

Indian River County Florida

*Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com*



DRAFT - Meeting Minutes Solid Waste Disposal District

Tuesday, December 20, 2016

3:18 PM

Commission Chambers

Board of Commissioners of the SWDD

*Joseph E. Flescher, Chairman, District 2
Peter D. O'Bryan, Vice Chairman, District 4
Susan Adams, District 1
Bob Solari, District 5
Tim Zorc, District 3*

**Jason E. Brown, County Administrator
Dylan Reingold, County Attorney
Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller
Leona Adair Allen, Deputy Clerk**

15.B. Solid Waste Disposal District

The Board reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved under the next Solid Waste Disposal District meeting.

15.B.1 16-1131 FY 2015-2016 Records Disposition Compliance Statement and Records Management Liaison Officer Form, Solid Waste Disposal District

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management Compliance Statement for Fiscal Year 2015 - 2016 for the Indian River County Solid Waste Disposal District

Attachments: [Staff Report](#)
[Department of State Letter](#)
[2015-2016 Compliance Statement](#)

A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

15.B.2 16-1147 Request for General Funds - PACE Project and Other Community Projects FY2016-17

Recommended Action: Staff recommends the Board of County Commissioners authorize up to \$6,000.00 to be donated to various PACE/illegal dumping projects from the General Fund Reserve for Contingencies for the sole purpose of paying associated landfill fees.

Attachments: [Staff Report](#)
[December 6, 2016 Letter from Health Department](#)

A motion was made by Commissioner Solari, seconded by Vice Chairman O'Bryan, to authorize up to \$6,000.00 to be donated to various PACE/illegal dumping projects from the General Fund Reserve for Contingencies for the sole purpose of paying associated landfill fees. The motion carried by the following vote:

Aye: 5 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

15.B.3 16-1139 CCNA-2014 Work Order No. 7 to CDM Smith, Inc. for Engineering Services with the 2017 Annual Permit Compliance Monitoring and Reporting

Recommended Action: SWDD staff recommends that its Board approve the following:

Approve CCNA-2014 Work Order No. 7 with CDM Smith, Inc. in the amount of \$99,193 to provide engineering services related to the 2017 Annual Permit Compliance Monitoring and Reporting.

Authorize the Chairman to execute the same, as presented.

Attachments: [Staff Report](#)

[CCNA-2014 Work Order No. 7 - CDM Smith, Inc.](#)

A motion was made by Commissioner Solari, seconded by Commissioner Adams, to approve CCNA-2014 Work Order No. 7 with CDM Smith, Inc., in the amount of \$99,193.00, to provide engineering services related to the 2017 Annual Permit Compliance Monitoring and Reporting, and authorized the Chairman to execute same. The motion carried by the following vote:

Aye: 5 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

15.B.4 16-1157 Eighth Amendment to Republic Services

Recommended Action: SWDD staff recommends that its Board approve the Eighth Amendment to Republic Services as a notification of SWDD's intent to renew the Solid Waste Operations and Maintenance contract for an additional period of seven (7) years beginning January 1, 2018 through December 31, 2024, at the negotiated rate of \$13.25 per ton for the Class 1 landfill to begin on March 1, 2017, and authorize the Chairman to execute the same, as presented.

Attachments: [Staff Report](#)

[Eighth Amendment to Republic Services](#)

Director Burke recapped his Memorandum dated December 12, 2016, pertaining to the Eighth Amendment to Republic Services of Florida, LP's (Republic Services) Contract Agreement. He recalled that the contract was effective January 1, 2011, for a 7-year period, expiring on December 31, 2017; however, the Solid Waste Disposal District (SWDD) is responsible to notify them by December 31, 2016, of the intent to renew or not renew the contract. He said this Amendment would extend the time period for staff and Republic Services to reach a mutual agreement that will apply in the renewal period on or before February 28, 2017.

Managing Director Himanshu Mehta, Solid Waste Disposal District, revealed that staff had worked with Republic Services and negotiated a 10.8% decrease to the Class 1 Landfill disposal rate (from \$14.86 per ton to \$13.25), a savings of approximately \$276,000.00 per year. He urged the Board to support the intent to renew the contract.

