



Southwest Ranches Town Council

REGULAR MEETING Agenda of August 8, 2019

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u>	<u>Town Council</u>	<u>Town Administrator</u>	<u>Town Attorney</u>
Doug McKay	Freddy Fisikelli	Andrew D. Berns	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Bob Hartmann	<u>Town Financial</u>	<u>Assistant Town</u>
Gary Jablonski	Denise Schroeder	<u>Administrator</u>	<u>Administrator/Town Clerk</u>
		Martin Sherwood, CPA CGFO	Russell C. Muniz, MMC

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Southwest Ranches Historical Society Presentation to Southwest Ranches Pioneers**
4. **Public Comment**
 - All Speakers are limited to 3 minutes.
 - Public Comment will last for 30 minutes.
 - All comments must be on non-agenda items.
 - All Speakers must fill out a request card prior to speaking.
 - All Speakers must state first name, last name, and mailing address.
 - Speakers will be called in the order the request cards were received.
 - Request cards will only be received until the first five minutes of public comment have concluded.
5. **Board Reports**
6. **Council Member Comments**
7. **Legal Comments**
8. **Administration Comments**

Resolutions

9. **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 INTEGRATED SOLID WASTE AND RECYCLING SYSTEM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

Discussion

10. Proposed Council Meeting Decorum Policy

11. Approval of Minutes

- a. June 13, 2019 Town Council Regular Meeting**
- b. June 27, 2019 Town Council Regular Meeting**

12. Adjournment

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Doug McKay, Mayor
Gary Jablonski, Vice Mayor
Freddy Fisikelli, Council Member
Bob Hartmann, Council Member
Denise Schroeder, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muniz, Assistant Town Administrator/Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor McKay and Town Council
VIA: Andy Berns, Town Administrator
FROM: Sandy Luongo, General Services Manager
DATE: 7/5/2019
SUBJECT: MOU of Collaborative Study and Development of an Integrated Solid Waste & Recycling System

Recommendation

It is in the best interest of the Town Council to approve the Memorandum of Understanding (MOU), "Exhibit B", between Broward County and the Town of Southwest Ranches to establish and 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.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- B. Enhanced Resource Management

Background

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.

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.

On December 2018, the Arcadis Team concluded the study and issued its Solid Waste and Recycling Issues Study Final Report, summarizing the Arcadis Teams findings and recommendations in “Exhibit A”.

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 association with providing solid waste disposal and recyclables processing services to their respective constituents.

Fiscal Impact/Analysis

There is no fiscal impact to the Town by entering into the MOU with Broward County.

Staff Contact:

Sandra Luongo, General Services Manager

ATTACHMENTS:

Description	Upload Date	Type
MOU Resolution - TA Approved	8/2/2019	Resolution
Exhibit A Study Report Presentation	7/11/2019	Exhibit
Exhibit B MOU County and Town	7/11/2019	Exhibit

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 INTEGRATED 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

_____ and seconded by _____.

McKay _____
Jablonski _____
Fisikelli _____
Hartmann _____
Schroeder _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

