

RESOLUTION NO. 2019 - 051

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF SOUTHWEST RANCHES AND BROWARD COUNTY REGARDING A COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTERGRATED SOLID WASTE AND RECYCLING SYSTEM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County and participating municipalities, including the Town of Southwest Ranches, recognize that there are significant short and long-term benefits of regional management of solid waste disposal and recyclables processing; and

WHEREAS, on June 2017, the County, in accordance with numerous County municipalities, retained Arcadis, US., Inc., Kessler Consulting, Inc.; Total Municipal Solutions, L.L.C., and GMAC Consulting, L.L.C. (collectively, the "Arcadis Team") to conduct the study; and

WHEREAS, on December 2018, the Arcadis Team concluded the study and issued its Solid Waste and Recycling Issues Study Final Report; and

WHEREAS, the Final Report, attached hereto as Exhibit "A", summarizes the Arcadis Teams findings and recommendations; and

WHEREAS, the County and participating municipalities, including the Town of Southwest Ranches, now desire to formalize their shared and ongoing commitment to work cooperatively in establishing and implementing a regional solid waste management system that addresses the short and long-term opportunities and challenges associated with providing solid waste disposal and recyclables processing services to their respective constituents; and

WHEREAS, the Town of Southwest Ranches believes that the entering into this MOU, attached hereto as Exhibit "B", is in the best interest of the health, safety, and welfare of its residents; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida, as follows:

Section 1. The above recitals are true and correct and are incorporated herein by reference.

Section 2. The Town Council hereby approves the MOU between Broward County and the Town of Southwest Ranches to establish and to implement a regional solid waste management system that addresses the short and long-term opportunities and challenges associated with providing solid waste disposal and recyclables processing services.

Section 3. The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into the MOU in substantially the same form as that attached hereto as Exhibit "B" and to make such modifications, additions and/or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption by Broward County.

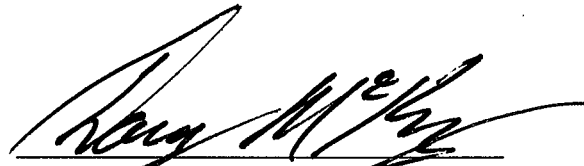
[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 8th day of August, 2019, on a motion by

Vice Mayor Jablonski and seconded by Gm Hartmann.


McKay	<u>yes</u>	Ayes	<u>3</u>
Jablonski	<u>yes</u>	Nays	<u>0</u>
Fisikelli	<u>absent</u>	Absent	<u>2</u>
Hartmann	<u>yes</u>	Abstaining	<u>0</u>
Schroeder	<u>absent</u>		


Doug McKay, Mayor

ATTEST:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, J.D., Town Attorney
35708857.1

**MEMORANDUM OF UNDERSTANDING
REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF
AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM**

This Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System ("MOU"), by and among Broward County, Florida (the "County"), a political subdivision of the State of Florida, and those municipalities located within the County that approve and execute this MOU (individually, each is a "Participating Municipality"; collectively, the "Participating Municipalities"), is made and entered into as of the Effective Date (as defined below).

Recitals

A. The County and the Participating Municipalities recognize that there are significant short- and long-term benefits of regional management of solid waste disposal and recyclables processing, and are therefore committed to working toward establishing an integrated and comprehensive regional solid waste management system.

B. The County, working with numerous County municipalities, previously procured a study ("Study") for an evaluation and recommendations regarding (i) how to reach a seventy-five percent (75%) countywide recycling goal, (ii) the impact continued public ownership of a parcel of land known as Alpha 250 would have on said recycling goal and countywide solid waste disposal, and (iii) other general solid waste issues identified through the Study.

C. In June 2017, the County, in collaboration with numerous County municipalities, retained Arcadis, U.S., Inc., Kessler Consulting, Inc., Total Municipal Solutions, L.L.C., and GMAC Consulting, L.L.C. (collectively, the "Arcadis Team") to conduct the Study, which the Arcadis Team commenced in October 2017.

D. In December 2018, the Arcadis Team concluded the Study and issued its Solid Waste and Recycling Issues Study Final Report (the "Final Report"). The Final Report summarizes the Arcadis Team's findings and recommendations, which include the following: (i) an evaluation of three different scenarios through which the seventy-five percent (75%) countywide recycling goal could be achieved or approached by 2025; (ii) a recommendation that Alpha 250 remain publicly owned given its viability as a location for the development of certain solid waste processing facilities described in the Final Report; (iii) a recommendation that an independent special district be created as the governance structure for any established regional solid waste management system; and (iv) a recommendation that the solid waste processing facilities developed as part of the regional solid waste management system be based on a public/private partnership ownership option (collectively, the "Arcadis Recommendations").

E. With the benefit of the Arcadis Team's Final Report and the Arcadis Recommendations, the County and the Participating Municipalities now desire to formalize

their shared and ongoing commitment to work cooperatively in establishing and implementing a regional solid waste management system that addresses the short- and long-term opportunities and challenges associated with providing solid waste disposal and recyclables processing services to their respective constituents.

F. Accordingly, the County and the Participating Municipalities desire to enter into this MOU under the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference.
2. **Intent.** This MOU is intended to: (a) identify the local governments that wish to participate in the establishment and implementation of a regional solid waste management system that is based upon a long-term, comprehensive plan to provide for efficient, effective, and environmentally sensitive means by which to dispose of solid waste, yard waste, bulk waste, construction and demolition debris, household hazardous waste, and recyclable materials; (b) establish a mechanism and process to analyze and evaluate the Arcadis Recommendations; and (c) provide a schedule, as defined below, that these local governments agree to follow in order to initiate the establishment of a regional solid waste management system.
3. **Representation.** The County and the Participating Municipalities each agree that the County and each Participating Municipality shall have representation under this MOU and under any governing body established to govern any integrated solid waste and recycling system resulting from this MOU. The County and the Participating Municipalities shall establish rules governing their activities related to any governing body established hereunder.
4. **Agreement to Collaborate and Work Together.** The County and the Participating Municipalities each agree to work cooperatively, diligently, and in good faith with one another to develop countywide strategies and solutions to address short- and long-term opportunities and challenges associated with providing cost-effective solid waste and recyclables processing and disposal services to their respective constituents.
5. **Schedule.** The County and the Participating Municipalities shall use all diligent efforts to jointly achieve the milestones listed in Exhibit A (Milestone Schedule), attached hereto and incorporated herein, within the time periods specified.
6. **Working Group.** The County and the Participating Municipalities shall designate a working group ("Working Group"). The purpose of the Working Group is to establish policy and provide direction to the Technical Group and any consultants retained by Working Group. The Working Group shall consist of no fewer than five members and no more than nine

members. One member shall be a member of the Board of County Commissioners, and the remaining members shall each be a member of the governing body of a Participating Municipality. The Participating Municipalities will determine the number of, and the process for, selection of the municipal representatives on the Working Group. The County or any Participating Municipality shall be represented by no more than one member of their respective body. All Working Group meetings shall be open to all Participating Municipalities not represented in the Working Group. The Working Group will be staffed jointly by the Broward League of Cities and the County.

