

City of Tamarac
Interoffice Memorandum
Public Services Department

To: Michael C. Cernech, City Manager

Thru: Jack Strain, Public Services Director

From: Troy Gies, Budget and Contracts Manager

Date: April 20, 2021

Re: Temp. Resolution No. 13599 – Resolution Supporting the Broward County Solid Waste Working Group's Vote in Favor of an Independent Solid Waste District – April 28, 2021 Commission Agenda

Recommendation:

I recommend that the City Commission approve the Resolution supporting the Broward County Solid Waste Working Group's vote in favor of an Independent Solid Waste District in Broward County for the purpose of providing Countywide Solid Waste Disposal and Recycling Processing Services, and authorize the appropriate City Officials to distribute copies of the approved Resolution and to assist with the formation of said Independent District; and that this item be placed on the April 28, 2021 Commission Agenda.

Issue:

Approval of a Resolution supporting the Broward County Solid Waste Working Group's vote in favor of an Independent Solid Waste District in Broward County for the purpose of providing Countywide Solid Waste Disposal and Recycling Processing Services, and to assist with the formation of said Independent District.

Background:

There is an urgent need for Countywide management of solid waste disposal and recyclables processing. Previously, through the Resource Recovery Board (RRB), the County ran the Resource Recovery System (RRS) for solid waste disposal and recycling processing via an Interlocal Agreement. The RRB began in approximately 1987, and the City of Tamarac joined that ILA shortly after its commencement. Municipal participation was not obligatory, however, over time all but five (5) Cities joined the RRS. The RRB was allowed to expire in 2011 and the Cities and Broward County were unable to extend or replace the RRB. Since that time, individual Cities and Broward County have entered into a series of separate Agreements for Solid Waste Disposal and Recycling Processing.

Historically, the approach to solid waste management in Broward County has been shortsighted and poorly planned. The best example of this would be the fact that through the now dissolved Resource Recovery Board (RRB), the public paid for the construction and operation of Waste-to-Energy (WTE) facilities yet did not retain ownership of them. Now we find ourselves in a situation where Waste Management, the original owner of the two WTE plants, has sold one to another private entity and more importantly, while still operational, closed down the other one. All this, at a time when the County continues to grow and produce more trash than ever.

The current situation with no single comprehensive coalition of municipalities and the County results in disparate services across the County, reduced bargaining power when bidding out services, and confusing sometimes conflicting solid waste and recycling processes between Cities.

Public Services Staff are extremely concerned of the fact that Broward Cities are landfilling more and recycling less. We should recognize that our counterparts in Palm Beach County and other localities have done a far better job managing their solid waste disposal needs and learn from them. We need to put aside any differences and ensure we have a plan for the disposal of solid waste and recycling for the long term.

The Broward County Solid Waste Working Group, at its March 1, 2021 meeting, voted in favor of pursuing an Independent Solid Waste District to address Broward County's many current solid waste disposal and recycling issues and to ensure that we have the necessary facilities and capacity far into the future. The conclusion, after months of study, was that we need a system in place whose sole purpose is addressing solid waste in Broward County and it needs to cover the entirety of the County. A system where cities can opt in and out will not be effective.

Therefore, I recommend that the City Commission of the City of Tamarac fully support the recommendations of the Consultant (Arcadis) and the Technical Advisory Committee, and support the Solid Waste Working Group's decision. We hope that you will do the same.

Analysis:

The formation of an Independent District versus a Dependent District offers the following key advantages:

- An Independent District ensures that all cities in Broward County participate, providing for lower per capita costs and greater economies of scale, as well as, ensuring Countywide flow control; whereas, a Dependent District and Interlocal Agreements do not ensure that all Cities participate.
- Regulatory Flow Control is best handled at a Regional or Countywide level. Flow Control ensures that all designated facilities receive enough materials to keep them functioning and financially viable. It is nearly impossible for individual Cities to monitor, track, and enforce flow control, as the actual violation (of diverting solid waste or recycling) generally occurs outside of the City.
- An Independent District has its own taxing authority and would receive funding through ad-valorem taxes and/or special assessments. While the Dependent District has the same funding options as an Independent District, it differs in that its taxing authority is subjected to and goes against Broward County's millage cap limits. An entity created by Interlocal Agreement does not have taxing authority, it can only special assess.

For all the reasons noted herein, supplemented by the recommendations of the Solid Waste Working Group's expert Consultant (Arcadis), the Technical Advisory Committee, which is made up of public works professionals that have many years of experience with solid waste and recycling and practical knowledge of the history of solid waste disposal in Broward County have determined an Independent District would be best suited to address the many solid waste issues facing Broward County now, and far into the future. City Staff share that opinion and recommend the formation of an Independent Solid Waste District.

Fiscal Impact:

The Fiscal Impact is limited, but difficult to accurately determine, and would be restricted to staff time and resources directed to assist in the formation of an Independent Solid Waste District.