



**INDIAN RIVER COUNTY**  
**SOLID WASTE DISPOSAL DISTRICT**



**BOARD MEMORANDUM**

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**Date:** July 11, 2017  
**To:** Jason E. Brown, County Administrator  
**Thru:** Vincent Burke, Director of Utility Services  
**From:** Himanshu H. Mehta, P.E., Managing Director, Solid Waste Disposal District  
**Subject:** Amendment To Option Agreement with Alliance Bioenergy +, Inc.

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**BACKGROUND:**

On January 24, 2017, Commissioner Tim Zorc requested a time-sensitive emergency item be added to the Indian River County (IRC) Board of County Commissioners (BCC) meeting agenda related to Alliance Bioenergy +, Inc. (Alliance Bioenergy) and their interest in obtaining processed yard waste from the Solid Waste Disposal District (SWDD). Mr. Daniel de Liege, Chairman/CEO for Alliance Bioenergy, expressed that they have made an offer for the former Indian River BioEnergy Center operated by INEOS New Planet BioEnergy, LLC (INEOS). The BCC directed staff to draft a 90-day Option Agreement, including several conditions contained within the memorandum as well as additional terms concerning hurricane debris, and bring it back to the February 7, 2017, BCC meeting.

On February 7, 2017, the Solid Waste Disposal District (SWDD) approved an Option Agreement for Processed Vegetative Waste with Alliance Bioenergy that will expire on August 6, 2017.

On July 11, 2017, both Commissioner Zorc and Mr. Daniel de Liege addressed the Board to express an interest in extending the Option Agreement. Per Board direction, the attached Amendment to the Option Agreement is provided for Board consideration and approval.

**ANALYSIS:**

Per Board direction, the County Attorney's Office has prepared the attached Amendment to Option Agreement for Processed Vegetative Waste with Alliance Bioenergy for SWDD Board review and approval. The existing terms and conditions of the Option Agreement remain with the exception of the following:

- 1) The Option Agreement shall immediately terminate if Alliance Bioenergy is unable to close on the property, or within 90 days of the execution of the Amendment of the Option Agreement, whichever occurs first.

Staff supports the Amendment to Option Agreement as it provides an alternate cost-effective disposal option for our processed vegetative waste should Alliance Bioenergy be the successful owner of the former Indian River BioEnergy Center. If approved on July 18, 2017, the 90-day option granted in this amendment will set to expire on October 16, 2017.

**FUNDING:**

There is no cost associated with this Amendment to Option Agreement.

**RECOMMENDATION:**

Staff recommends that the SWDD Board approve and authorize the Chairman to sign the Amendment to Option Agreement with Alliance Bioenergy +, Inc.

Attachment 1: Amendment to Option Agreement with Alliance Bioenergy +, Inc.

Attachment 2: Option Agreement for Processed Vegetative Waste with Alliance Bioenergy +, approved February 7, 2017.