7. **Technical Group.** The County and the Participating Municipalities shall establish a technical group (“Technical Group”). The purpose of the Technical Group is to address the operational aspect of integrated solid waste and recycling systems, recommend to the Working Group the retention of any needed consultants, and report findings and recommendations to the Working Group. Any Participating Municipality may, at its discretion, have one representative serve as a member of the Technical Group. The County may have two representatives serve as members of the Technical Group.

8. **Continued Study.** Recognizing the benefit of the Study conducted by the Arcadis Team and the need for continued study and independent analysis, the County and the Participating Municipalities agree to jointly undertake the continued study and analysis of additional critical solid waste issues identified by mutual agreement, which may relate to recycling programs, identification and location of necessary assets, and options for flow control. A detailed and comprehensive scope of such continued study and analysis will be developed by the Working Group, and the Working Group shall retain and interact with any appropriate consultant and/or attorneys during the course of the continued study to ensure that balance and independence are maintained throughout. The County and the Participating Municipalities further agree that the respective financial contributions necessary for the continued study and analysis described herein will be mutually agreed upon.

9. **Solid Waste Pledge.** Provided acceptable terms can be developed and lawfully implemented, the County and the Participating Municipalities are prepared, subject to future approval of binding agreements or enactment of law, to pledge their solid waste flow for as many years as necessary (perhaps as many as thirty (30) years) in order to finance the property and construction that will be needed to create and develop the regional solid waste management system that the County and the Participating Municipalities seek to establish pursuant to this MOU. Nothing in this MOU commits any party to supporting any potential legislation, including legislation that would establish a special district.

10. **Shared Principles and Commitments.** The County and the Participating Municipalities agree that the effectiveness and longevity of a regional solid waste management system depend on certain principles and commitments, including but not limited to the following:

- i. County-wide solid waste disposal and recycling efforts are best accomplished as collaborative ventures among the County and the Participating Municipalities, as

collaboration would enable the development of a regional solid waste management system that would serve the needs of all residents for many decades and that is capable of taking advantage of purchasing economies and other economies of scale.

- ii. In developing a regional solid waste management system, the County and the Participating Municipalities are committed to considering all of the Arcadis Recommendations as well as the preferences of the County and the Participating Municipalities and the results of the continued study and analysis described in Section 8 above.
- iii. The County and the Participating Municipalities are committed to exploring all possible governance structures for a regional solid waste management system. In addition to the independent special district recommended by the Arcadis Team in its Arcadis Recommendations, the County and the Participating Municipalities may also consider other possible governance structures for a regional solid waste management system that may be proposed by the County or any Participating Municipality, including one to which the parties could agree pursuant to an interlocal agreement. That said, the County and the Participating Municipalities prefer a governance structure that, if possible, maintains local control and flexibility while still affording the opportunity to effectively establish assessments or other mechanisms to, if desired, permit economic flow control.
- iv. The County and the Participating Municipalities are committed to discussing organizational structures for a regional solid waste management system that may consist of common ownership and/or common control of the system's acquired and constructed public assets, as well as common responsibility for the system's liabilities, such as landfill closure and long-term maintenance costs. The County and the Participating Municipalities are also committed to developing a mutually agreed-upon arrangement regarding control over the operations of the system.
- v. The County and the Participating Municipalities are committed to exercising common control over the setting of tipping and other fees, with such fees being set in an amount that is adequate to recover all costs, including reasonable personnel costs. While full cost recovery is required, the County and the Participating Municipalities agree that continuous effort should be expended to ensure that fees are kept at the lowest practicable level while still providing a comprehensive range of solid waste disposal and recyclables processing offerings.
- vi. There is a critical need to develop robust recycling programs even when the status of the recycling market imposes additional short-term costs, and the full value of such programs involves far more than a comparison of the cost thereof to the cost of common disposal of recyclables. Instead, all externalities must be considered in determining whether a given recycling program is feasible, including careful

consideration of the long-term impacts that a failure to adequately recycle will cause.

- vii. All available options regarding programs and required assets should be identified and analyzed, including potentially contracting with private entities under terms that would protect the long-term interests of the County and the Participating Municipalities. Alpha 250 and the Broward County Landfill should be analyzed to determine what role these properties will play in the regional solid waste management system, with due consideration paid to the County's statutory obligations that would continue beyond any expiration of the collaborative arrangement established by the parties. Further, the County's and the Participating Municipalities' respective interests in various public assets that may become part of the regional solid waste management system shall be taken into account in determining the County's and each of the Participating Municipalities' respective financial contributions for establishing and supporting the operations of the regional solid waste management system. Nothing in this MOU, however, obligates or commits the County or the Participating Municipalities with respect to Alpha 250, the Broward County Landfill, or any other public asset that may become part of the regional solid waste management system; any such obligation or commitment may only be effectuated pursuant to a subsequent written agreement.

11. **Approval Process.** Once approved by the County Commission, this MOU is to be presented for approval at public Commission/Council meetings at each of the municipalities located within the County. Each such municipality will then have until September 30, 2019 to approve and execute this MOU and thereby join as a Participating Municipality hereunder.

12. **Effective Date.** The "Effective Date" of this MOU shall be October 1, 2019; provided, however, to become effective, municipalities collectively representing no less than fifty percent (50%) of the County's total population must timely approve and execute this MOU by such date. Provided this MOU becomes effective consistent with the preceding sentence, any municipality not timely approving and executing this MOU may become a Participating Municipality by thereafter approving and executing this MOU, provided a majority of Participating Municipalities approve the addition of the municipality. A Participating Municipality or the County may withdraw from this MOU at any time by serving writing notice upon the other parties. Upon withdrawal, the municipality or the County shall have no further obligations, financial or otherwise, but shall not be entitled to the refund of any contributions previously made and will no longer be entitled to participate or have any voting rights previously established.

13. **Entire Agreement.** This MOU constitutes the entire agreement between the County and the Participating Municipalities relating to the transactions contemplated herein and supersedes and cancels any other agreement, representation, or communication, whether oral or written, between the County and the Participating Municipalities relating to the specific

subject matter addressed in the MOU.

14. **Headings**. The section and subsection headings in this MOU are inserted for convenience only and shall not affect in any way the meaning or interpretations of this MOU.

15. **Counterparts and Multiple Originals**. This MOU may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same instrument.

