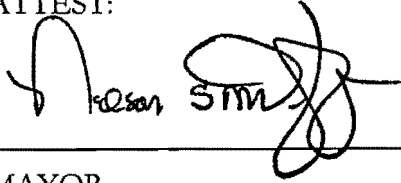
Mr. Frankel moved to allow the Financial Review Board to review issues with the Waste Management Contracts with Rich Reade serving as the coordinator between city staff, Waste Management and the Financial Review Board, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes. Said motion passed with a 5 to 0 vote.

Mayor McDuffie adjourned the Special Meeting at 6:27 p.m.



City Clerk

ATTEST:

 SMJ

MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Special Meeting of the City Commission held on Tuesday, January 26, 2010, which Minutes were formally approved and adopted by the City Commission on February 2, 2010.


City Clerk

NOTE TO READER: If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval, which may involve amendments, additions or deletions to the Minutes as set forth above.