

PROPOSED RESOLUTION NO. 2024-R-13

RESOLUTION NO. 3862

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING THE SOLID WASTE AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA ("AUTHORITY"), TO FORMALLY REJECT ADDITIONAL INCINERATION FACILITIES AS AN OPTION FOR SOLID WASTE DISPOSAL AND RECYCLING PROCESSING IN BROWARD COUNTY, TO CONFIRM THAT IT WILL NOT CONSIDER EXPANDING EXISTING INCINERATORS OR CONSTRUCTING NEW INCINERATORS FOR SOLID WASTE DISPOSAL AND RECYCLING PROCESSING, AND TO EXPRESSLY PROHIBIT SUCH IN THE AUTHORITY'S MASTER PLAN AND FACILITIES AMENDMENT; FURTHER ENCOURAGING THE AUTHORITY TO CONSIDER ALTERNATIVE METHODS OF SOLID WASTE DISPOSAL AND RECYCLING PROCESSING THAT PROMOTE ENVIRONMENTALLY RESPONSIBLE AND EFFECTIVE SOLID WASTE DISPOSAL AND RECYCLING PROCESSING; PROVIDING FOR DISTRIBUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, since 2018, municipalities in Broward County, as well as Broward County, have been reviewing the future of solid waste disposal and recycling processing within Broward County; and,

WHEREAS, as part of that review, through a Memorandum of Understanding by and between the municipalities of Broward County and Broward County, a Solid Waste and Recycling Issues Study Final Report was issued by Arcadis in December, 2018 ("Arcadis Report"), which set forth options for the future of solid waste management in order to achieve a recycling goal of seventy-five percent (75%); and,

WHEREAS, the Arcadis Report set forth three (3) cost scenarios for

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future facility needs for solid waste disposal and recycling processing, and each of the scenarios contemplated a 4th waste-to-energy incinerator unit at the existing facility, or the construction of a new waste-to-energy incinerator; and,

WHEREAS, subsequent to the issuance of the Arcadis Report, a group of elected officials, the Solid Waste Working Group, pursuant to the Memorandum of Understanding, reviewed governing options for a new entity to oversee solid waste disposal and the processing of recycled materials in Broward County, and developed an Interlocal Agreement for Solid Waste Disposal and Recycling Materials Processing Authority of Broward County, Florida (“Interlocal Agreement”); and,

WHEREAS, during the meetings of the Solid Waste Working Group, the representative from Broward County announced that Broward County had begun to take steps to potentially procure a new Waste-To-Energy facility for solid waste disposal and recycling processing in Broward County, subsequently confirming such in writing; and,

WHEREAS, one of the primary locations being considered for a potential new Waste-To-Energy incinerator for solid waste disposal and recycled materials processing is apparently property owned by Broward County, in Southwest Broward County, and located near the City; and,

WHEREAS, the Interlocal Agreement has come into effect, and the

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Governing Board and the Executive Authority of the Authority have begun meeting to discuss issues relating to the Authority's governance, budget and retention of its Executive Director; and,

WHEREAS, the Mission Statement of the Authority provides that the purpose of the Solid Waste Disposal and Recycling Materials Processing Authority of Broward County, Florida ("Authority") is to "develop and implement a long-term, environmentally sustainable, transparent, innovative, and economically efficient plan and approach to disposal, reduction, recycling, and reuse of waste generated in Broward County;" and,

WHEREAS, pursuant to the terms of the Interlocal Agreement, the Authority will be developing a Master Plan and Facilities Amendment, which will confirm the operations of the Authority, including methods and operations for solid waste disposal recycling processing, as well as the need for new or expanded facilities for such; and,

WHEREAS, the City did not approve the Interlocal Agreement and is not a member of the Authority, based in large part on the concern of the City Commission and residents of both the City and nearby municipalities that a new incinerator will be constructed on the property owned by Broward County, in Southwest Broward County, near the City; and,

WHEREAS, the United States Energy Information Administration has acknowledged that "burning garbage produces air pollution and releases the

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chemicals and substances in the waste into the air” and that some of the chemicals can be hazardous to people and the environment if not properly controlled (Biomass and the environment - U.S. Energy Information Administration (EIA)); and,

WHEREAS, the City Commission believes that the expansion of existing incinerator facilities (including but not limited to waste-to-energy incinerators and any ancillary equipment or buildings necessary for the process of incinerating waste) or the construction and maintenance of new incineration facilities for the disposal of solid waste and the processing of recycling materials is contrary to the Mission Statement of the Authority, as it is not environmentally sustainable or innovative; and,