16. **Joint Preparation**. The preparation of this MOU has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any party hereto.

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IN WITNESS WHEREOF, the parties hereto have made and executed this Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System on the respective dates under each signature: Broward County, signing by and through its Mayor or Vice-Mayor, duly authorized to execute same by Board action on the 11th day of June, 2019, and the Participating Municipalities, signing by and through their respective Mayors or other representatives duly authorized to execute same.

BROWARD COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor
____ day of _____, 2019

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Keoki M. Baron (Date)
Assistant County Attorney

MEMORANDUM OF UNDERSTANDING
REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF
AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM


[TOWN OF SOUTHWEST RANCHES]

ATTEST:



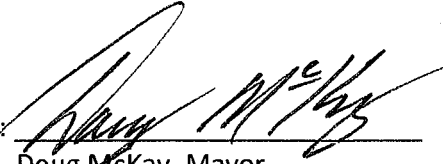
Russell Muñiz, Assistant Town
Administrator/Town Clerk

Approved as to form and legality:

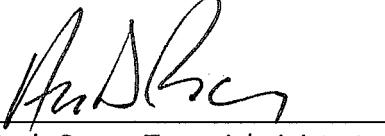
By: 

Keith Poliakoff, Town Attorney
8th day of August, 2019

TOWN OF SOUTHWEST RANCHES

BY: 

Doug McKay, Mayor
8th day of August, 2019

By: 

Andy Berns, Town Administrator
8th day of August, 2019

Exhibit A
Milestone Schedule

Milestone Description	Milestone Dates
County Approval of the MOU	June 11, 2019
Participating Municipality Approval of the MOU	September 30, 2019
Designation of Working Group	November 15, 2019
Designation of Technical Group	December 15, 2019
Retention of consultants and/or any required legal counsel	December 15, 2019
Determination as to form of governance for the regional solid waste management system (e.g., interlocal agreement, special district*)	April 20, 2020
*Finalization of the necessary creation documents (which would permit timely submission to the Florida Legislature if an independent special district is to be pursued)	September 30, 2020

EXHIBIT A

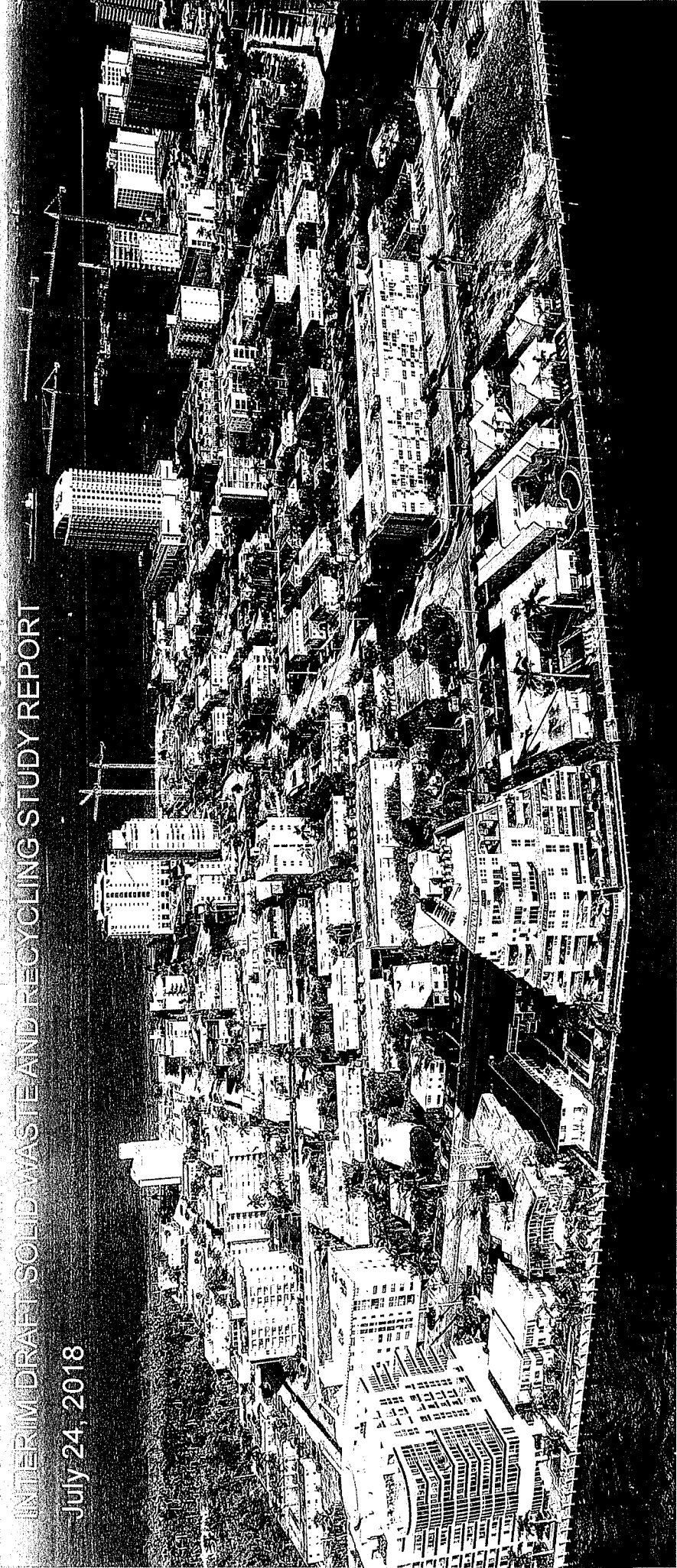


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FLORIDA

**SOLID WASTE AND RECYCLING ISSUES STUDY
INTERIM DRAFT SOLID WASTE AND RECYCLING STUDY REPORT**

July 24, 2018



Meeting Goals

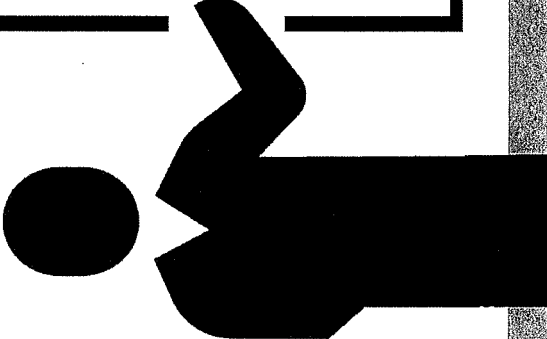


Summarize Interim Draft Solid Waste and Recycling Issues Study Report Findings and Recommendations

Discuss Questions

Schedule Workshops with Mayor's Group and Broward League of Cities

Solid Waste and Recycling Issues Study Overview



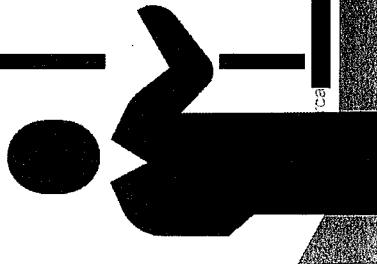
▲ How can the County attain a 75% recycling goal?

