



Speaker 1 - 18:44

Hi, Elise. I think we're ready to have a roll call that we don't have a quorum present. I don't believe there's going to be no decisions made today. It's more just of a roundtable workshop.



Speaker 2 - 19:03

I'm ready. Ready. Stay here.



Speaker 3 - 19:27

All right, so good morning. Cherry lubelski, sunrise presentation. Andres conde, broward county. Coconut creek.



Speaker 2 - 19:42

Here.



Speaker 3 - 19:44

That is mike cooper, city coral springs. Denia beach. Phil holste. Davy.



Speaker 4 - 20:03

Here.



Speaker 3 - 20:06

Deerfield beach. Troy giese. Fort lauderdale. Rice. Sorry. Hillsborough beach. Joseph kroll. Hollywood.

 Speaker 4 - 20:23

Here.

 Speaker 3 - 20:25

Lauderdale. Lakes. Lauderdale by the sea. Lauder hill. Lazy lake. Lighthouse point. Carrie ann yap. Margate. Here. Ralph trapani, miramar.

 Speaker 2 - 20:47

Present.

 Speaker 3 - 20:49

North lauderdale, oakland park. I'm here online. Thank you. Julie parkland, pembroke park. Carol morris, plantation sea ranch lakes. Russell muniz, southwest ranches.

 Speaker 2 - 21:13

Present.

 Speaker 3 - 21:15

Tamarack west park. Weston wilton. Manners. Do we have any other alternates representing today? Thank you.

 Speaker 1 - 21:40

Welcome, everybody and please stand for the pledge.

Speaker 5 - 21:47



I pledge allegiances to the flag, the.



Speaker 2 - 21:50

United States of America, to the Republic, which stands one nation, God, indivisible liberty and justice for all.



Speaker 1 - 22:06

Okay, we have public discussion and we have two minutes on there. But if anybody wants to go longer than two minutes, we're going to certainly welcome that because we're really going to be discussing our last workshop that we had, our C and D workshop. So, anyone up for public discussion? I know we have a few people that have signed in.



Speaker 6 - 22:31

Yes.



Speaker 2 - 22:31

We have two speakers. We have Louis DeVito.



Speaker 7 - 22:50

Morning, Mr. Lubelski. Mr. May. And Ms. Smith Lalo. My name is Louis DeVita. I'm the government affairs consultant for the Florida Waste Holders and Recyclers Coalition. I've learned recently there are semantics in play with the swa. A seat at the table to the SWA means a vote to we the industry. It means a platform for our input. Industry seemingly means disposal. To the swa, the industry is much more tac. Its members, public works directors, solid waste directors, recycling coordinators, sustainability officers all deal with numerous issues affecting collection, processing, disposal, etc. They depend on the industry to provide the service needed to accomplish their responsibilities. TAC in the industry. TAC and the industry should be should have been joined at

the table since the beginning of the swa.



Speaker 7 - 23:52

Yesterday's passage of the Second Amendment offering a no restriction op out affords TAC and the industry the opportunity of one and a half years to collectively review input and suggest modifications deemed necessary to assure all municipalities concerns are heard and addressed. I ask you to take control and invite the industry to participate in your meetings. We had a C and d workshop on April 14th attended by MRF owners and operators, contractors, haulers, and the ABC. There was a consensus that a mandatory C and D ordinance required my Florida statute be adopted. It was further agreed that the submitted language by the consultants had flaws and needed simplification. The current draft has been modified, but still too wordy. The introduction of this ordinance was three and a half years ago in October of 2023.



Speaker 7 - 24:47

It's undergone much discussion, changes input, and finally, at a workshop of consensus, I presented the language that I just distributed to you at the workshop. I ask you to review and recommend this simple outline which states the Florida mandatory C and D recycling statute, the Florida Administrative Code definition of C and D be submitted to the county attorney, assuring all C and D is processed prior to disposal. Please note, the language does not create any additional work documentation or costs to your cities. Also note, the concerning compliance language has been stricken. Thank you.



Speaker 1 - 25:31

Thank you.



Speaker 2 - 25:35

Thank you, Louis. Next speaker is Richard Zamchardovar.



Speaker 8 - 25:45

Good morning. Good morning, Chair. Members of the government. Sorry, the TAC Committee. I'd like to thank the Technical Advisory Committee for the significant work that has gone into reviewing the master plan financial model, the facilities Amendment. The TAC plays a critical role in ensuring the authorities decisions are informed by technical expertise and municipal input. The committee's focus on diversion standards, accountability, certification, and consistent countywide implementation demonstrates the importance of developing practical

solutions that can increase material recovery while preserving valuable landfill capacity. As the master plan moves forward, I encourage continued collaboration between the TAC municipal staff and the governing board to ensure that implementation strategies are both effective and achievable for all member communities. Thank you for your dedication and service to Broward county residents.



Speaker 2 - 26:52

Thank you, Richard. That concludes the public comments. All right, so since we don't have a quorum, we'll be passing on the meeting minutes and bring that back for the next meeting for consideration by the tac. That brings us to item five, the CMD Recycling Ordinance workshop. Have a call up, Daniel, to give an update and then have some discussion.



Speaker 6 - 27:41

Good morning, Chair, Council, Executive director, members of the tac. Our colleague Travis Barnes, who has been working on this portion of our work, has prepared a presentation and would like to bring the members of TAC and the community here and those watching up to speed on where we are and then select or hopefully get some feedback from y' all to move forward.



Speaker 2 - 28:08

Perfect. Thank you, Daniel.



Speaker 9 - 28:11

Hey, good morning, everyone. Can you all hear me? Okay. Hello?



Speaker 3 - 28:21

I can hear you.



Speaker 2 - 28:22

Can hear you.



Speaker 9 - 28:23

All right. I don't have permission to share the screen. It doesn't look like to be able to share the presentation, if that could be granted to me. And if not, I can proceed without it because it's only a very brief update. There are some visual aids in there. There we go. All right, can everyone see the presentation now?



Speaker 3 - 29:18

Yep. Yes.