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

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

July 24, 2018

August 8, 2019 Regular Meeting

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Meeting Goals

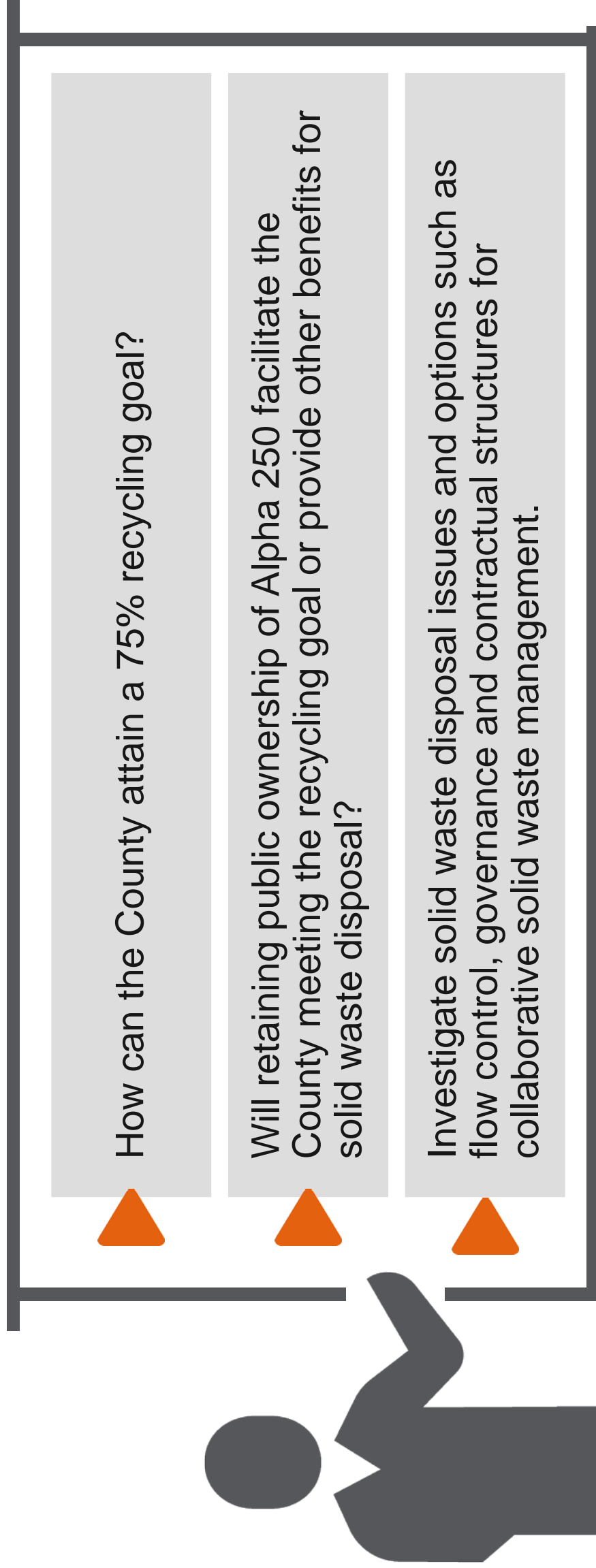


Summarize Interim Draft Solid Waste and Recycling Issues Study Report Findings and Recommendations

Discuss Questions

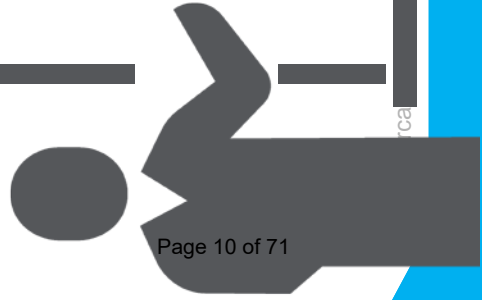
Schedule Workshops with Mayor's Group and Broward League of Cities

Solid Waste and Recycling Issues Study Overview

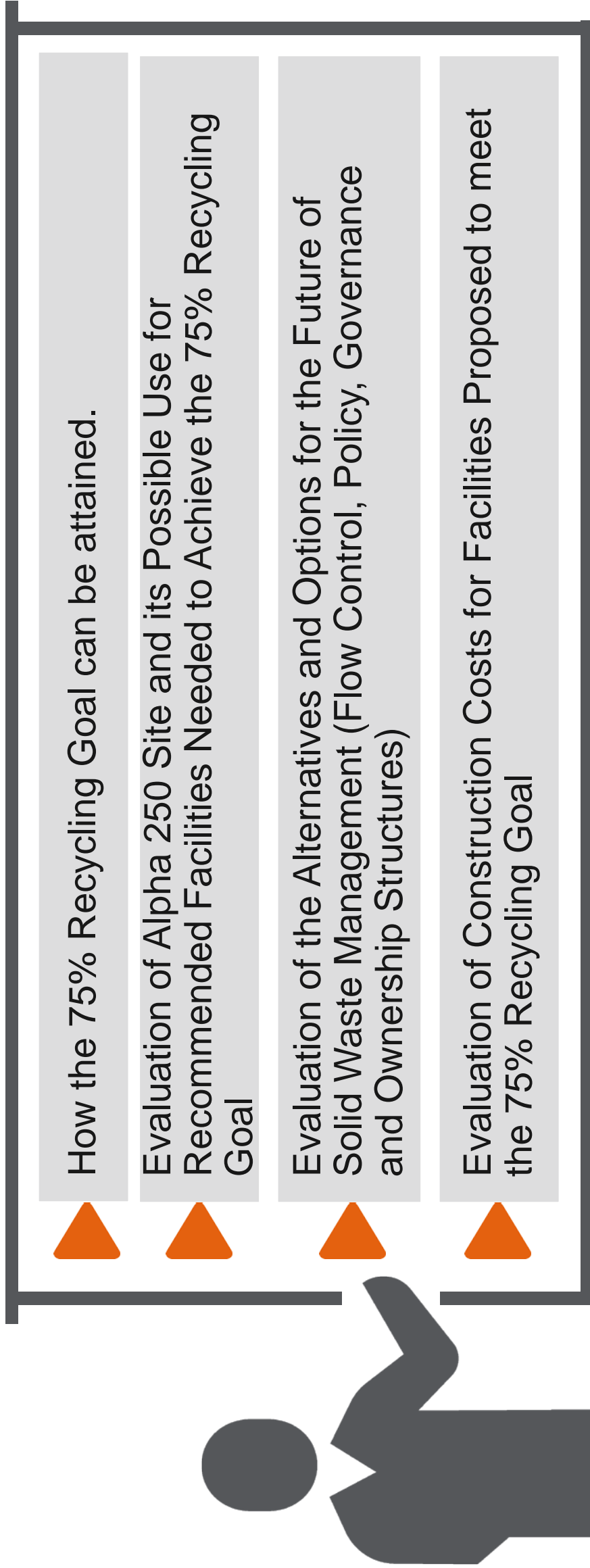


Solid Waste and Recycling Issues Study Project Details

- ✓ 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



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.

