

STAFF REPORT UTILITY MEETING

AGENDA DATE: March 28, 2023

DEPARTMENT: Water Utilities

TITLE:

Waiver of possible conflict of interest for Torcivia, Donlon, Goddeau & Rubin, P.A. to prepare the Subregional Wastewater Interlocal Agreement Amendment

SUMMARY:

Waiver releasing Torcivia, Donlon, Goddeau & Rubin, P.A. for any possible conflict of interest for drafting the Subregional Wastewater Interlocal Agreement that is set to expire and requires an amendment to extend.

BACKGROUND AND JUSTIFICATION:

The City is a member of the Subregional Wastewater board with seven other municipal partners. The City serves as the manager of the system providing operations, maintenance, capital improvement planning, budgeting and all services for the subregional wastewater system. The other members include Village of Palm Springs, Town of Atlantis and the Town of South Palm Beach, among others. There is an Interlocal Agreement between the City and all of the seven partners that is set to expire in September of this year. The City has asked Torcivia, Donlon, Goddeau & Rubin, P.A. ("Torcivia") to prepare an amendment to extend the length of the Interlocal Agreement and provide some updates as well to the terms. Torcivia provides City/Village/Town Attorney services to the City of Lake Worth Beach, Village of Palm Springs, Town of South Palm Beach and Special Counsel-employment law services to the City of Atlantis. As Torcivia represents all of these municipalities, a conflict of interest is created and a waiver is requested to release Torcivia of the resulting potential conflict of interest in this matter.

MOTION:

Move to approve/disapprove waiver of possible conflict of interest for Torcivia, Donlon, Goddeau & Rubin, P.A. to prepare the Subregional Wastewater Interlocal Agreement Amendment.

ATTACHMENT(S):

Fiscal Impact Analysis – N/A
Torcivia Letter