Speaker 9 - 29:20

All right. So again, my name is Travis Barnes. I'm a senior consultant with Resource Recycling Systems, also known as rrs. We're part of the SCS consultant project team that's been working on the master plan development, and we in particular have been focused on the C and D ordinance. So we're going to give a quick update on kind of where we started, where we've been, and kind of where we are headed with next steps, and then look forward to a discussion with you all to get additional input. So just a reminder is kind of where we started. The state legislature, with their statutes, does have a requirement that C and D be recycled within the state. And that was adopted quite some time ago.



Speaker 9 - 30:03

From our understanding, there's not a lot of enforcement at the state level mandating that municipalities or counties actually adhere to this statute. But there are counties within the state that are moving forward with C and D ordinances, and those have been presented in the previous white paper that we provided when the master plan was being developed, and we can redistribute that if needed. Here in Broward County, C and D waste represents a significant portion of the waste stream. The composition study that we've got here on the screen showed 44%. Just shows that there's a great opportunity here, as has been recognized in previous discussions and throughout the master planning process, and has been something that we've really strove to focus on to improve that. There is ample C and D recycling processing capacity within the county.



Speaker 9 - 30:50

That's been demonstrated in previous meetings that we've had, as well as having folks from the industry come and speak to what their facilities can do within Broward County. And again, the overall goal is to just increase that recycling rate to help achieve the state 75% recycling goal. Knowing that construction, demolition debris is a heavy material and getting that out of the landfill can preserve that airspace, as well as provide environmental and economic benefits to that. So RRS was tasked with kind of looking at, you know, what are ordinances that are working across the country, bringing back some of those best practices for consideration here amongst you all. In doing that, we looked at a variety of different jurisdictions across the country, as well as those that are located here in Florida.



Speaker 9 - 31:36

Lee county was Noted as one of the model ordinances that was one that was working well and one that we should look to emulate here in Broward county, although we did look at what's happening in other jurisdictions and other states as well. So an initial draft ordinance was provided that was, you know, looking at how can we take some of the best practices from other areas and make it arguably more aggressive, more progressive in what its intent was. And within that, it had a requirement that projects that are generating waste had to have a certain recycling requirement for that, meaning the recycling rate for those particular projects. It also included a requirement that the existing C and D facilities have to have a certification.



Speaker 9 - 32:24

We were recommending that be done with the Recycling Certification Institute, which is the third party body that is doing that type of work across the country. We also had requirements for those facilities to hit a minimum recycling rate as to, you know, what they are doing and how they are actually performing their work. Lee county does have a requirement that 50% of material be recovered within their ordinance. Palm beach county, just to your north, has a requirement that facilities have to recycle 50% of the material that's covered under their rules. And so those are things that were used to guide our requirements. And you can see on the right some of the additional research that we had done. We also provided a memo kind of describing our methodology in greater detail than I'm providing here as to what some of these programs require.



Speaker 9 - 33:16

And that's additional information that we can provide to you guys now that we're engaging this more directly to kind of help inform the research that was done and how we arrived where we're at. We did hold that public workshop that was just mentioned in the public comment back on April 14th. So at the workshop, there was representatives from the recycling industry there. So we had folks that were operating the C and D facilities. We also had general contractors attend and folks from the industry that are looking more so on the projects that are generating the waste. And we had them go through and look at the ordinance and basically identify issues that they saw with that.



Speaker 9 - 33:56

In light of that discussion, as was mentioned in the public comment, we substantially revised the ordinance and tried to streamline it, provide a second version that was treated to you all with the agenda that essentially eliminated a lot of the additional requirements that were initially envisioned. So where it currently stands is there's no requirement for C and D facilities to seek certification that was perceived as being overly burdensome. An additional cost. These facilities that are operating within the county already have to have their permit approved by the state Department of Environmental Protection. And there's some reporting they have to do for that, as well as Broward county permitting them and also submitting that data to Broward County.



Speaker 9 - 34:40

So the thought was that there's already sufficient information being provided to the regulatory authorities to be able to look at, you know, the performance of those facilities and to make sure that they're operating, you know, in a safe manner in accordance with their permit obligations. We heard from the industry that many of them are not yet hitting 50% recycling rate. But that isn't necessarily due to the lack of the technology they deploy or their means and methods. More so it's the quality of the inbound material that they receive. So they receive material from construction sites. Often it's commingled altogether, not so separated, making it harder to recover. And they are at kind of the mercy of the inbound waste stream as to what they can and can't recover from that material based on what they're receiving at their tipping gate.



Speaker 9 - 35:29

And so they felt that having a requirement of them to meet a certain recycling goal was also something that wasn't necessary. And that 50% potentially might be too high. I will say in our conversations with the Construction Demolition Recycling association and other subject matter experts around the country, they also indicated that 50% recycling, although a worthy goal, is not something that all facilities can achieve and should be something that would not be an out the gate requirement. They had recommended facility recovery rate of 25% as a starting point that could then be potentially ramped up over time as the program grew and facilities and general contractors become accustomed to the ordinance. So that's something to consider for future discussion after the presentation.



Speaker 9 - 36:18

But as it currently stands, there's no requirement in the ordinance for facilities to hit a minimum recovery rate and there's no requirement to have a certification. From the general contractors perspective, they felt that having project specific recovery rates was potentially overly burdensome if it led to increased paperwork, increased staff time at their sites to determine what where material is going, increased reporting. They said all of that is time is money that would slow down the construction process, potentially drive up costs that they would pass on to their customers. And there was just a lot of concern as to how that would be implemented. And as we all know, the devil's in the details as to what we would decide to put into an ordinance and how it would be enforced.



Speaker 9 - 37:04

So therefore, the current draft that we've got does not have any requirement for specific projects that are generating waste to hit a recovery goal. More so it requires that they take that material to a permitted C and D facility to have it processed before it goes to disposal. Which is kind of the consensus that we heard from everyone. You know, keep it as simple as you can. Make sure that material has to go to A permitted facilities, let them do what they do there, and there'll be increased recycling that would come from that. There was also pretty vocal opposition to withholding a certificate of occupancy for failing to meet any recycling requirements. The thought was that there should be a financial penalty if the ordinance is not complied with.