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

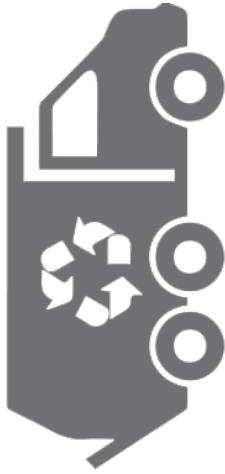
Recycling Scenarios – Common Elements

- 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.

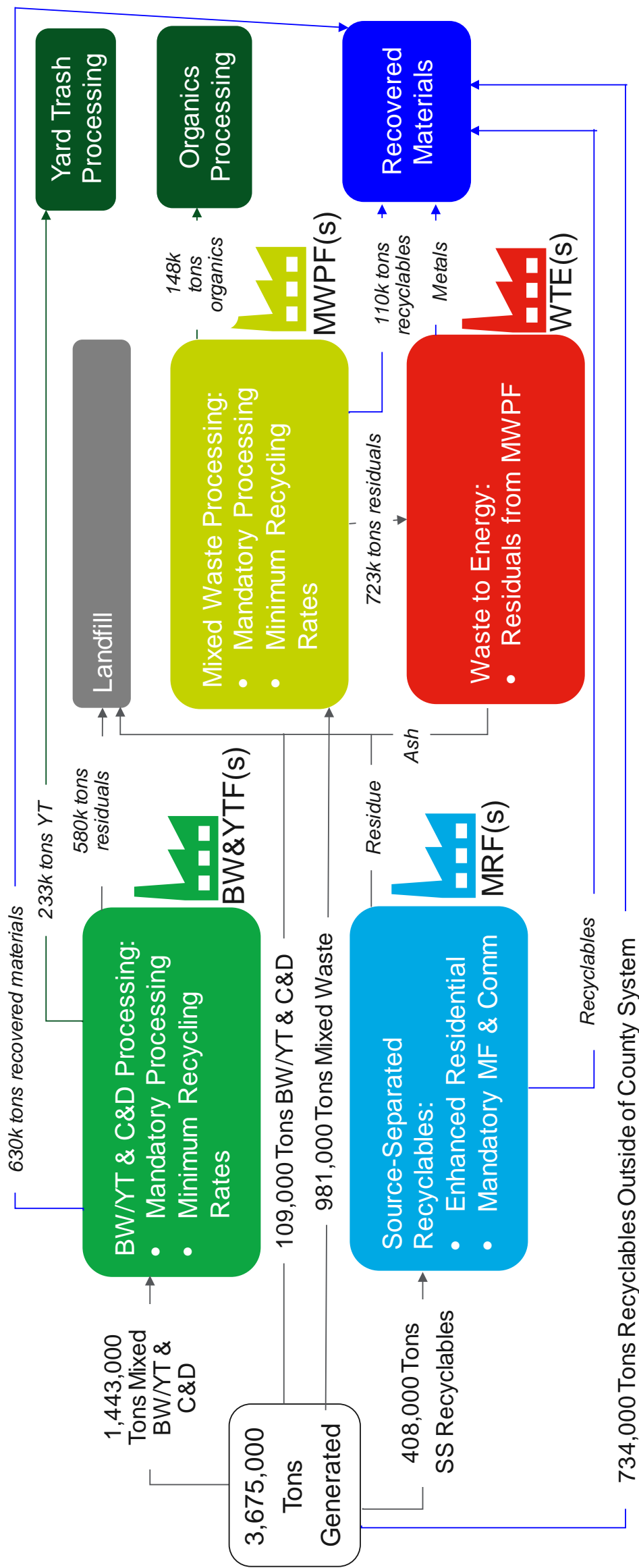
Scenario A - Mixed waste would be processed at a MWP Facility. Recyclables would be recovered and marketed and wet organics would be recovered and processed. Residuals would go to WTE.

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.

