

# Indian River County Florida

*Indian River County Administration Complex  
1801 27th Street, Building A  
Vero Beach, Florida, 32960-3388  
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## **Solid Waste Disposal District Meeting Minutes - Draft**

**Tuesday, July 11, 2023**

**9:00 AM**

**Commission Chambers**

### **Board of Commissioners**

*Joseph H. Earman, District 3, Chairman*

*Susan Adams, District 1, Vice Chairman*

*Joseph Flescher, District 2*

*Deryl Loar, District 4*

*Laura Moss, District 5*

**John A. Titkanich, Jr., County Administrator**

**Dylan Reingold, County Attorney**

**Ryan L. Butler, Clerk of the Circuit Court and Comptroller**

**Sauna James, Deputy Clerk**

## B. Solid Waste Disposal District

The Board of County Commissioners reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved at an upcoming Solid Waste Disposal District meeting.

### 15.B.1. [23-0621](#) Approval of the SWDD Meeting Minutes of May 02, 2023

**Recommended Action:** Approve

**Attachments:** [0502202 SWDD Draft](#)

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the minutes of the May 02, 2023 Solid Waste Disposal District meeting as written. The motion carried by the following vote:**

**Aye:** 5 - Chairman Earman, Vice Chairman Adams, Commissioner Flescher, Commissioner Loar, and Commissioner Moss

### 15.B.2. [23-0585](#) Approval of FY 2024 CPI Adjustment Requests by Waste Management, Atlas Organics, Republic Services, and Indian River Sustainability Center

**Recommended Action:** Solid Waste Disposal District staff recommends that the Board approve the calculated CPI of 3.84% be granted to Waste Management, Inc. of Florida and Atlas Organics Indian River, LLC with a 4% allowance for Republic Services of Florida, LP and Indian River Sustainability Center, LLC, and authorize the County Administrator or his designee to send a letter of approval. Staff also recommends approval of a reduction of credit by \$165,132 to the Indian River Sustainability Center, LLC

**Attachments:** [Staff Report](#)

[Rate Adjustment Letters from Waste Management](#)

[Rate Adjustment Letter from Atlas](#)

[Rate Adjustment Letter from Republic](#)

[Rate Adjustment Letter from IRSC](#)

Solid Waste Disposal District Managing Director Himanshu Mehta referred to his memorandum dated June 27, 2023, regarding the Fiscal Year 2024 Consumer Price Index (CPI) adjustment by Waste Management (WM), Atlas Organics (Atlas), Republic Services (Republic), and Indian River Sustainability Center, LLC (IRSC). Each agreement involved an annual adjustment process whereby the vendors could request a CPI increase. However, the indexes could differ from year to year and vary between contracts. Despite the requests the Solid Waste Disposal District (SWDD) had received, all agreements had a maximum cap of three percent (3%). Due to the current state of the economy, inflation factors had been higher than usual, which had impacted each agreement individually. He

reviewed each agreement separately, pointing out their contract allowance, requested increase, and the staff's proposal.

1) Waste Management, of which there were two agreements; the first was the franchise agreement, which affected both residential and commercial rates in unincorporated areas of the County. Additionally, it impacted the residential recycling collection rate included in the annual SWDD budget. The second agreement pertained to recycling collection at government buildings and facilities. The CPI for both contracts was calculated at 3.84%, whereas WM had requested a higher rate of 5.12%, exceeding the maximum of 3%. He stated that staff recommended a 3.84% increase for both agreements.

2) Atlas Organics was the go-to provider for all the County yard waste needs. They receive all yard waste materials at the landfill and expertly mulch them before transporting the materials to the facility next door for composting. Their CPI category was comparable to WM, with a calculated amount of 3.84%. While their cap was set at 3%, staff recommended the 3.84% requested by Atlas.

3) Republic Services provides landfill management to the five customer convenience centers and services the Blue Cypress facility. Their proposal included a rate increase of 6.92%.

4) The Indian River Sustainability Center proposed a 5.19% increase.

Considering the economic impacts, staff recommended both Republic and IRSC receive a 4% increase.

Mr. Mehta stated the SWWD allowed for an increase in population, which increased tonnages; staff felt comfortable with the recommendation even though going above the cap of 3% was typically not done.