Speaker 9 - 37:49

However, there was some discussion that penalty would need to be sufficient enough to where it would deter people from not just making it part of their routine business to just pay the penalty and keep things moving and not really try to meet the spirit of the recycling requirements within an ordinance. And so determining what is an appropriate penalty would be something that we could also look to get TAC feedback on later today. There was also overwhelming consensus. Just keep it simple as you can, reduce administrative burden not only on applicants, not on the facilities, but also on the county and municipalities that would be enforcing it. And so that was our intent with the current draft that we had provided. Since then, we have had discussions with Broward county and need to continue to have more direct engagement with them.



Speaker 9 - 38:36

Just as a reminder, the authority does not have the ability to adopt an ordinance, and the county and the municipalities have to be the ones that take that kind of legislative approach and would be the ones to actually, you know, make this work. So the authority in this instance is really an advocate. We're trying to provide a template that can be used and then ultimately develop something that we can recommend from you all up through the CND subcommittee to the executive committee and the governing board. That would be, you know, something that everyone agrees is a good approach that then can be considered by the county and the municipalities in particular. The county felt that having any enforcement take place at the disposal sites was not something that they were that interested in.



Speaker 9 - 39:23

And they also raised potential legal questions about the ability to do that we're going to be further researching. Their preference was to have an ordinance that kind of swings back towards the initial approach that we had that was more modeled off Lee county that would be requiring enforcement at the permit review process stage. So if you are a project generating waste, the goal would be that you have to submit some type of form that you would fill out to demonstrate that you took the material generated from your job site to a permitted C and D recycling facility to have it processed prior to disposal. And that would be something that would be envisioned to be a simple form that the building departments most likely would be adding to their permit review process.



Speaker 9 - 40:09

And so at the end of the construction project, you would submit your weight ticket showing where you took that material, and then that would show that you were in compliance with the ordinance. And that's the county's current preference with that. Obviously, we can't speak on behalf of the county, so we look forward to having them participate in future meetings and more directly kind of articulate their position. But that's kind of where we're currently thinking we need to go, knowing that Broward county has to be the one to kind of adopt the ordinance. And then either the cities could have a reciprocal ordinance or an interlocal agreement whereby we're trying to make sure there's consistency across all of the different jurisdictions that comprise the authority.



Speaker 9 - 40:48

Within that, we're going to be looking at trying to navigating, you know, what we heard from the county most recently last week in our meeting with them, as well as we heard from the industry. And essentially, we've got to kind of figure out that pathway forward where we can have something, not be overly administratively a burden to people, but still achieves the goal that, you know, projects that are generating waste have to take material to a C and D processing facility before it goes to disposal. And so that's kind of where we're at right now, and we're seeking your input on kind of, you know, what the next steps are to resolve those policy disagreements and kind of make sure there's alignment with everyone.



Speaker 9 - 41:28

So we're going to be engaging with the county's attorney's office as well as our legal counsel to think through what are the implications of how we design the ordinance moving forward. And then, you know, we're going to come back with some additional draft ordinance for you all to consider, hopefully get to a point where we can start to actually have, you know, strike through, underline, redline type discussions with everyone involved to get to something that is a consensus that then we can recommend up, as I said, through this committee as well as the C and D subcommittee to recommend to the county. So that's kind of a quick summary of where we're at. I think the key things that we need to think through in regards to, you know, next steps are going to.



Speaker 10 - 42:06

Be,.



Speaker 9 - 42:09

You know, how do we go about implementing something that isn't going to clog down the permit review process, doesn't slow down construction projects and demolition projects, isn't adding a whole lot of additional paperwork

and costs to the local governments and the cities that would actually be enforcing it. And, you know, how do we still determine what material is recycled when it goes to the facilities? I think in that instance, if there's not a certification or requirement that the C and D facilities have a guaranteed recycling or recovery rate, they've got to meet. We're just going to say that, you know, if a project generates waste, they took it to one of the facilities, some of it got recycled, and we'll count that as the wind that we got right now.



Speaker 9 - 42:53

There was some mention with the county discussion that there was an openness to potentially have a. A phased implementation where we start, you know, start with something that's a lower bar and then move up to something that is a little bit more aggressive and does start to dictate recycling rates over time. So I think that's a valid approach for us to look at. Gives time for the industry and all of the communities to kind of get aligned with a new ordinance in place and then move towards something that's maybe more aggressive three, five years down the road. So that's something else that we can consider. You know, how aggressive that would need to be, would be something that would all be points of consideration that we'd want input from you all on.



Speaker 9 - 43:30

So that's kind of the quick summary of where we're at right now. And Sam, I'll turn it over to you. There's kind of a lot to unpack with that, but that's kind of where we're at currently with the county's position.



Speaker 1 - 43:43

Thank you, Travis. So I know that we have some people online, too, from some of the various disposal facilities and agencies, and if there's anyone here that wants to speak up on, kind of to speak about what Travis talked about, this is open discussion that we're having here. So go ahead.



Speaker 3 - 44:09

Hey, don't everybody jump at once. I think my first comment is just sort of an obvious one, which is if we're going to be relying on building departments to do the heavy lifting on this and the enforcement, I think we need to bring them to the table to talk about what that looks like and what their concerns with this might be because there may be something there that I'm going to go out on a limb and say most of us are not building officials that we're missing.



Speaker 6 - 44:44

Al,.



Speaker 10 - 44:48

I'd like to start out by saying the last time the industry was here, it was during the Construction and Sub Construction Demolition Subcommittee meeting. So TAC Wasn't up here. I would like to propose that at the next TAC meeting. We have the industry at the table so we can all talk with, I guess including the building planning and zoning. And we're not just giving them two minutes to speak. I would just like to. I'd like to make that one recommendation. Some of the. Excuse me. Some of the other things, I think that there's a lot of progress made in this version that stripped down a lot, which is good. It removed the self hauling, which was. Gave me a lot of heartburn personally. But there are a couple other things that I'd like to confirm. I just.