▲ Will retaining public ownership of Alpha 250 facilitate the County meeting the recycling goal or provide other benefits for solid waste disposal?

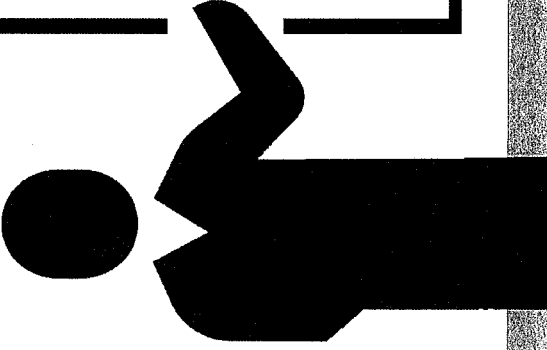
▲ Investigate solid waste disposal issues and options such as flow control, governance and contractual structures for collaborative solid waste management.

Solid Waste and Recycling Issues Study Project Details

- ✓ Task 1 – Project Kickoff Meeting
- ✓ Task 2 – Review Existing Documentation
- ✓ Task 3 – Establish Solid Waste Composition
- ✓ Task 4 – Estimate Solid Waste Quantity
- ✓ Task 5 – Identify Alts and Options for Improvement to Achieve Recycling Goals
- ✓ Task 6 – Evaluate Site Requirements
- ✓ INTERIM GOVERNANCE WORKSHOP
- ✓ Task 7 – Identify Alternatives / Options for the Future of Solid Waste Management in Broward County
- ✓ Task 8 – Prepare Conceptual Level Cost Estimate
- ✓ Task 9 – Prepare Technical Memorandum
- ✓ **Task 10 – Prepare Draft Solid Waste and Recycling Issues Study Report**
- ✓ Task 11 – Working Group, Broward League of Cities and Mayor's Group Workshops
- ✓ Task 12 – Prepare Final Report



Interim Draft Solid Waste and Recycling Issues Study Report Addresses

- 
- ▶ How the 75% Recycling Goal can be attained.
 - ▶ Evaluation of Alpha 250 Site and its Possible Use for Recommended Facilities Needed to Achieve the 75% Recycling Goal
 - ▶ Evaluation of the Alternatives and Options for the Future of Solid Waste Management (Flow Control, Policy, Governance and Ownership Structures)
 - ▶ Evaluation of Construction Costs for Facilities Proposed to meet the 75% Recycling Goal

Recommended Next Steps

- County and Working Group should consider retaining public ownership of the North Alpha 250 Site.
- Cities to consider extending existing solid waste contracts or negotiating termination for convenience clauses.
- Move towards implementing the Independent District Governance Structure.
- Implement proposed policies mandating recycling to assist in achieving the 75% Recycling Goal.
- Select a scenario, or portion of a scenario, that moves toward achieving the 75% Recycling Goal.
- Perform a detailed NPV analysis, siting and feasibility study for the selected scenario, including a detailed construction cost estimate.



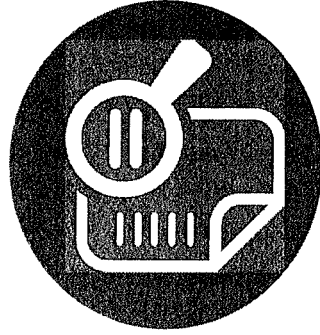


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How the 75% Recycling Goal Could be Achieved

Solid Waste Composition and Quantity Estimates

The Arcadis Team reviewed a wide array of existing data and information to estimate the solid waste composition of Broward County waste.



Population and per capita waste generation projections were then developed to estimate the quantity of solid waste generated throughout the 20-year and 40-year planning periods.

These solid waste composition and quantity estimates were then used to identify diversion opportunities of greatest interest to the Working Group that could enable Broward County to attain the 75% recycling goal.

Policies Required to Meet 75% Recycling Goal

- Enact mandatory C&D debris, bulky waste and yard trash processing prior to disposal
- Enact mandatory multi-family and commercial recycling
- Require minimum recycling standards for solid waste processing facilities

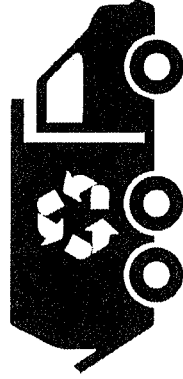
Recycling Scenarios – Common Elements

- The Arcadis Team developed scenarios utilizing the estimated solid waste composition and quantity data.
- Common elements to each scenario are based on the implementation of the mandatory recycling policies identified in the previous slide.
- The following facilities are required to process the waste stream associated with the implementation of mandatory recycling policies:
 - MRF
 - Combined BW/YT/C&D Facility
 - YT (Stand Alone)

Facilities Required to Meet 75% Recycling Goal

Assuming mandatory recycling policies are implemented, the implementation of a combination of six types of solid waste processing facilities are recommended to meet the 75% Recycling Goal:

- Materials Recycling Facility
- Combined Bulky Waste / Yard Trash / C&D Facility
- Yard Trash Facility (stand alone)
- Mixed Waste Processing Facility
- Organics Processing Facility (excludes yard trash)
- Waste-to-Energy Facility (expanding WSB or construct new facility)



