



## DELRAY BEACH HOUSING AUTHORITY

### **SPECIAL BOARD MEETING** **APRIL 2, 2009** **MINUTES**

#### **I. CALL TO ORDER**

Meeting called to order at 8:50 a.m.

#### **II. ROLL CALL**

Angela Randolph - Present  
Morris Weinman - Present  
Joseph Hepp - Present  
Sylvia Morris - Present  
Thuy Shutt - Present  
Christel Silver - Present

#### **III. APPROVAL OF AGENDA**

Motion to approve agenda made by Vice-Chairman Weinman. Motion seconded by Commissioner Hepp. All in favor. Motion passed.

#### **IV. RESPONSE TO LETTER FROM AUBURN GROUP'S LITIGATION ATTORNEY**

Gilberto Pastoriza, DBHA legal counsel, introduced Daniel Abbott, a partner in Weiss Serota Helfman Pastoriza Cole & Boniske, specializing in governmental and commercial litigation. It was noted that Mr. Abbott will be assisting with the issues relating to the Auburn Group. Mr. Pastoriza referenced a letter received from Mr. Scott Link of Ackerman Link and Sartory, who are representing the Auburn Group. Special attention was brought to the last paragraph of this letter regarding mediation. Mr. Pastoriza recommended that the DBHA agree to participation in mediation in an attempt to resolve differences between the DBHA and the Auburn Group. Mr. Abbott reviewed the process of mediation, which generally precedes litigation.

Subsequent to Mr. Abbott's review Mr. Pastoriza requested Board approval to move forward with arrangements for the mediation process. He further recommended that he contact Mr. Link and that the mediation be at a 50-50 rate with an end goal of a settlement. It was also suggested that a time table be established for the mediation. If this did not resolve the issues, then the matter will proceed to the litigation process. Mr. Pastoriza also noted that an additional provision of importance to be included in the mediation documents be that both parties hire an independent auditor to perform an outside analysis to determine who spent what and on what and then offset one against the other to determine which party is owed money. The owed party would be able to determine how the money is to be paid. A motion was made by Vice-Chairman Weinman to proceed with mediation, with the stipulation that all information required be made available within the time frame allowed. Motion seconded by Commissioner Silver. All in favor. Motion passed.

#### **V. ADJOURNMENT**

9:40 a.m.