Chairman Earman sought and received confirmation that there would be no increase to the residents under the staff proposal. Mr. Mehta responded that the 3.84% increase in the Waste Management budget would affect County residents as it impacts the recycling component of the budget. The residential subscription pickup price was \$10.75; the recommendation would increase it to \$11.16, bringing the quarterly price from \$32.25 to \$33.48 for residents if the 3.84% increase was approved.

Commissioner Loar commented that the County had great relationships with all the vendors discussed. In his experience, the vendors were very responsive to any

call, and it was the cost of doing business.

Resident James Kordiak raised concern about people using recycling bins for garbage despite mandatory recycling and provision of bins. He suggested a mandatory garbage collection program funded by property taxes to encourage voluntary recycling.

**A motion was made by Commissioner Loar, seconded by Vice Chairman Adams, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman Earman, Vice Chairman Adams, Commissioner Flescher, Commissioner Loar, and Commissioner Moss

**15.B.3. [23-0588](#)** Update on Franchise Collection Procurement Process

**Recommended Action:** Solid Waste Disposal District staff recommends the Board approve the drafting and issue of the solicitation documents based upon the options and programmatic details provided herein

**Attachments:** [Staff Report](#)

Solid Waste Disposal District Managing Director Himanshu Mehta utilized a PowerPoint presentation to update the Board on the County's Solid Waste and Recyclables Collection Service. It was time to begin the Request for Proposal (RFP) process to ensure competitive procurement and maintain service quality. The Solid Waste Disposal District (SWDD) aimed to increase efficiency and recycling rates while managing costs, remaining one of the lowest-priced options in the Treasure Coast region. This process followed the Franchise Agreement Ordinance and would result in the best possible outcome for the community.

Mr. Mehta stated that Waste Management had an exclusive subscription service for garbage and yard waste pickup and commercial service in unincorporated areas of Indian River County, except for Municipalities. Over 70% of unincorporated area residents subscribed to Waste Management (WM) services. The City of Fellsmere was using the piggyback clause and was waiting for the Board's decision, while the City of Sebastian recently signed a new franchise agreement with WM. Vero Beach had its own solid waste collection service, and the Town of Indian River Shores and the Town of Orchid were interested in participating in the RFP.

Mr. Mehta highlighted the new potential services included in the RFP. He gave an overview of the Universal Garbage Collection to the RFP. He outlined requirements for vendors bidding on exclusive residential and commercial franchise areas in unincorporated Indian River County, which included

single-stream recycling for the entire County and Government facilities.

Mr. Mehta reviewed four (4) residential service options, the evaluation criteria, and the timeline. He emphasized that the County's procurement documents included the Cone of Silence, which would be implemented when the RFP was issued, with which staff and Board members must comply. Vendors must direct questions through the County purchasing department. He suggested enacting the Cone of Silence immediately.

Vice Chairman Adams stated that the Board would face challenging decisions during this year's RFP process and discussed the difficulty of the process. She stated that rushing the process would not benefit the residents, and the Board needed to allow staff and vendors ample time to provide comprehensive packages for evaluation. Further, the Board may not be able to please everyone, but following the proper process would equip them to make a well-informed decision. With Indian River Shores and the Town of Orchid's interest in joining the endeavor, it would attract more customers for vendors submitting their RFPs. The City of Fellsmere had participated in the past through the piggyback option and remarked it would be interesting to see if they continued to do so in the future.

Vice Chairman Adams further stated that as the Board goes through this process, it was crucial that the Board and staff were transparent and communicated clearly with the public about the various options available to the County and why certain decisions were made. She felt it was vital to keep the lines of communication open with the public to ensure everyone was on the same page.

Mr. Mehta responded that postcards were sent to all residents outlining significant decisions and plans in previous communications. Staff planned to continue this practice and share information once it became available, such as when a meeting was scheduled, or a staff report was complete. The SWDD's goal was to keep everyone informed about the process and any updates. Based on the County Administrator and Board direction, staff would also share when the RFPs were out. Additionally, updates would be posted on the County website for easy access.

Commissioner Flescher addressed Mr. Kodiak's concerns regarding recycling bin contamination. He disagreed with initiating the Cone of Silence as it would hinder fact-finding and decision-making.

Commissioner Loar expressed enthusiasm for involving towns and cities to

increase the County's bargaining power. He stated he spoke to industry experts who recommended starting this process as soon as possible, which aligned with the staff's recommendation to begin now, and he fully supported moving forward.