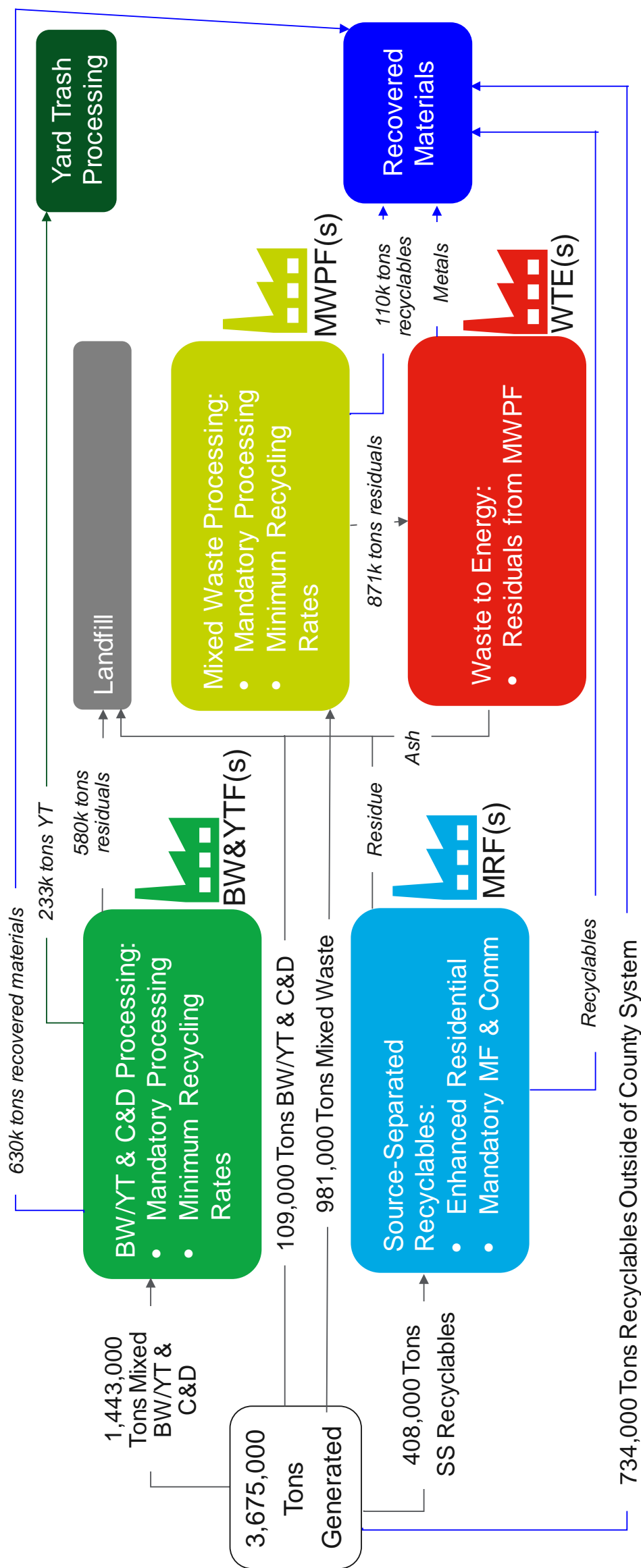
Expansion of the existing WSB Facility through the addition of a 750 ton per day (tpd) municipal waste boiler unit would be required in the long-term to process residual waste from the MWP Facilities.

~ **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.