Speaker 10 - 45:32

I did think I heard Travis say that the consultant have met with Broward county about this. Is that correct, Travis?



Speaker 9 - 45:41

Correct. Yeah. We had a meeting with them this past Friday afternoon.



Speaker 10 - 45:44

This past Friday.



Speaker 6 - 45:45

Okay.



Speaker 10 - 45:45

Because that was one of the things I mentioned at the last meeting is they had not even met, but now they met three days ago.



Speaker 11 - 45:51

So that's good.



Speaker 10 - 45:51

It's a start. This is continued to be a Broward county ordinance and is not through the Solid Waste Authority. So as a Broward county ordinance, this will be mandated for everyone in the county. Every municipality or just the members would be required to adopt it.



Speaker 9 - 46:09

My understanding is if the county were to adopt it would actually only apply to their unincorporated area and the cities would have to have an ordinance that they adopt that's reciprocal or there'd be an interlocal agreement, some type of arrangement that would formalize how the county would apply their ordinance would apply to the rest of the jurisdictions, is my understanding. But those are things that we're going to be looking at with the legal counsel.



Speaker 10 - 46:34

Yeah, because it seems like the Solid Waste Authority will require us to adopt that. I'm just saying it seems like the. The Solid Waste Authority would require the members adopt this ordinance. Non members would not be required to adopt this ordinance. The other heartburn on that is now.



Speaker 2 - 46:54

I know it's still going to be.



Speaker 10 - 46:55

Worked out, but now there's going to be another in a local agreement misunderstanding. Okay.



Speaker 1 - 47:02

The goal is not. Is for be adopted countywide. This is not just for. Only for SWA members. This is account would be a countywide ordinance that the county would be adopting. But.



Speaker 10 - 47:13

No, no. Correct.



Speaker 3 - 47:18

Yes.



Speaker 10 - 47:19

Because it only. It's only mandated, as I understand what Travis said. And you know, I. Yeah. Rely on what you know, your, your statement is that the cities may not be required to adopt it only and would only be enforceable in the unincorporated area for the county.



Speaker 3 - 47:41

Yes.



Speaker 9 - 47:42

Right.



Speaker 10 - 47:42

And then if we adopt it, then we have to enforce it.



Speaker 3 - 47:47

Yes.



Speaker 10 - 47:47

So the municipalities would enforce it.



Speaker 3 - 47:49

Yes.



Speaker 10 - 47:49

Okay. That's another thing. I wanted to get.



Speaker 9 - 47:56

So on that. Ralph. I'll say so that the county expressed that they do not want.



Speaker 10 - 48:01

Travis, can you start over?



Speaker 2 - 48:02

Travis?



Speaker 10 - 48:02

I'm sorry.



Speaker 9 - 48:03

Yeah, sorry to interject there. So the county has expressed that they do not have an appetite for wanting to enforce this. With all of the construction projects that are occurring across all the different jurisdictions, the goal would be that they kind of have a model ordinance and the others have reciprocal ordinances. The goal would be to try to have consistent a form, a very simple form that's used consistently across the jurisdictions. But to your point, I don't think there's a requirement that the Solid Waste Authority members have to do this. So I think that would be something where, you know, if the governing board maybe were to take action, they could maybe dictate that. But

my understanding would be that it would be, you know, voluntary, with each jurisdiction needing to. To have reciprocal type language added.



Speaker 9 - 48:48

And the goal would be that within their respective existing permit review process, there would be that one consistent form that everyone uses that would basically require those that are generating the waste, you know, a construction project, to say, and this is where we took our material, and here's our weight tickets as to what we disposed and what we took to a permitted facility. And that would check the box that they complied with the ordinance. And I've got an example I could share of what Lee county requires. It's a simple online form. You know, basically it's got their permit number, got the applicant's information, and then they need to just upload their weight tickets as to where they took the material. So it's very straightforward, not overly cumbersome.



Speaker 10 - 49:32

Like Carol had said, I think we need our building planning and zoning people here for that particular part. I'm sure there's still a lot of discussion, because I heard one thing here, I'm understanding another thing through the Solid Waste Authority that will be required to adopt certain policies and procedures which would mandate us. Then that means our building planning and zoning people have to be involved, our code enforcement has to be involved, and that's, you know, just added stuff down the rolling. We're just trying to get some clarity to make sure. One of the other things I wanted to ask, and I don't know if it's Travis or Solid Waste Authority is again, it goes back to the county mandating this, and I guess we would have to adopt. Adopt it.



Speaker 10 - 50:12

I was just curious if there had been any communication with the other non members, couple of large cities and Pembroke Pines and. Or Pompano Beach. And I would recommend there be a little communication with them, especially Pompano Beach. Their public works director, Russ Ketchum, he worked for the Palm Beach County Solid Waste Authority for many years and it's. And besides being a good guy, he is a wealth of knowledge, particularly for this. So, you know, I would make that one recommendation. Maybe he won't answer the phone, but you know, it's just he's got a lot of experience with this particular thing. Some of the other.



Speaker 2 - 50:55

Quick.



Speaker 10 - 50:58

So I want to understand the. The banning of direct hauling. Would that include if I, Ralph, the resident that lives in this fine city.



Speaker 7 - 51:13

Of Plantation,.



Speaker 10 - 51:20

If I redo my bathroom, I have a toilet and some sheetrock and stuff, am I still able to use the Broward county site landfill for disposal to bring it there myself and pay a little fee?



Speaker 1 - 51:37

I'm sorry, Ralph, could you say that one more time?



Speaker 10 - 51:39

Okay, so currently Broward county allows a resident and some small business mom and pops the ability to go to the Broward county landfill and dispose of C and D material. Is that still permitted? Because it's a landfill and that's a direct haul.



Speaker 1 - 51:55

Right.



Speaker 10 - 51:56

So is that going to be permitted? Is it going to be a threshold?