Commissioner Moss discussed whether the County should switch to Universal or remain a subscription-only service. She appreciated the set timeline and looked forward to forthcoming details. Ms. Moss sought and received information from Mr. Mehta about potential savings for citizens. Mr. Mehta replied that it was difficult to determine, but consultants could assess the industry's current state and gather information to distribute through the County Administrator. Commissioner Moss agreed with Commissioner Flescher that the Cone of Silence was only necessary once more information was provided.

Chairman Earman stated there are more people and, as a result, more solid waste in the County, and need to prepare for the future and ensure proper waste management. He commented on Vice Chairman Adams's statement that the County needed to work through a process and make decisions that are best for the present and future. He agreed that the Cone of Silence was not necessary at this time.

County Attorney Dylan Reingold requested flexibility for towns and cities seeking FEMA reimbursement, as FEMA now required specific entity names for piggyback contracts. He also advised that if the Board approved the Universal option, they must begin the process by October 2024 to get it on the November 2025 tax roll.

Vice Chairman Adams sought and received from Mr. Mehta if that timeline with the Universal Option had been considered. Mr. Mehta stated that a more detailed conversation with the Property Appraiser would be had to confirm the process regarding their due dates.

Chairman Earman reflected on the timeline provided by Mr. Mehta and confirmed that the timeline would not change if the Board decided to elect the Universal option.

Further discussion was had between the Board and staff regarding the RFP options. Vice Chairman Adams voiced concern that when the towns and cities consider their options, they should consider their potential impact on the County rates and preferred that parameters be in place and that participation required choosing from the four proposed options. Still, they could consider the piggyback clause if they preferred something else.

James Harpering, Indian River Shores Town Manager, stated he appreciated Mr. Mehta's hard work on this item, and the Commissioners and staff were fortunate to have his due diligence. He also thanked Mr. Mehta for clarifying that the staff memo referred to the complexity of different collection programs between municipalities and that staff recommended including an optional piggyback clause. Mr. Harpering emphasized that the Town was now aligned with County Services. To save costs and improve bargaining power, the Town preferred to be a full and active participant in the County contract rather than stand alone.

**A motion was made by Commissioner Loar, seconded by Commissioner Flescher, to approve staff's recommendation with no Cone of Silence until October 2023 when the Request for Proposal (RFP) was released. The motion carried by the following vote:**

**Aye:** 5 - Chairman Earman, Vice Chairman Adams, Commissioner Flescher, Commissioner Loar, and Commissioner Moss

**15.B.4. [23-0589](#)**

Work Order No. 2 to Geosyntec for One Year of Groundwater Monitoring/Reporting and Remedial Action Plan Modification Addendum No. 4 Design at the Former South Gifford Road Landfill

**Recommended Action:** Solid Waste Disposal District staff recommends that its Board approves and authorizes the Chairman to sign Work Order No. 2 authorizing Geosyntec to provide groundwater monitoring/reporting and related consulting services for the Former Gifford Road Landfill in compliance with Florida Department of Environmental Protection requirements for a period of one year not to exceed fee of \$171,433.02

**Attachments:** [Staff Report](#)  
[Geosyntec Work Order No 2](#)

There was no discussion on this Item.

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

**Aye:** 5 - Chairman Earman, Vice Chairman Adams, Commissioner Flescher, Commissioner Loar, and Commissioner Moss

**15.B.5. [23-0590](#)**

Notice of Public Hearing to Adopt Rate Resolution 2023-001

**Recommended Action:** Staff recommends that the Solid Waste Disposal District Board authorize staff to advertise for a Public Hearing to be held on August 15 in accordance with the 10-day pre-hearing requirement for a notice in the local newspaper

**Attachments:** [Staff Report](#)

**County Attorney Dylan Reingold read the notice into the record**

**15.B.6. [23-0591](#)** Final Pay to Geosyntec for Work Order No. 14 - 2022 Permit Compliance Monitoring & Reporting

**Recommended Action:** Solid Waste Disposal District staff recommends that its Board approve Geosyntec's final invoice amount of \$3,798.10

**Attachments:** [Staff Report](#)  
[Project Completion Report and Final Invoice](#)

There was no discussion on this Item.

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

**Aye:** 5 - Chairman Earman, Vice Chairman Adams, Commissioner Flescher, Commissioner Loar, and Commissioner Moss