Discussion ensued as staff addressed the Board's questions and concerns regarding the Request for Information (RFI); Customer Convenience Centers; single-stream recycling; increased recycling percentages; and the negotiations with Republic Services.

Dina Reider-Hicks, Public Affairs Manager for Waste Management, Inc., encouraged the Board to place the operation of the County Landfill and Customer Convenience Centers out for Request for Proposal (RFP); and requested the Board to not simply renew the contract, but to consider an overall integrated disposal strategy at the best possible price.

George Geletko, Florida Government Affairs Director, Waste Management, Inc., explained why his company and staff had not come to an agreement; he felt there were unknowns that need to be considered; and thought it would be best for the County to use the RFP process.

Joanne Stanley, Municipal Services Manager at Republic Services, Inc., spoke about the RFI results; encouraged the Board to retain the contract with Republic Services; to not franchise with only one hauler; and requested that the Board give her company 60 days to work with staff to decide what can be done to reach the 75% goal.

A lengthy discussion ensued regarding the tracking of recycling tonnages; efficiencies data, and how it can be related to reductions and costs; the RFI and RFP process; and continuing negotiations.

Administrator Brown explained that if staff does not send a letter to Republic Services stating that the County would not be extending their contract for seven years, then the contract will automatically extend for seven years. He said staff was able to come to terms with the \$13.25, but not able to finalize what to do with the Customer Convenience Centers; therefore, staff is requesting to push the deadline to send the notification to February 28, 2016.

A motion was made by Commissioner Zorc to not extend the contract with Republic Services, and direct staff to create a Request for Proposal (RFP). The motion died for lack of a second.

Vice Chairman O'Bryan commented on Republic Services' willingness to give the County a lower Landfill price as a good faith promise that they are willing to work/negotiate with staff. He emphasized that the County would not be locked into a contract by today's vote, and it would give staff a chance to continue negotiations. He also pointed out that if the Board does not like the package when it comes back to the Board in two months, that it could be rejected, and staff could go for an RFP.

Commissioner Solari requested for staff to provide the Board, two to three weeks before receiving the new contract from Republic Services, details on the amount of trash that moved from the Customer Convenience Centers to the landfill over the past three or four years. He also asked staff to focus on any change in volumes since going to single-stream recycling, and the increase in pick-ups throughout the County.

A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve the Eighth Amendment to Republic Services of Florida, LP, as a notification of Solid Waste Disposal District's intent to renew the Solid Waste Operations and Maintenance contract for an additional period of seven (7) years beginning January 1, 2018 through December 31, 2024, at the negotiated rate of \$13.25 per ton for the Class 1 Landfill to begin on January 1, 2018. The motion carried by the following vote:

Aye: 4 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, and Commissioner Solari

Nay: 1 - Commissioner Zorc

15.B.5 16-1155 Ninth Amendment to Feedstock Supply Agreement

Recommended Action: SWDD staff recommends that the Board Approve the Ninth Amendment to the Feedstock Supply Agreement with INEOS New Planet BioEnergy, LLC., and Authorize the Chairman to execute the same, as presented.

Attachments: [Staff Report](#)
[Feedstock Agrmt - 9th Amendment](#)

Director Burke provided background and analysis regarding the Ninth Amendment to the Feedstock Supply Agreement with INEOS New Planet BioEnergy, LLC (INPB), which will provide for a transition of vegetative waste from the Indian River BioEnergy Center to SWDD's vegetative processing area, beginning January 2017. The provisions are to be based on the existing \$9.30 per ton, and the supplemental processing fee of \$5.30 per ton will be waived through March 31, 2017. He stated that INPB will receive, process, and mulch all the material through said time frame, while staff puts together a Request for Proposal (RFP) to remove the vegetative waste.

Commissioner Solari confirmed there would be no additional funding for the services.

Motion was made by Commissioner Adams, seconded by Vice Chairman O'Bryan, to approve the Ninth Amendment to the Feed stock Supply Agreement with INEOS New Planet BioEnergy, LLC. The motion carried by the following vote:

Aye: 5 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

There being no further business, the Chairman declared the meeting adjourned at 4:19 p.m.