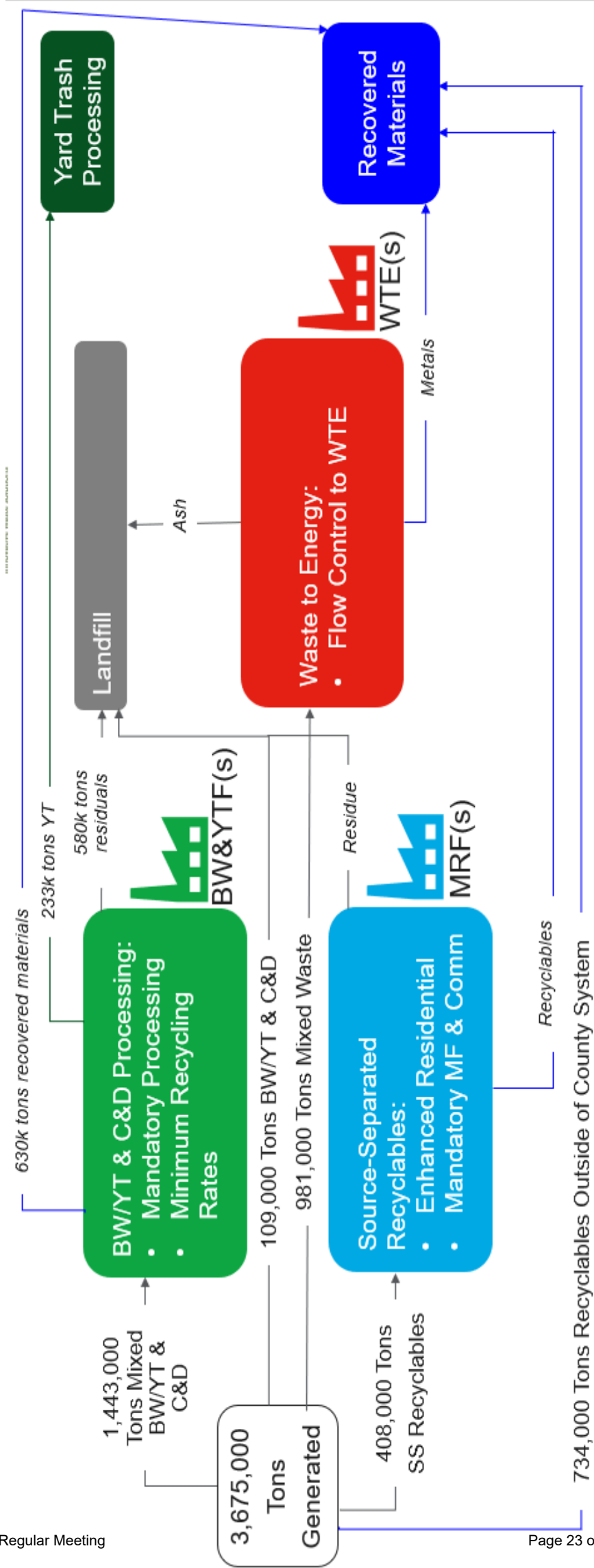
Expansion of the existing WSB Facility through the addition of a 750 tpd municipal waste boiler unit would be required in the short-term to process residual waste from the MWP Facilities.

~ 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).

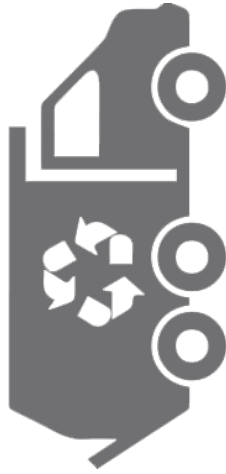
Three 1,050 tpd municipal waste boiler would be required in the short- and mid-term. A fourth 1,050 tpd municipal waste boiler would be needed for the long-term.

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.

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	How Special District Advantages Meet County and City Needs
Empowers citizens to get involved in the governance of their own neighborhood or community.	Cities have expressed interest in the ability to participate in the ultimate form of governance selected.
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.	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.
Special districts have the ability to sell tax-exempt bonds.	Tax-exempt bonds can be utilized to construct the facilities needed to attain the 75% recycling goal and create a regional solid waste system.
Special districts can provide governmental services when needs transcend the boundaries.	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.

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



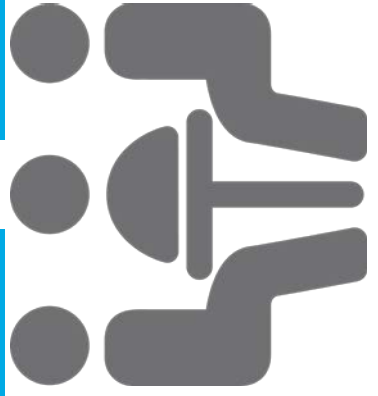
Alpha 250



Governance
and
Ownership



Construction
Cost
Estimate



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**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**

[NAME OF PARTICIPATING MUNICIPALITY]

ATTEST: _____ **OF** _____

_____, City Clerk

BY: _____
Mayor
____ day of _____, 2019

Approved as to form and legality:

By: _____
City Attorney
____ day of _____, 2019

By: _____
City Manager
____ day of _____, 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

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Town Council Meeting Decorum Policy

- All citizens are encouraged to participate in the public process.
- The Mayor serves as the presiding officer of the Council, the Vice Mayor shall serve in the Mayor's absence.
- Public Comment: Citizens must sign up to address Council before the public comment portion of the agenda begins. Citizens may speak on any non-agenda item relating to the Town. Citizens may speak for up to three (3) minutes unless such time has been modified by the Mayor or the Council before public comment has begun.
- Prepared remarks should be submitted to the Town Clerk prior to the start of the meeting or at the end of their comments. Additional written or electronic material may be submitted to supplement remarks.
- Agenda items: In an effort to accommodate all who wish to address Council at a meeting while preserving a reasonable and efficient meeting schedule, each speaker will have two (2) minutes to deliver comments. Comments will be timed by the Town Clerk.
- Speakers and attendees will conduct themselves in a civil and respectful manner at all times. Speakers and attendees who continue to be disruptive may be removed from the Council Chambers after being warned.
- Speakers will address the Council and not the public.
- Questions to Council Members or Town staff may be answered following the comments of all public speakers. There will be no back and forth discussion between speakers and the Council or staff.
- All Speakers shall state for the record their name and home address.
- Speakers shall make an effort to speak clearly and must speak into the microphone provided.
- Speakers will make an effort to speak succinctly.