WHEREAS, the City Commission believes that new technology exists for the disposal of solid waste and processing recycled materials in an environmentally responsible way without the hazards presented by incineration; and,

WHEREAS, the City Commission strongly believes that the Authority should act consistent with its Mission Statement, reject expanded or new incineration facilities as an option for solid waste disposal, focus its study and consideration of methods to dispose of solid waste and process recycled materials on those that are environmentally friendly; and prohibit expanded or new incineration facilities in the Authority Master Plan and

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Facilities Amendment; and,

WHEREAS, in furtherance of its concerns about incineration facilities, the City Commission adopted Resolution 3839 on September 6, 2023, opposing the creation of a "Mass Burn Facility" by Miami-Dade County near its border with Broward County; and,

WHEREAS, it is the policy of the City Commission of the City of Pembroke Pines to oppose and take all steps necessary to prevent the construction of any solid waste incinerator facilities in Southwest Broward County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The City Commission hereby formally urges the Solid Waste Disposal and Recycling Materials Processing Authority of Broward County, Florida, ("Authority") to expressly reject expanding existing incineration facilities, and the construction of new incineration facilities, as methods for solid waste disposal and recycled materials processing in Broward County.

Section 3. The City Commission requests that the Authority confirm in

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writing that it will not consider expanding existing incineration facilities, or the construction of new incineration facilities, as an option for the solid waste disposal and recycling materials processing, and that the Authority expressly prohibit expanding existing incineration facilities and the construction of new incineration facilities within the Master Plan, and to the extent necessary, the Facilities Amendment.

Section 4. The City Commission urges the Authority to adhere to its Mission Statement and pursue the latest technologies and methods for solid waste disposal and recycled materials processing in order to accomplish its goals of disposing of solid waste in an environmentally sustainable and innovative way. The Master Plan should include affirmative language that the Authority will pursue and implement the latest technology for environmentally responsible and effective solid waste disposal and recycled materials processing, such as steam autoclave processing.

Section 5. It is the policy of the City Commission of the City of Pembroke Pines to oppose, and take all steps necessary to prevent, the construction of any solid waste disposal and recycled materials processing incinerator facilities in Southwest Broward County.

Section 6. The City Clerk is directed to send a certified copy of this Resolution to the Authority, the Broward County Mayor, each member of the Broward County Board of County Commissioners, each municipal clerk in Broward

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County with a request to provide a copy to that municipality's appointed member of the Authority's Governing Board, and the Broward League of Cities.

Section 7. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

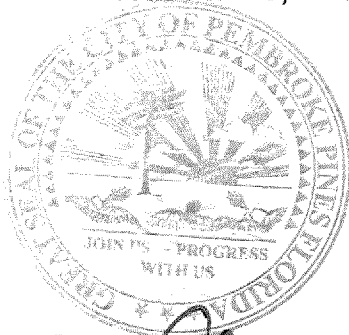
Section 9. This Resolution shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THIS 1ST DAY OF MAY, 2024.



CITY OF PEMBROKE PINES, FLORIDA

BY: 
MAYOR ANGELO CASTILLO

 5/2/2024
MARLENE GRAHAM, CITY CLERK

CASTILLO AYE

GOOD AYE

RODRIGUEZ AYE

SCHWARTZ AYE

APPROVED AS TO FORM:

 5/2/24
OFFICE OF THE CITY ATTORNEY



City of Pembroke Pines, FL

601 City Center Way
Pembroke Pines, FL
33025
www.ppines.com

Agenda Request Form

Agenda Number: 20.

File ID: 2024-R-13

Type: Resolution

Status: Passed

Version: 1

**Agenda
Section:**

In Control: City Commission

File Created: 04/23/2024

Short Title: Proposed Resolution 2024-R-13: Opposition to WTE
Solid Waste Authority

Final Action: 05/01/2024

Title: MOTION TO ADOPT PROPOSED RESOLUTION 2024-R-13.