Speaker 1 - 51:59

That's what we're working at with accounting now. They're going to be at our next meeting that we have. That was part of our discussion that they'd be at the meeting so we can discuss it. But there will be some type of threshold that there will be, whether it be, you know, one ton, you know, two tons, whatever. It may be 10 tons, but there's going to be somewhere in that range there, you know, because, you know, you've got to allow the true mom and pops the ability to.



Speaker 10 - 52:26

I agree. You know, I think we have to have that ability whether it's against a small amount, right? Not 60 yards, not a dump truck,.



Speaker 1 - 52:35

Because that's obviously a Big Tex Mex or the Big Tex yard trailers, you know, something. Something that nature, you know.



Speaker 8 - 52:45

Okay, very good.



Speaker 10 - 52:45

There's gonna be some kind of threshold. I think that's an important service that we provide as Broward county and all municipalities to our residents. And that's through Broward County. That's not even through the municipality. So I think that's. That should remain. Let me just look here. There, there was a. I did have a kind of a question maybe for the definition for the Recycling. It talks about recycling. Shall have the meeting set forth in Florida admin. Code 62, blah blah. Process by. By which sold waste materials are collected, separated, processed, and returned to use in the form of a raw material or product. So my question there is with crumbled concrete, used for whether it's a road base or something, does that qualify as a form of a raw material? Again, I don't need answer now.



Speaker 10 - 53:46

These are just things I'm trying to think of.



Speaker 1 - 53:48

Travis can answer that question.



Speaker 9 - 53:49

Yeah, that. That would count. Yeah, yeah. Reuse of concrete would. Would absolutely count.

 Speaker 10 - 53:55

Okay, so your use of a product for something else meets the definition.

 Speaker 9 - 54:00

Right. And I think under the state definitions, even use of some of the C and D for, you know, Lakeville and other things can also count towards the recycling goal.

 Speaker 10 - 54:09

Okay, all right. That's a different avenue, but it's okay.

 Speaker 9 - 54:15

The other thing that came up though, within that, when you talk about materials, was the use of alternative daily cover. So that is something also that would count as long as it met, you know, the state obligations for use of alternative daily cover. Then that would count as beneficial use of material as well towards recycling rates.

 Speaker 10 - 54:33

Okay, very good.

 Speaker 11 - 54:38

What was the other question I had?

 Speaker 10 - 54:41

Oh, the annual review of a product being considered as recyclable and. Or not, I think annually, though I understand

it. You know, I think annual is kind of tough because I'll take Miramar. We have a long term project coming up, probably 10 years. And so theoretically it could be okay, you know, in the first year X product is considered recyclable, and then the next year it might not be, and then the year after that it could be considered recyclable again based on, I guess, availability of the market, stuff like that. So I think that might cause the developers a little bit of heartburn as well as the municipalities enforcing it. So that's just something I think we should consider about the time period for.



Speaker 11 - 55:26

Review of those materials.



Speaker 10 - 55:34

Oh, and would. I know it says here that doesn't require an amendment to the ordinance if they should be reviewed, you know, and changed the products that are acceptable. But would that also go for municipalities? But we would have to change our ordinances of the acceptable materials as they change. You don't need, you don't need to answer right at this very minute, but that's something we need a definition for.



Speaker 5 - 55:59

Sorry,.



Speaker 10 - 56:03

Again, we don't need to answer. Yeah, this is something we need a definition of or clarity, if you don't mind.



Speaker 1 - 56:10

You're asking if the change of material can be approved administratively or by force.



Speaker 10 - 56:14

Well, it says it in here.

Speaker 1 - 56:16



Oh no.



Speaker 10 - 56:16

But I'm asking as a municipality.



Speaker 4 - 56:18

Correct.



Speaker 10 - 56:19

Do with the municipalities need to add do that? Because I, I think we're going to have to.



Speaker 1 - 56:23

Correct.



Speaker 10 - 56:23

Because I can't enforce something that's not on the list.



Speaker 1 - 56:26

Correct.



Speaker 10 - 56:27

You know what I mean? One of the other things I have a little heartburn with Section 5 exemptions of restricted C and D disposal materials. And then just quickly. False certification or misrepresented of an exemption shall constitute a violation of the ordinance. Disposal facilities may rely on generator or hauler. You cannot have the hauler saying what's in the can because one, you can't see underneath it what might be there. Two, you get a lot of

contempt between the hauler, the customer and then the city. So I don't think the hauler should be the one making the call on what's in that can. Personally, I don't know. We could bring this up later on as a group, but I, I. We don't allow it for FEMA or disaster debris. It's not the hauler making the call that's in there. They have a spotter.



Speaker 10 - 57:15

The facility or the place we bring it calls that material the volume and what kind of material in it. So again, that's just something I think we should talk about. The asbestos containing materials, 1%, is that by weight or volume? And how is it stored until it's certified if it's disposable and or not. I think we need a little clarity on that. So not number six under section five, still non structural minor work materials generated from work that does not involve structural modification of a building that produces only incidental amounts of restricted C and D. What is incidental amounts? Because I can certainly remove a wall or two in my house and not do any structural damage, but it's still a lot of material that might need.



Speaker 6 - 58:15

To be processed prior to disposal.



Speaker 10 - 58:19

And there was just a number eight permitting exempt work. I know there's, I'm not familiar with it, but I think there is a new state law about permitting requirements. Again, this is why we need building planning and zoning here to give us that. Unless somebody here has that definition. How would that impact this? Because I know our premise is based off permitted work and some other small exemptions. And I think that's it for me. I've spoken a lot.



Speaker 6 - 58:51

Thank you.



Speaker 2 - 58:52

Thank you, Ralph. Phil, you're up.



Speaker 4 - 58:56

I want to defer my time to Ralph.



Speaker 6 - 58:58

Just kidding.



Speaker 4 - 59:01

I just had a quick point or suggestion. If anyone's familiar with the tree preservation ordinance for the county? The county sets the standard and then municipalities have to adopt an ordinance just as strong or stronger than the county ordinance. So I would recommend the same thing that county wide, the county adopts an ordinance that impacts every municipality, not just the authority members. And then, you know, each municipality has to adopt something as stronger, because for example, in Davie we have a stronger tree preservation ordinance than the county. So I just think something similar for C and D recycling would make sense.