- Speakers will refrain from the use of individuals names. It is appropriate to refer to staff by department.
- The public shall refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior.
- No banners or signs will be permitted in the Council Chambers if it obscures the view of others and cannot exceed 12" x 18".
- Exhibits, displays, and visual aids used in connection with presentations to the Council are permitted, but must be presented to the Town Clerk a minimum of thirty (30) minutes prior to the meeting.

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

June 13, 2019

13400 Griffin Road

Present:

Mayor Doug McKay

Vice Mayor Gary Jablonski

Council Member Freddy Fisikelli

Council Member Bob Hartmann

Council Member Denise Schroeder

Andrew Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator/Town Clerk

Martin D. Sherwood, Town Financial Administrator

Richard DeWitt, Deputy Town Attorney

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Legislation Session Update-Representative Richard Stark

Representative Stark provided an update on the most recent legislative session in Tallahassee.

4. Angel Gomez, Broward County Public Schools

Angel Gomez, the new Broward County Public Schools Government Affairs Coordinator introduced himself to the Mayor, Council Members, and residents.

5. Sikh Society of South Florida Volunteer Recognition

All volunteers who took part in the success of the Sikh 5K Run/Walk, were recognized with a certificate from the Town.

6. Town College Scholarship Award Presentation

Jennifer Montgomery, Vice Chair of the School Education Advisory Board, and Francesca Case, School Education Advisory Board member announced that 20 scholarship recipients would receive reimbursement for educational expenses. Ms. Montgomery announced each recipient and presented them with a certificate.

7. Public Comment

The following members of the public addressed the Town Council: Robert Sirota, Newell Hollingsworth, David Kuczenski, and Michelle McBride.

8. Board Reports

There were no board reports.

9. Council Member Comments

Council Member Schroeder expressed condolences to the Williams, Sunday, and Tongen families for their recent losses. She congratulated Council Member Patti Good on her new prestigious title of Deputy Vice-Chair of the Metropolitan Planning Organization (MPO), and also announced

that Council Member Bryan Caletka was named the new Chairperson of the MPO. Council Member Schroeder thanked the Sikh Society for all of their hard work, and indicated that she enjoyed the 5K Run/Walk Event very much. Lastly, she congratulated all the scholarship recipients on their recent award.

Council Member Bob Hartmann wished all the fathers a Happy Father's Day. In response to Mr. Sirota's previous comments about renaming 170th street to Reindeer Lane, he informed that the Town follows a process in order to rename a road, and that Community Services Manager, Emily Aceti could assist him with his request. He also thanked the Sikh Society for organizing a successful 5K Run/Walk. He also expressed condolences to all of the families for their recent losses.

Vice Mayor Jablonski announced that the photos for the Photo Contest are due on August 15th. He advised of upcoming events such as the Household Hazardous Waste on June 13th, the Broward County Property Appraiser's Office Outreach on June 17th, and the Flow Mobile DMV on June 27th. He also wished all the fathers a wonderful Father's Day. Lastly, he informed that the filing complaint which was levied against him was deemed insufficient.

Council Member Schroeder informed that every year the MPO asks for a prioritized list of future projects to be implemented. There are separate funds for these projects, however, this year the MPO tried to pass a measure that the municipality had to have a million dollars in projects in order to be considered. She objected to that measure and thankfully it was rejected.

Council Member Fisikelli offered no comments.

Mayor McKay also thanked the Sikh Society for their monetary contribution to the Town's College fund, and for the successful 5K Run/Walk Event. He wished all the fathers a Happy Father's Day. Mayor McKay expressed condolences to the Williams, Sunday, and Tongen families. Lastly, he also expressed his condolences to the passing of the Town's Assistant Volunteer Fire Chief, Steve Anascavage.

10. Legal Comments

Deputy Town Attorney Richard DeWitt offered no comments but informed that Town Attorney Poliakoff will be present at the next council meeting.

11. Administration Comments

Town Administrator Berns commended Assistant Town Administrator Muñiz for an outstanding job showing great leadership and cooperation in successfully spearheading the Sikh Society 5K Run/Walk Event. He also informed residents that were concerned with the broken reflectors on the bull nose of the intersection on Griffin Road next to Town Hall have been replaced and/or repainted by Broward County. In addition, at the request of Mayor McKay, a letter was sent to Broward County in an effort to shorten the operational time school zone near Masters Academy. Broward County deemed the school zone unnecessary, and the school zone will not be re-activated. Lastly, Town Administrator Berns announced that some representatives of Senator

Marco Rubio's new outreach service will be in Town Hall next month to provide residents assistance with federal related services.