Recycling Scenarios

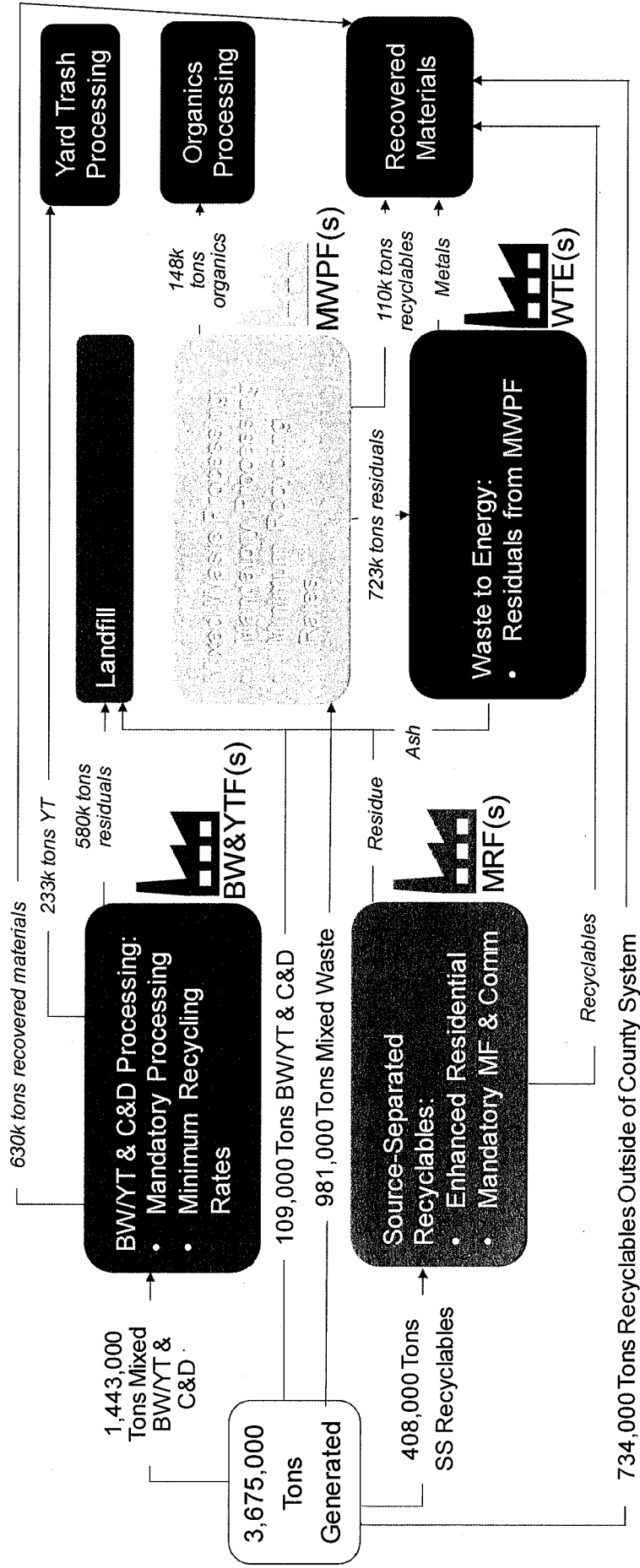
Three scenarios were developed noting the different strategies needed to process the mixed residential and commercial waste that is **not** source-separated and processed by the Common Element Facilities.

Scenario A - Mixed waste would be processed at a MWP Facility. Recyclables would be recovered and marketed and wet organics would be recovered and processed. Residuals would go to WTE.

Scenario B - Mixed waste would be processed at a MWP Facility. Recyclables would be recovered and marketed; residuals would go to WTE.

Scenario C - Mixed waste would go to WTE.

Scenario A Schematic



Scenario A

Discussion

In addition to the common facility elements, **Scenario A** requires implementation of MWP Facilities and Organics Processing (OP) Facilities to recover and recycle the wet organic waste resulting from the MWP Facility operations.

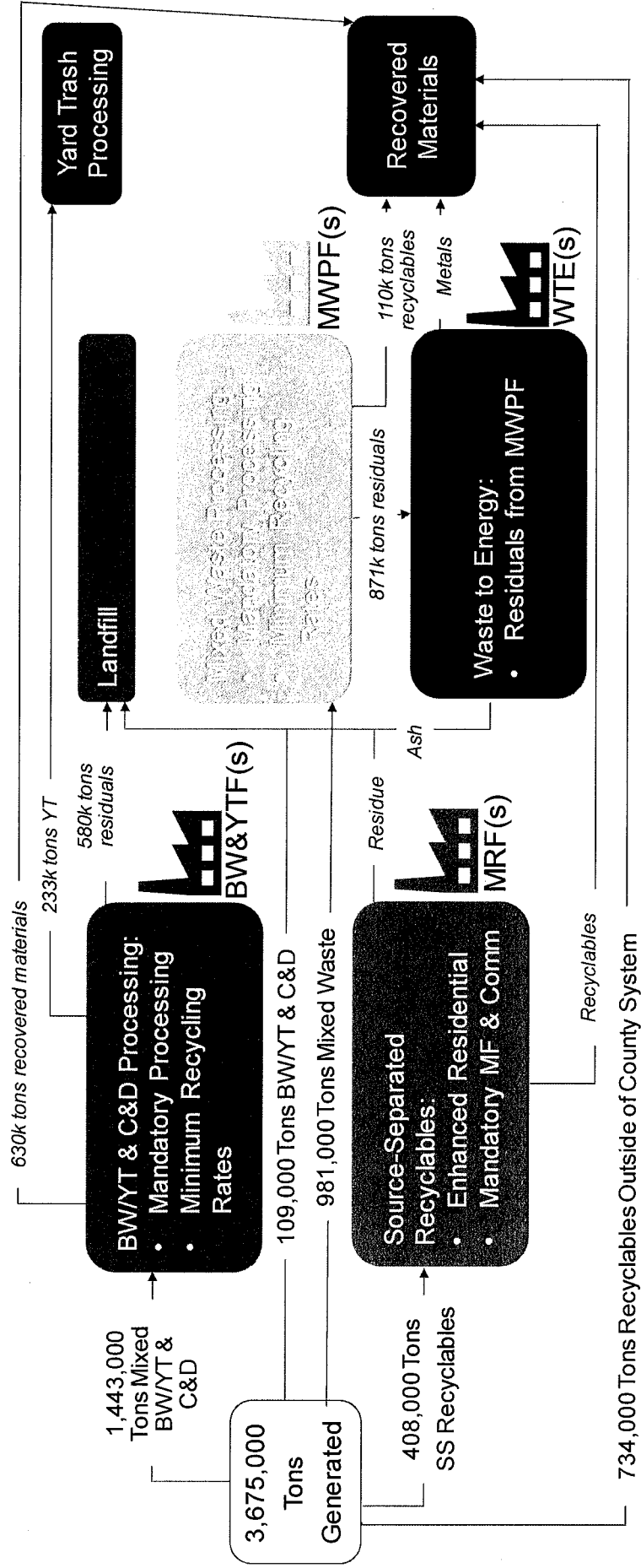
Residual waste would then be processed via WTE Facility.

Expansion of the existing WSB Facility through the addition of a 750 ton per day (tpd) municipal waste boiler unit would be required in the long-term to process residual waste from the MWP Facilities.

~ OR ~

A new system-owned WTE Facility, could be developed to process residual waste.