Speaker 9 - 59:37

So thank you.



Speaker 2 - 59:39

I agree. Good comment, Phil.



Speaker 6 - 59:43

Troy. Troy.



Speaker 2 - 59:46

Guy. City of Denver or. Whoops, sorry. Boy.



Speaker 8 - 59:51

Boy.



Speaker 10 - 59:52

Yeah, boy.



Speaker 2 - 59:53

Yeah, sorry. Bulldog.



Speaker 10 - 59:57

New tricks.



Speaker 2 - 59:58

So, city of Fort Lauderdale, a couple of things. One is that I just want to make sure that we're absolutely clear on whether the C and D, or for that matter recycling or yard waste is compulsory or not. Because there have been contradictory statements from the SWA governing board and executive board that have stated that it is, that they are in fact compulsory. So I just want to be absolutely clear whether it's compulsory or not to member cities. And then secondly, you know, I'd like to know what's going to happen with enforcement because that's always the challenge with flow control. Whatever the means is that the violation typically occurs outside of the city. And so obviously we can rely on reporting and things like that.



Speaker 2 - 01:00:50

But I think it's important to have a county led enforcement effort because they're the ones that are able to see

when it's being hauled from city A and being transferred to city B or et cetera, that's nearly impossible for a city to do on their own.



Speaker 6 - 01:01:06

But it becomes easier when you've got the county involved. Thank you.



Speaker 9 - 01:01:13

So, Troy, I'll jump in on that one. Again, this is Travis with rrs. So the thought is not as the current draft is written now, but feedback from the county most recently is again that we put enforcement back into the permit review process. And so the obligation to enforce would just be that the applicant submitted substantial verification as to where they took the material that was generated from their job site. So they could have a wait ticket for disposal and a wait ticket as to where they took material to one of the permitted C and D facilities. That would be the extent of it. There would be no other additional enforcement that would be required under that scenario.



Speaker 1 - 01:01:52

Yeah, just to add something in on that, Troy, also that, you know, the one that was the current one, you know, we got two different drafts out there, but the one that basically puts it on the disposal side states that the disposal facility can only accept processed materials. So, you know, then you know, you don't have to say that. Does Fort Lauderdale have to, you know, enforce this ordinance? It's just whenever something goes to a disposal facility, it will have to be processed before the disposal facility will take it. So that, in effect, would be doing it unless they took it outside of the county somewhere.



Speaker 6 - 01:02:30

Russell? Yeah.



Speaker 5 - 01:02:33

Thank you. I know this is the county's draft ordinance, and so obviously every city, I think, at some point will adopt a version of their own. But if we're giving input back to the county. There's just a couple of nitpicky things that I have in here that I just wanted to point out. So in the definition section two, which says department authority, towards the end of the sentence, it says or administrative entity designated by the Broward county or that should be removed. I know it's nitpicky. That's just a silly thing there. But you can clean that up. And then I did have something that I had a question on more specifically related to the definition for disposal facility.



Speaker 5 - 01:03:12

It says in disposal facility shall mean any facility, landfill, incinerator, or other site at which solid waste or CND debris is permanently disposed of, destroyed, otherwise discarded. And then it goes on to also include waste to energy facilities. So my question is, are we using two different terms or we. Or we unifying the term waste to energy as being an incinerator or are they trying to provide for. My concern obviously is for any new facilities to be developed, and I want no reference to any kind of new incinerator or waste energy facilities obviously included in any future planning. But if we have, obviously we have some existing. But I just want to make sure that we have the consistency in terms.



Speaker 1 - 01:04:05

Just so you know, that this was not. This did not come from the county. This was a, an ordinance that was drafted by Travis and his team. So. And it's a starting point for it.



Speaker 5 - 01:04:17

But it's contemplated to be adopted by the county, though, correct?



Speaker 1 - 01:04:20

It would.



Speaker 4 - 01:04:20

Right.



Speaker 1 - 01:04:21

Any orders we have will have to be adopted by the county. But this was not. Didn't come from the county. There's something, it's a working copy of the draft and it's for us to mark up and do what we please to do with it. But it's not, it didn't come from the county for us to look at and get back to them because they've, they have markups on it also.



Speaker 5 - 01:04:38

Gotcha.



Speaker 1 - 01:04:38

Yeah, but Travis can answer your question. Though, about the incinerator portion, though, if you don't mind, Trav.



Speaker 9 - 01:04:44

Right. Yeah. So, Russell, good catches on that. I went ahead and corrected the. And deleted the. The. That was not needed there. When we looked at the department authority in regards to the disposal facility, the goal is to cast a wide net and that all disposal facilities would be, you know, included in that. And so that material would have to be taken to a permitted C and D processing facility, not to any disposal facility. We could look to potentially eliminate the word incinerator and just have the waste of energy there. So that's something I'll flag to consider that we'll look at in terms of, you know, our legal sufficiency when we review it. But the goal is to make sure that, you know, the material is actually going to be recycled and not going anywhere that would be disposal.



Speaker 9 - 01:05:24

And so that was intentional to cast a wide net there on any potential disposal facility. Okay, but just. Just to reiterate Sam's point, though, again, this was something that, you know, we were tasked with developing kind of a draft template for consideration that we could hope to get to a consensus on that then we could recommend to the county. It's envisioned that the county would need to be the primary kind of gatekeeper with this. But to Sam's point, this did not originate with the county, and they're reviewing it just like you all are.



Speaker 5 - 01:05:51

Okay, great. And then just to add to a couple of other things, the gentleman's point from the industry, and Ralph made the point as well. I would also like to hear from. From the industry a little bit more.



Speaker 9 - 01:06:03

At a workshop to, you know, workshop.



Speaker 5 - 01:06:04

This issue a little bit further so we gain their input, make sure that we're making sound decisions as it relates to something that I think Travis said in his presentation as it related to the contractors that may, you know, not be good actors per se and. And not be trying to attain any of the recycling goals and just basically included as the cost of doing business to pay a nominal fine. And I did see that in the fine here. They're using Broward County's established fine of \$250 per occurrence, which is, I guess, the maximum that they can incur. That's just the cost of doing business for some people. It's not going to mean anything.