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT IN THE AMOUNT OF THREE HUNDRED SEVENTY-EIGHT THOUSAND TWO HUNDRED EIGHTY-TWO DOLLARS AND SEVENTY-FIVE CENTS (\$378,282.75) WITH MIGUEL LOPEZ INC. TO COMPLETE THE SOUTHWEST RANCHES DRAINAGE PROJECT; APPROVING A BUDGET AMENDMENT AS ADOPTED IN ORDINANCE 2018-005 TO THE CURRENT FISCAL YEAR 2018-2019 BUDGET IN THE AMOUNT OF THIRTY FIVE THOUSAND EIGHT HUNDRED AND THIRTY SEVEN DOLLARS AND NO CENTS (\$35,837.00) TO COVER A BUDGET SHORTFALL; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Schroeder, seconded by Council Member Fisikelli, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Fisikelli, Hartmann, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

13. Approval of Minutes

a. May 9, 2019 Regular Minutes

The following motion was made by Council Member Hartmann and seconded by Council Member Schroeder, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Hartmann, Schroeder, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE MINUTES.

b. May 23, 2019 Regular Minutes

The following motion was made by Council Member Schroeder and seconded by Council Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE CHANGES TO THE MAY 23, 2019 MINUTES.

14. Adjournment - Meeting was adjourned at 8:34 P.M.

Respectfully submitted:

Ivette Solera, Deputy Town Clerk, CMC

*Adopted by the Town Council on
this day of August 8, 2019.*

Doug McKay, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

DRAFT

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

June 27, 2019

13400 Griffin Road

Present:

Mayor Doug McKay

Vice Mayor Gary Jablonski

Council Member Freddy Fisikelli

Council Member Bob Hartmann

Council Member Denise Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Martin D. Sherwood, Town Financial Administrator

Keith Poliakoff, Town Attorney

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:01 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment

The following members of the public addressed the Town Council: Russell Speicher, David Kuczenski, David Dodge, and Vince Falletta

4. Board Reports

Steve Breitkreuz, Chairperson of the Comprehensive Planning Board provided an update on the status of the nursery ordinance. He informed that changes have been made to the ordinance, so Town Attorney Poliakoff is currently reviewing it to make sure the ordinance conveys exactly what the board is requesting. Mr. Breitkreuz hopes to have the ordinance completed by the next Council meeting.

Mary Gay Chaples, Chairperson of the Parks Board, reported that Trailside Park on Flamingo and Griffin Road was in pretty good shape, and would like to touch up the inside of the pavillion and clean it up. The park has no garbage can yet, so there is a lot of trash to be picked up. Also, after visiting Calusa Corners Park, she opined not to take down the whole fence, but only the section that is damaged. The park is opened, and having the fence completely taken down could cause people to park their cars there. There is only one drainage retention issue by Dykes Road that needs to be addressed. The board's goal is to visit every park in Town, and see what needs to be done in an effort to upgrade each and every one of the parks in Town. Also, in reference to the topic of volunteers that was mentioned at an earlier meeting, Ms. Chaples insisted that the Town has many volunteers with heavy machinery that are willing to get the parks cleaned up so that the public can use them, and that it won't cost the Town any money.

5. Council Member Comments

Vice Mayor Jablonksi thanked everyone for coming, and he wished everyone a great 4th of July. He advised residents to please refrain from firing gunshots into the air because it scares the Town's pets, livestock, and all other animals. He announced upcoming events such as the Household Hazardous Waste & Prescription Drug Drop Off on July 13th, Budget Season will begin

next month, Broward County Property Appraiser's Office will be at Town Hall on July 15th, DMV Flow Mobile on July 25th, Photo Contest photos are due by August 15th, and Bingo at the Barn on August 24th.

Council Member Hartmann hoped that all the fathers had a wonderful Father's Day, and he wished everyone a Happy 4th of July.

Council Member Schroeder wished everyone a Happy 4th of July, however, she informed that in 1941, the state of Florida passed a law stating that fireworks are illegal, unless you have a special license. She advised to use sparklers instead.

Council Member Fisikelli offered no comments.

Mayor McKay advised everyone to have a safe, happy and healthy 4th of July.

6. Legal Comments

Town Attorney Poliakoff congratulated Assistant Town Administrator/Town Clerk Muñiz on his recent prestigious State of Florida, 2019 City Clerk of the Year Award which honors a Florida municipal clerk whose accomplishments have made a significant contribution in raising the professional status, image or education of the Municipal Clerk profession. Deputy Town Clerk, Ivette Solera nominated Mr. Muñiz for his leadership, innovation, community relations, and involvement in the professional association. In addition, Town Administrator Berns wrote a nomination letter in support of Mr. Muñiz, and asked Town Attorney Poliakoff if he would share and read some parts of his letter. Assistant Town Administrator/Town Clerk, Russell Muñiz thanked the Mayor and Council for all of their accolades and support.