Scenario B Schematic



Scenario B

Discussion

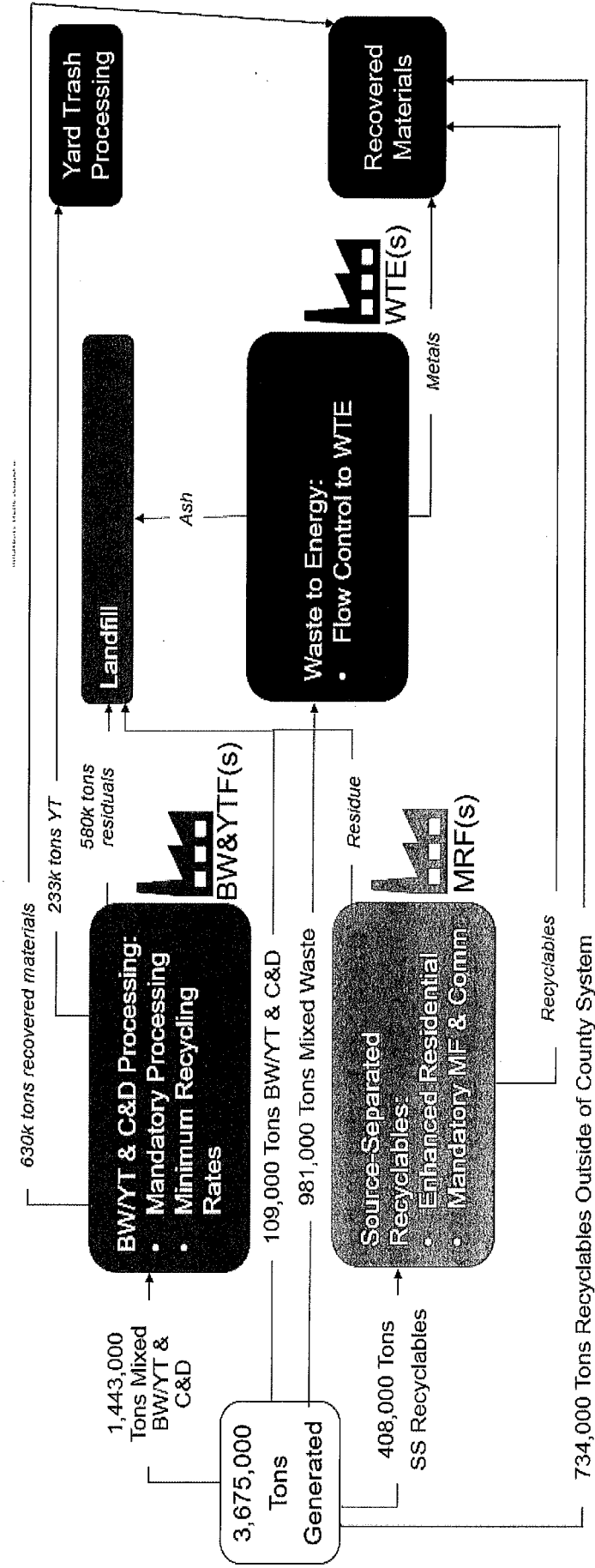
In addition to the common facility elements, **Scenario B** also requires implementation of MWP Facilities. However, all wet organic waste, including other residual waste resulting from the MWP Facility operations would be processed via WTE Facility.

Expansion of the existing WSB Facility through the addition of a 750 tpd municipal waste boiler unit would be required in the short-term to process residual waste from the MWP Facilities.

~ **OR** ~

A new system-owned WTE Facility could be developed to process residual waste.

Scenario C Schematic



Scenario C

Discussion



Scenario C requires the waste stream not diverted to the common facility elements be processed at either the existing WSB WTE Facility or at a new system-owned WTE Facility.

Expansion of the existing WSB Facility through the addition of a 750 tpd municipal waste boiler unit would be required in the short term.

However, the existing WSB Facility would reach capacity starting in the mid-term planning period (approximately 2040). Solid waste generated in excess of WSB expanded capacity would require disposal elsewhere.

~ *OR* ~

A new system-owned WTE Facility could be developed and would provide for the processing needs throughout the planning period (through 2060).

Three 1,050 tpd municipal waste boiler would be required in the short- and mid-term. A fourth 1,050 tpd municipal waste boiler would be needed for the long-term.



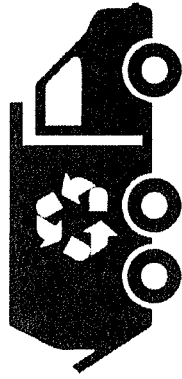
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North Alpha 250 Site Evaluation

North Alpha 250 Site Evaluation

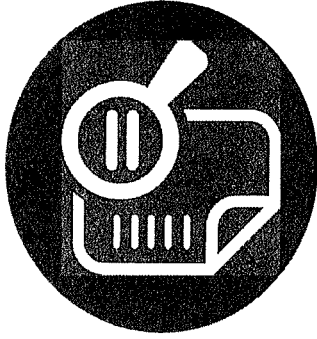
To Meet the 75% Recycling Goal, the Implementation of Six Facilities were Recommended:

- Materials Recycling Facility
- Combined Bulky Waste / Yard trash / C&D Facility
- Yard Trash Facility (Stand Alone)
- Mixed Waste Processing Facility
- Organics Processing Facility (Excludes Yard Trash)
- Waste-to-Energy Facility (Expanding WSB or Construct New Facility)



North Alpha 250 Site Evaluation

The Alpha 250 Site was evaluated to determine if any of the six facilities required to meet the 75% Recycling Goal could be constructed on the Site.



The following criteria were reviewed:

- Current zoning and land use
- Available buildable area and site shape
- Utilities
 - Electrical
 - Water and Wastewater
- Traffic impacts
- Social and political acceptance

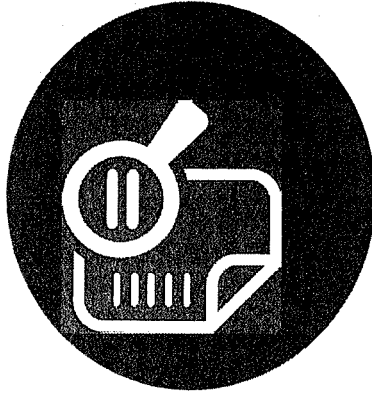
North Alpha 250 Site Evaluation – Findings Summary

Facility Type	Current Zoning and Land Use	Available Building Area and Site Shape	Electrical Utilities	Water and Wastewater	Traffic Impacts	Social and Political Acceptance	Alpha 250 Suitable for Facility Type
MRF	Facility is a permitted use, special exception approval needed.	Suitable	Existing electrical infrastructure absent, but could be provided.	Existing water and wastewater infrastructure present, could provide service to facility.	High truck traffic impact potential	High potential for public resistance for solid waste use. Robust public outreach program needed.	Yes
Mixed Bulky Waste/Yard Trash/C&D	Facility is a permitted use, special exception approval needed.	Suitable	Existing electrical infrastructure absent, but could be provided.	Existing water and wastewater infrastructure present, could provide service to facility.	Moderate truck traffic impact potential	High potential for public resistance for solid waste use. Robust public outreach program needed.	Yes
Yard Trash	Facility is a permitted use, special exception approval needed.	Suitable	Existing electrical infrastructure absent, but could be provided.	Existing water and wastewater infrastructure present, could provide service to facility.	Moderate truck traffic impact potential	High potential for public resistance for solid waste use. Robust public outreach program needed.	Yes