PROPOSED RESOLUTION 2024-R-13 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING THE SOLID WASTE AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA ("AUTHORITY"), TO FORMALLY REJECT ADDITIONAL INCINERATION FACILITIES AS AN OPTION FOR SOLID WASTE DISPOSAL AND RECYCLING PROCESSING IN BROWARD COUNTY, TO CONFIRM THAT IT WILL NOT CONSIDER EXPANDING EXISTING INCINERATORS OR CONSTRUCTING NEW INCINERATORS FOR SOLID WASTE DISPOSAL AND RECYCLING PROCESSING, AND TO EXPRESSLY PROHIBIT SUCH IN THE AUTHORITY'S MASTER PLAN AND FACILITIES AMENDMENT; FURTHER ENCOURAGING THE AUTHORITY TO CONSIDER ALTERNATIVE METHODS OF SOLID WASTE DISPOSAL AND RECYCLING PROCESSING THAT PROMOTE ENVIRONMENTALLY RESPONSIBLE AND EFFECTIVE SOLID WASTE DISPOSAL AND RECYCLING PROCESSING; PROVIDING FOR DISTRIBUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***Agenda Date:** 05/01/2024

Enactment Date: 05/01/2024

Agenda Number: 20.

Enactment Number: 3862

Internal Notes:

Attachments: 1. 2024-R-13 Opposition to consideration of WTE by new Solid Waste Authority (00603335).pdf

Indexes:

Related Files:

1 City Commission

05/01/2024 adopt

Pass

Action Text: A motion was made by Commissioner Schwartz, seconded by Commissioner Rodriguez, to adopt Proposed Resolution 2024-R-13. The motion carried by the following vote:

Aye: - 4 Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay: - 0

SUMMARY EXPLANATION AND BACKGROUND:

1. Since 2018, municipalities in Broward County, as well as Broward County, have been reviewing the future of solid waste disposal and recycling processing within Broward County.
2. As part of that review, through a Memorandum of Understanding by and between the municipalities of Broward County and Broward County, a Solid Waste and Recycling Issues Study Final Report was issued by Arcadis in December, 2018 ("Arcadis Report"), which set forth options for the future of solid waste management in order to achieve a recycling goal of seventy-five percent (75%). The Arcadis Report set forth three (3) cost scenarios for future facility needs for solid waste disposal and recycling processing, and each of the scenarios contemplated a 4th waste-to-energy incinerator unit at the existing facility, or the construction of a new waste-to-energy incinerator. Subsequent to the issuance of the Arcadis Report, a group of elected officials, the Solid Waste Working Group, pursuant to the Memorandum of Understanding, reviewed governing options for a new entity to oversee solid waste disposal and the processing of recycled materials in Broward County, and developed an Interlocal Agreement for Solid Waste Disposal and Recycling Materials Processing Authority of Broward County, Florida ("Interlocal Agreement").
3. During the meetings of the Solid Waste Working Group, the representative from Broward County announced that Broward County had begun to take steps to potentially procure a new Waste-To-Energy facility for solid waste disposal and recycling processing in Broward County, subsequently confirming such in writing.
4. One of the primary locations being considered for a potential new Waste-To-Energy incinerator for solid waste disposal and recycled materials processing is apparently property owned by Broward County, in Southwest Broward County, and located near the City. The Interlocal Agreement has come into effect, and the Governing Board and the Executive Authority of the Authority have begun meeting to discuss issues relating to the Authority's governance, budget and retention of its Executive Director. The Mission Statement of the Authority provides that the purpose of the Solid Waste Disposal and Recycling Materials Processing Authority of Broward County, Florida ("Authority") is to "develop and implement a long-term, environmentally sustainable, transparent, innovative, and economically efficient plan and approach to disposal, reduction, recycling, and reuse of waste generated in Broward County. The City Commission believes that new technology exists for the disposal of solid waste and processing recycled materials in an environmentally responsible way without the hazards presented by incineration. The City Commission strongly believes that the Authority should act consistent with its Mission Statement, reject expanded or new incineration facilities as an option for solid waste disposal, focus its study and consideration of methods to dispose of solid waste and process recycled materials on those that are environmentally friendly; and

prohibit expanded or new incineration facilities in the Authority Master Plan and Facilities Amendment.

5. The City Commission urges the Solid Waste Disposal and Recycling Materials Processing Authority of Broward County, Florida, ("Authority") to expressly reject expanding existing incineration facilities, and the construction of new incineration facilities, as methods for solid waste disposal and recycled materials processing in Broward County.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None
- b) **Amount budgeted for this item in Account No:** Not Applicable
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable
- d) **5 year projection of the operational cost of the project:** Not Applicable
- e) **Detail of additional staff requirements:** Not Applicable

FEASIBILITY REVIEW:

A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.

- a) **Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service?** Not Applicable

- b) **If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable