



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#19-0670

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: September 3, 2019

TITLE: Motion Approving Memorandum of Understanding with Broward County
Regarding Collaborative Study and Subsequent Development of an
Integrated Solid Waste and Recycling System (**Commission Districts 1,
2, 3 and 4**)

Recommendation

It is recommended that the City Commission approve a Memorandum of Understanding (MOU) with Broward County regarding a collaborative study and development of an integrated regional solid waste and recycling system. This MOU would commence October 1, 2019 and is dependent upon other Broward County municipalities collectively representing no less than 50 percent of the County's total population approving and executing the MOU.

Background

The City of Fort Lauderdale was party to the November 1986 Interlocal Agreement with Broward County for Solid Waste Disposal Service, as amended (the "ILA"). The ILA provided for the creation of the Solid Waste Disposal District (the "District") and required participating municipalities to transport, deliver and dispose of solid waste generated within their boundaries at designated District disposal facilities.

Following the expiration of the ILA July 2, 2013, the Plaintiff Municipalities filed a lawsuit against the County in the litigation styled *City of Sunrise et.al v. Broward County*, 17th Judicial Court Case No. CACE-013-015660 (the "Litigation"). This resulted in a Settlement Agreement, which the City approved on March 3, 2015 (CAM 15-0286), and provided among other conditions, for the removal of deed restrictions and the sale of the Alpha 250 site, an asset of the District. Proceeds of the sale for Alpha 250 were distributed to the Plaintiff Municipalities, including the City of Fort Lauderdale, per the Settlement Agreement.

On September 7, 2016, City Commission approved the First Amendment to the Settlement Agreement (CAM 16-0948) which allowed Broward County to hire a consultant to evaluate the possible uses of Alpha 250, specifically focusing on meeting the goal of a 75% recycling rate by 2020, which is the State of Florida's recycling goal as established in House Bill 7135, enacted in 2008. The County's position is the Alpha 250 property can be an integral part of a countywide comprehensive solid waste disposal strategy. The timeline to complete

CAM 21-0459
Exhibit 2

the study and complete the sale of Alpha 250 per the First Amendment to the Settlement Agreement was one year, with a potential one-year extension.

On October 9, 2018 (CAM 18-1052) the City Commission approved the Second Amendment to the Settlement Agreement, to further extend the time period for the sale of Alpha 250, to enable the County and Settling Municipalities to adequately analyze the consultant's findings and to allow for additional study and consideration of remaining issues. The Second Amendment extended the deadline for the sale of Alpha 250 to October 11, 2019 with the option to extend for three additional one-year terms.

On June 11, 2019, Broward County approved a MOU formalizing the County's and the Participating Municipalities' shared desire to establish and implement a regional solid waste and recyclables management system. These discussions came about as recommendations from the consultant's study and final report and include the following:

- i. An evaluation of three scenarios through which the 75% recycling goal could be met or approached by 2025;
- ii. The recommendation that Alpha 250 be retained as publicly-owned and used as a potential processing facility;
- iii. The recommendation that an independent special district be created as the governance structure for any established regional solid waste system; and
- iv. The recommendation that solid waste processing facilities developed as a part of the regional solid waste management system be public/private partnerships.

With the approval and execution of this MOU, the City of Fort Lauderdale confirms its desire to participate in the establishment and implementation of a regional solid waste management system, secures representation under any governing body established to govern any integrated solid waste and recycling system resulting from this MOU and the opportunity to request representation in both the Working Group and Technical Group providing recommendations. Additionally, the City of Fort Lauderdale would affirm to pledge its solid waste flow, provided acceptable terms can be developed and lawfully implemented, to participate in the financing of development of any facilities including property and construction as required to develop a regional solid waste management system.

Resource Impact

There is no fiscal impact to the City for this item.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within Infrastructure Cylinder of Excellence, specifically advancing:

- Goal 2: Be a sustainable and resilient community.
 - Objective 4: Reduce solid waste disposal and increase recycling.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*.

Attachments

Exhibit 1 – Memorandum of Understanding

Exhibit 2 – Solid Waste and Recycling Issues Study – Final Report

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