North Alpha 250 Site Evaluation – Findings Summary

Facility Type	Current Zoning and Land Use	Available Building Area and Site Shape	Electrical Utilities	Water and Wastewater	Traffic Impacts	Social and Political Acceptance	Alpha 250 Suitable for Facility Type
Mixed Waste Processing Facility	Facility is currently not a permitted use. However, a special exception could be requested.	Suitable	Existing electrical infrastructure absent, but could be provided.	Existing water and wastewater infrastructure present, could provide service to facility.	Moderate truck traffic impact potential	High potential for public resistance for solid waste use. Robust public outreach program needed.	Yes
Organics Processing Facility (excludes Yard Trash)	Facility is a permitted use, special exception approval needed.	Suitable	Existing electrical infrastructure absent, but could be provided.	Existing water and wastewater infrastructure present, could provide service to facility.	Moderate truck traffic impact potential	High potential for public resistance for solid waste use. Robust public outreach program needed.	Yes
Waste-to-Energy	Facility is a permitted use, special exception approval needed.	Not Suitable	Not Evaluated Due to Buildable Area and Site Shape Restrictions	Not Evaluated Due to Buildable Area and Site Shape Restrictions	Not Evaluated Due to Buildable Area and Site Shape Restrictions	Not Evaluated Due to Buildable Area and Site Shape Restrictions	No

North Alpha 250 Site Evaluation



Preliminary review of the criteria indicates that the North Alpha 250 Site could be developed for solid waste processing use.

North Alpha 250 Site Evaluation



County and Working Group should consider retaining public ownership of the North Alpha 250 Site.

Recommend conducting a detailed siting analysis to confirm preliminary findings based upon selected scenario.



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Alternatives and Options for the Future of Solid Waste Management in Broward County

Alternatives and Options for the Future of Solid Waste Management in Broward County

- Working Group preferences were considered in the review of key regulatory requirements, frameworks, and policy issues associated with solid waste management in Broward County.
 - Implement a regional solid waste system
 - Create a collective governance structure to dictate the policies needed to implement the regional solid waste system
 - Create legal and economic flow control
 - Increase recycling to achieve a 75% recycling goal
 - Create incentives for re-use of recyclable content generated within Broward County

Flow Control

- Supreme Court Ruling C&A Carbone, Inc. vs. Town of Clarkstown 511 U.S. 383 (1994) – Charter established flow control legislation violated the interstate commerce clause of the Constitution.
 - Effectively removed a governmental entity’s ability to direct waste to designated facilities.
 - Supreme Court Ruling United Haulers Association Inc. v. Oneida-Herkimer Solid Waste Management Authority, 550 U.S. 330 (2007) – Clarified that governmental entities have the ability to control the flow of MSW, to be delivered to publicly-owned facilities.
 - Subsequent rulings have resulted in flow control injunctions.
- Relying on local ordinance-driven flow control may result in legal challenges and increased risk.**

Proposed Policies to Achieve Flow Control

Potential Policy	Desired Outcome	Advantages	Disadvantages
Prohibition of solid waste generated within the boundaries of the governmental entity to be disposed outside of the County. Applicable to private and public entities.	Flow Control	Solid waste flows to in-County facilities, guaranteeing minimum capacity requirements.	High risk for legal challenges, as restricting private entities from disposing in-County solid waste may unreasonably interfere with interstate commerce.
Require enhanced permitting and/or licensure requirements for public and private solid waste haulers and facilities.	Flow Control	Increases control over private solid waste facilities within the County. Require haulers to provide detailed reporting data, noting tonnage of solid waste stream collected and facility delivered to. Require facilities to provide detailed reporting data, noting the haulers delivering waste, tonnage of solid waste stream delivered, processed, recycling, disposed, etc.	Increased reporting requirements may be cost prohibitive and possibly drive smaller companies out of the marketplace, and could violate parts of F.S. 403.70605 Solid Waste Collection Service in Competition with Private Companies. Oversight and enforcement would be required to ensure compliance, which may increase the cost to administer.
Incentivize the transition from private entity collection and transport to public entity (Cities) through reduced disposal fees.	Economic Flow Control	Cities taking over the various hauling contracts would deliver solid waste collected to public and private facilities within the system, guaranteeing minimum tonnage.	Must be conducted in compliance with F.S. 403.70605 (3)(a). Displacement of Private Companies to reduce legal risks. Existing hauling contracts must expire before Cities can commence collection and hauling solid waste, or termination for convenience clauses must be negotiated. Costs for collection and transport may outweigh the incentive of reduced disposal fees.

Proposed Policies to Achieve Increased Recycling

Potential Policy	Desired Outcome	Advantages	Disadvantages
Require Cities participating in the solid waste system to mandate single family, multi-family and commercial recycling within their municipal boundaries.	Affirmative Recycling Code	Incentivizes single family, multi-family and commercial recycling.	Education campaign and technical assistance would be needed prior to and during implementation. Oversight and enforcement would be needed to ensure compliance, which may increase the cost to administer.
Require enhanced permitting requirements and fees for new private and public projects generating C&D debris within the boundaries of the governmental entity. Enhanced permitting requirements and fees would be reduced or eliminated through an agreement providing for the delivery of C&D debris to a recycling facility.	Affirmative Recycling Code Flow Control	Incentive C&D debris recycling	May be difficult and costly to administer and confirm source of C&D debris before disposal. High probability for legal challenges.

Governance Options for the Future of Solid Waste Management – Special Districts

Special District Advantages

Empowers citizens to get involved in the governance of their own neighborhood or community.

Serve as a financing mechanism that can be used to provide for the costs to govern, finance, construct, operate and maintain essential public services and facilities.

Special districts have the ability to sell tax-exempt bonds.

Special districts can provide governmental services when needs transcend the boundaries.

How Special District Advantages Meet County and City Needs

Cities have expressed interest in the ability to participate in the ultimate form of governance selected.

Creating a special district will enable participating County and Cities to utilize the special districts credit to finance the development of a regional solid waste system.

Tax-exempt bonds can be utilized to construct the facilities needed to attain the 75% recycling goal and create a regional solid waste system.

The Working Group and County have stated that a regional approach to solid waste management is desired. However, not all Cities will participate in the new regional solid waste system. A special district will enable County and Cities participating in the new system to provide services beyond their boundaries.