Speaker 5 - 01:06:42

Perhaps what we could do is consider, and it's just brainstorming idea, is you flag those contractors that aren't performing as they should if they've been noticed, let's say, once or twice or maybe Three times. Even if they're not performing the recycling goals like they should, then maybe from that point on, they're assessed the surcharge every time they have a load, every single time, like maybe a 10% or something like that. So it's an ongoing cost to them, which increases their process beyond just the \$250 fine. And the only way to basically come off of that surcharge is to, you.



Speaker 6 - 01:07:17

Know, you know, maybe they have to.



Speaker 5 - 01:07:19

Start complying and have to be in compliance for six months or something like that. Just a thought.



Speaker 1 - 01:07:27

That's a good point, Russell. I think our. Our goal, though, is because once you start putting the fines and you have to have somebody to give those fines, and whether that. Is that going to be the city's code enforcement, is that going to be the county code enforcement, the building official, where is it going to come from? I think our goal right now is to. When that load goes to that disposal facility, and if it's unprocessed, the disposal facility says we're not accepting that it has not been processed. And whether it's by visual looking at it, or they have to have a ticket that

came from a processing yard that shows that it was processed. And then when they have to turn around with that load and take it back somewhere, that's going to be their fine.



Speaker 1 - 01:08:08

And that's going to cost them a lot more than 250 to take that back to the site and drop that dumpster back off at that site and then explain to the person that they took it from why they're dropping it back off full. So that's going to cost them a lot more than 250 at that point in time. So that's what we're looking for. And to come to that consensus from everybody and how we're going to get to that point, you know.



Speaker 9 - 01:08:35

I will say we've heard from others that they also thought that. That the fee was not sufficient enough to deter bad behavior. And that's something, you know, we, as consultant teams, we're happy to take whatever you all think is appropriate. That was just a starting point with that. The idea of having increased penalties for repeat offenses is not something that we've dove into, but is an idea that we could consider. And so that's something we'll write down as maybe a possibility, like you said, to have something where someone is repeatedly violating the ordinance, the penalty could be increased accordingly. But to Sam's point, increasing the fees.



Speaker 5 - 01:09:16

Travis. I'm sorry, Travis. Not just. My idea is not just to basically increase the fees. I mean, increase the cost to them. But, you know, essentially issuing them a scarlet letter, you know, they're a bad actor. And so every time they. Every time that they dumped, they have to continue paying that for a period of time. So that will be a sufficient impact to their bottom line, which would deter them from letting that happen again. But I do like the idea also of, you know, they have to send it to a proper disposal facility or a processing facility to look at it first and certify that it's. It meets the standards and then go to a final disposal site.



Speaker 2 - 01:09:54

Russell, I like your concept. The challenge is that it's really hard to deal with that from city to city unless it's being enforced by the county across the board. You really can't track that from one city to the next because you don't know if someone's been fined in one city versus the next. But Sam's. Sam's response, I think is spot on. That's really. You're hitting them in the pocket by rejecting the load and having them send it back. But I think something Travis can look at as he's evaluating this moving forward.



Speaker 6 - 01:10:24

Okay, Carol,.



Speaker 3 - 01:10:27

Couple of things. First of all, there's sort of been an indication at this point that we're doing, I'm going to call it a paperwork enforcement on the municipal side. We tell them what they're supposed to do when they come back in for their co. They produce the documents or they don't. One of the things that we discussed in the past, that's still sort of an open question that's sitting out there is now I have a building inspector on scene doing a building inspection, and there's clearly no C and D recycling going on. Is that person going to respond in any manner? If so, is it going to be a local code enforcement citation that's submitted if we proceed under local code enforcement?



Speaker 3 - 01:11:14

And if my memory is correct, and it's been a long time since I had to manage code enforcement, fines are typically up to \$250 per day, with each day being a new occurrence. And if someone is designated a repeat offender, that can go to 500. So, again, I think we need to sort of understand what process we're using to enforce this and what those limits are. The other thing is, and this just occurred to me, and I don't know if there's a way to do it, but obviously if we have, I'm going to call it permitted or approved haulers operating within the county. If there is a hauler that we have a particular issue with is there a way to suspend their license or their franchise? Which would definitely hit somebody in the pocketbook.



Speaker 3 - 01:12:08

There's still a lot of pieces of this that frankly, we all need to get into a room. I think we need our building folks. I'm beginning to think we need our code enforcement folks so that we can work through all of these issues and try and land this plane. Because we've now got just the TAC six months invested in discussing this and we seem to be a little bit on a hamster wheel, so maybe we need to have a much broader workshop to try and land this plane.



Speaker 2 - 01:12:39

Good point, Carol. Travis, where are we at with the next round of code, the draft code? When do you anticipate to have that out for review?



Speaker 9 - 01:12:48

So let me address Carol's things and I'll get right back to that for you. So the way that the most recent discussion with the county that we would envision rewriting the ordinance would be that there would be a form that a covered project, so not getting into what projects are exempt or not. But if your project generated C and D material, you would have a form that you would have to fill out to show where you took the material generated from your project.

And those weight slips would have to be uploaded and that would be the only check. So there would be no envision of code enforcement being at the job site doing anything above and beyond what they typically do. Only that form would be looked at the end of the project.



Speaker 9 - 01:13:30

Did you or did you not take the material to a permitted C and D facility? And if you did, you're in compliance. If you did not, then you're not in compliance and you would be assessed that. That penalty. So that's the easiest path forward that. That we're envisioning. And that would alleviate. Yeah.



Speaker 3 - 01:13:49

If we're going to, say, determine someone is not in compliance and therefore not issue a CO or whatever, the mechanism is going to be there. Don't we need to have an appeal mechanism?



Speaker 2 - 01:14:04

Let me jump in. I don't think you can withhold a CO for that anyway. I don't think it's strapped into the building code because in theory you could have someone that disposes out of the county.