Next, Town Attorney Poliakoff happily announced that the Town survived the governor's veto. He was thankful to Governor DeSantis for funding the Town's projects, including the guardrails project. He also mentioned that some of next year's priorities will include the annexation language which would preclude one city from buying property in another city and allowing them to annex it, as well as our public safety bill.

He also informed that after many hours of legal discussions, the McBride's have acknowledged and agreed that the Town owns the right of way adjacent to their home; both the South and West right of way. Therefore, the McBride's would like to enter into a settlement agreement which will include a Maintenance Indemnification Work agreement (MIW) with the Town.

Town Attorney Poliakoff brought these terms before Council for discussion, consideration, and urged recommendation of approval. He opined that sometimes emotions get in the way of these litigations and would like to see this issue end once and for all, and to move on to bigger and better things.

The following motion was made by Council Member Hartmann and seconded by Vice Mayor Jablonski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Hartmann, Schroeder, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE SETTLEMENT AGREEMENT AND MIW AGREEMENT WITH THE TOWN AND THE MCBRIDE'S.**7. Administration Comments**

Assistant Town Administrator Muñiz advised that Town Administer Berns was on vacation and would be back the following week. He added that the Town received \$59,000 in funds from FEMA and that Town Financial Administer Sherwood has applied the funds to the Town's bank credit line to help to offset some of the interest costs.

Resolutions

8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF TEN THOUSAND FIVE HUNDRED AND FIFTY DOLLARS AND ZERO CENTS (\$10,550.00) WITH DYKES CUSTOM BARNS AND FENCING TO REMOVE AND REPLACE THE EXISTING FENCE AT THE COUNTRY ESTATES FISHING HOLE PARK; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO A PURCHASE ORDER; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2018/2019 BUDGET FOR THE COUNTRY ESTATES PARK PERIMETER FENCING IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Schroeder and seconded by Council Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Hartmann, Schroeder, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: ITEM TABLED TO MEETING ON JULY 25, 2019

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SELECTION NEGOTIATION COMMITTEE'S RECOMMENDATIONS AND RANKING FOR EXTERNAL AUDIT SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT, WITH KEEFE McCULLOUGH & CO. LLP, THE TOP RANKED VENDOR, IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Hartmann and seconded by Vice Mayor Jablonski, and passed by a 4-1 roll call vote. The vote was as follows: Council Members Hartmann, Schroeder, Fisikelli, Vice Mayor Jablonski voting Yes, and Mayor McKay voting No.

MOTION: TO APPROVE THE RESOLUTION.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, GUARANTEEING THE TOWN'S PERFORMANCE OF CONSTRUCTION OF THE REQUIRED IMPROVEMENTS, AS SET FORTH IN THE ATTACHED INSTALLATION OF REQUIRED IMPROVEMENTS AGREEMENT WITH BROWARD COUNTY; AUTHORIZING THE APPROPRIATE

TOWN OFFICIALS TO EXECUTE THE INSTALLATION OF REQUIRED IMPROVEMENTS AGREEMENT WITH BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Hartmann and seconded by Council Member Schroeder, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Hartmann, Schroeder, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

11. Terra Ranches Condition of Approval – Mayor McKay

Town Attorney Poliakoff explained that the conditions of approval that was passed by Council states that the roadway be built after the 4th house's certificate of occupancy, however, Terra Ranches' condition of approval states that the roadway had to built before the 4th house was permitted. The question before the Council was whether or not to adopt the Terra Ranches condition of approval as it is written, or to adopt the condition of approval that Bella Acres was granted.

Mayor McKay and Council Member Schroeder agreed that the Terra Ranches condition of approval should be re-written just like the Bella Ranches condition of approval. However, Council Member Hartmann and Vice Mayor Jablonski opined that the Terra Ranches condition of adoption should remain as approved.

Town Attorney Poliakoff suggested to Council that they table the discussion item until the next Council meeting, so that he can personally investigate the issue further so that it may come before Council at the next meeting.

12. Approval of Minutes

a. March 28, 2019 Town Council Regular Meeting

The following motion was made by Vice Mayor Jablonski and seconded by Council Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Hartmann, Schroeder, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE MINUTES.

13. Adjournment - Meeting was adjourned at 8:45 P.M.

Respectfully submitted:

Ivette Solera, Deputy Town Clerk, CMC

*Adopted by the Town Council on
this day of August 8, 2019.*

Doug McKay, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.