Governance Options for the Future of Solid Waste Management – Independent Special District

Recommended Governance Structure – Independent Special District:

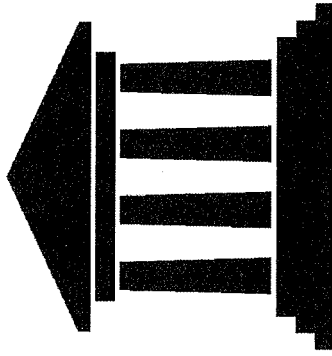
- A Dependent special districts are under some control by a single county or municipality.
- *An Independent Special District was recommended as it can reduce the level of control by one party.*



Contract Expiration and New District Implementation

- During Calendar Year 2018, the following number of city contracts will expire:
 - 25 MSW processing and disposal
 - 24 BW/C&D/YW processing
 - 21 recycling processing contracts
- New District will not be in place when these contracts expire.
- Recommend Cities with contracts expiring in 2018 and 2019 consider signing short-term agreements or include “termination for convenience” terms in their contracts.

Short-term extension or termination for convenience would enable the County, Working Group and Cities to develop the founding documents associated with the New District.



Ownership Options

- Publicly-Owned and Operated
- Public / Private Partnership Contracts
 - Operation, Collection, Transportation and Disposal Contracts
 - Design/Build or Design/Build/Operate
- Private Ownership
 - Merchant, Asset Sale, Public Private Financing (How WNB and WSB were financed)

Recommend developing the selected solid waste processing facilities through a public/private partnership option.

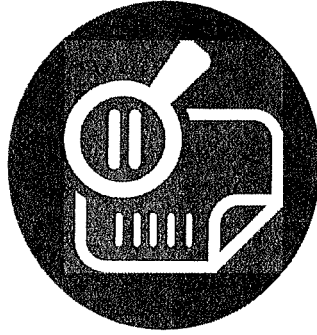


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Conceptual Level Cost Estimate

Survey of Solid Waste Facility Construction Costs

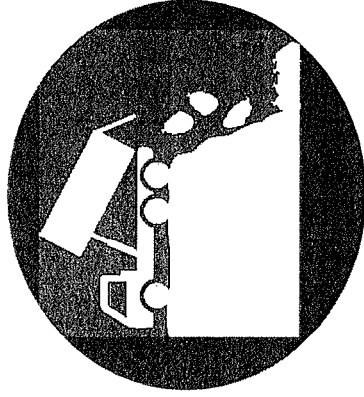
- Conceptual construction cost estimates for the construction of the facilities proposed to meet the 75% Recycling Goal to assist the Working Group with evaluating the relative financial impact of each facility.
- Surveyed over 50 solid waste facilities constructed in the U.S. and developed representative ton per day construction costs estimates for each type of processing facility surveyed.
- Screened the facilities based on throughput capacity, materials processed (i.e. single stream vs. dual stream, commercial vs. residential, etc.) and processing technology.
- The facilities that most closely resembled the scenarios needed to achieve the 75% Recycling Goal.



Estimated Facility Construction Cost Per-Ton Per-Day Throughput

Facility	Cost per tpd (2020 dollars)
Single Stream MRF	\$60,000
Mixed Bulky Waste/Yard Trash/C&D	\$22,000
Yard Trash	\$11,000
Mixed Waste Processing Facility	\$41,000
Waste-to-Energy Expansion	\$240,000
Implementation of New System-Owned Waste-to-Energy	\$300,000

Estimated Facility and Scenario Construction Costs



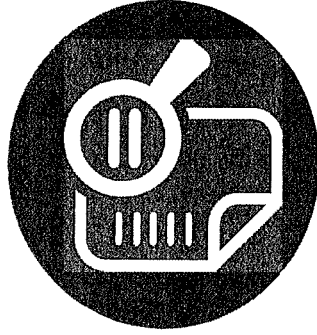
- The conceptual-level construction cost of the three scenarios was based on the solid waste public capacity throughput estimates provided in the Alternatives and Options White Paper.
- Public capacity throughput multiplied by the construction cost per ton per day prepared in the survey resulted in the estimated facility and scenario construction cost.
- Estimates were developed to meet short, mid and long-term needs, 2025, 2040 and 2060.

Estimated Facility and Scenario Construction Costs

Scenario	2025 Est. Facility Cost (2020 dollars)	2040 Est. Facility Cost (2020 dollars)	2060 Est. Facility Cost (2020 dollars)
SCENARIO A			
Assuming 4th WTE Unit @ South Broward OR	\$329,000,000	\$332,000,000	\$549,000,000
Assuming New WTE Facility	\$1,004,000,000	\$1,007,000,000	\$1,269,000,000
SCENARIO B			
Assuming 4th WTE Unit @ South Broward OR	\$457,000,000	\$460,000,000	\$497,000,000
Assuming New WTE Facility	\$1,222,000,000	\$1,225,000,000	\$1,262,000,000
SCENARIO C			
Assuming 4th WTE Unit @ South Broward OR	\$285,000,000	\$288,000,000	\$308,000,000
Assuming New WTE Facility	\$1,050,000,000	\$1,053,000,000	\$1,388,000,000

Conceptual Level Cost Estimate

- Conceptual construction cost estimates *do not include* annual operating fees, operations and maintenance, pass through costs, residue transport and disposal, metals recovered transport, purchase of land, financing, engineering, legal, permitting and procurement.
- Conceptual construction cost estimates also *do not include* revenue generation opportunities.



Construction Cost Recommended Next Steps



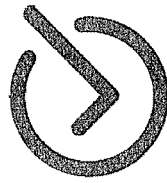
- Review and evaluate the financial impact of the different alternatives proposed and decide which scenario, or portion of a scenario, should be selected.
- Once a scenario is selected, it is recommended that a detailed NPV analysis, siting and feasibility study for the selected scenario, including a detailed construction cost estimate is developed.

Recommended Next Steps

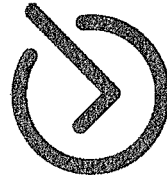
- County and Working Group should consider retaining public ownership of the North Alpha 250 Site.
- Cities to consider extending existing solid waste contracts or negotiating termination for convenience clauses.
- Move towards implementing the Independent District Governance Structure.
- Implement proposed policies mandating recycling to assist in achieving the 75% Recycling Goal.
- Select a scenario, or portion of a scenario, that moves toward achieving the 75% Recycling Goal.
- Perform a detailed NPV analysis, siting and feasibility study for the selected scenario, including a detailed construction cost estimate.



Open Discussion



75%
Recycling
Goal



Alpha 250



Governance
and
Ownership



Construction
Cost
Estimate