Speaker 9 - 01:14:15

Right.



Speaker 2 - 01:14:16

And then the county controls aren't in place, it goes to Miami Dade, Long beach or whoever, and then we don't know. So if they don't have that certificate, I don't think that the building departments are going to be in a position to hold up a co. And it's Only a fine at that point. Is that correct, Travis?



Speaker 9 - 01:14:32

Yeah, yeah, I'll say. There was no appetite from any of the stakeholders that we've talked to withhold certificates of occupancy.



Speaker 3 - 01:14:38

Okay, so then we're levying a fine again. When we're levying a fine, doesn't there need to be some sort of appeal mechanism?



Speaker 6 - 01:14:47

Yes, yes, yes.



Speaker 9 - 01:14:50

And that would be whatever the cities currently do for their appeal process would be what would be envisioned. Most likely it would be the same thing that you do for other things. I don't think we need to recreate the will on that per se, but getting into the idea of having stricter enforcement, that's a possibility. We could move in that direction. It's not something that has been voiced as something people want to see. But to your point, we could have an ordinance that is much more stringent, that does have requirements that you have to demonstrate that you've got ample recycling on site and that type of thing. That's not something that we're moving towards. The goal that we've heard from people is to make it as simple as possible.



Speaker 9 - 01:15:27

And so an online form where you would just have to show where you took the material would be the channel checks and balance there. That would be the enforcement mechanism.



Speaker 3 - 01:15:34

And I'm fine with that as a starting place. We just all need to recognize that's what it is. It's a starting place. And it's may end up being largely voluntary compliance.



Speaker 2 - 01:15:50

Given that from the building side is limited, do you still feel that we should be inviting the building officials for the next round of workshop?



Speaker 3 - 01:15:58

If we're going to be charging them with reviewing and enforcing these documents? 100%.



Speaker 2 - 01:16:07

I think it's just a check whether or not that they have a. Okay,.



Speaker 10 - 01:16:17

Ralph, Sorry, just a few more. I think two. So, one. Travis, you had mentioned that there's the current capacity in Broward county to handle the C and D processing needs. How far into the future did you see that capacity? Five years, 10 years?



Speaker 9 - 01:16:40

I don't have that data right in front of me. I know with the previous white papers, they looked at the existing facilities that were there, and we've heard from the C and D facilities that have come and participated in previous discussions that they've got ample capacity. I. I don't see that as being a concern right now. And I think if there's a market opportunity, there's substantial competition in your marketplace that someone would step up to deliver that additional capacity. So I don't think that's something that is a major concern for us at this point. If you have really strong compliance, it might be a problem down the road, which I think would be a good problem to have at that point, if we get to that point. But as of right now, I don't see that as a valid concern, really.



Speaker 10 - 01:17:19

I was just thinking about the Solid Waste Authority's ability to establish or build or design a transfer station for those materials. So that's why I was kind of thinking about how long might it before the Solid Waste Authority would be looking to get a transfer station or a processing facility. And then my second question is, we talked about the building planning and zoning. People looking at a ticket for a project is there a measure on, say, how many tickets or a project might need? Like I said, we have a very long term project. So if that developer goes in and has, oh, here's two tickets for the year, that means it ain't going on. So is there a measure on the expected documentation needed to say that a facility is or is not recycling those materials?



Speaker 9 - 01:18:17

Right. Yeah, that's a good point. So some projects are not. They're not all the same. Right. A single family home is a lot different than a big apartment complex versus, you know, a new mall or something to that effect. So we would need to look in to see timing of that. And again, I think that would be where the permitting officials could provide some guidance as to how do they permit those types of facilities. And kind of look through the whole, you know, cadence from start to finish on a project like that. In my mind, there would not be a limit because you'd want to have all the weight tickets that were utilized by that project to determine, you know, where they took the material. Again, we're not setting at this point a recycling rate requirement of those projects.



Speaker 9 - 01:18:56

So we're not saying you've got to recycle 10% or 75%. You just have to take your material to a permitted C and D facility and then they're going to do the work that they do to recover what they can. And so it's more. So documenting where they took the material would be what the form would require. And I've got. I can share real quickly because it's right here on my desktop. This is an example of the online form that Lee county has. And essentially you put in your permit number, your contact information, and then you upload your wait tickets and you just have a signature that you're certifying that the information you submitted is accurate. So straightforward, very simple.



Speaker 9 - 01:19:39

I do Understand that the folks that would be doing it at the local government level to look at that would then have to look at those forms to determine is this or is this not a permanent facility that the material was taken to, but the goal would be to make it as simple as we can.



Speaker 10 - 01:19:56

Yeah, I get it, and I appreciate that. I just, again, don't want a project that's been going on for a year to submit one ticket and say, oh, yeah, you guys did a good job. And that's. That defeats the purpose.



Speaker 1 - 01:20:06

That's all.



Speaker 10 - 01:20:10

In the industry, we call that sham recycling.



Speaker 9 - 01:20:13

That's what that's called, literally.



Speaker 6 - 01:20:16

Good point, Ralph.



Speaker 2 - 01:20:17

Phil,.



Speaker 4 - 01:20:20

I just wanted to add for something Terrell brought up, it was about our inspectors monitoring the site. We're also seeing a proliferation of private providers, which makes it doubly difficult because.



Speaker 1 - 01:20:33

The state keeps on making it easier.



Speaker 4 - 01:20:35

And easier for private providers, reducing what we can do in terms of oversight. So I think that'll make things extra difficult. So we just need to contemplate how much worse the state's going to make it for or make how much the state's going to make it easier for private providers. So everything we put in place, we have to make sure somehow enforceable. Again, I don't have answer right now, but that's just something to think about because, you know, even

some of the legislation they've been passing on building permits don't even make complete sense. Like, for example, \$7,500 or less, you don't need a building permit except if it's structural, mechanical, plumbing, or electrical. And to be quite honest, I don't know what other type of building permit you'd get. That's a debate we're still having internally.



Speaker 4 - 01:21:21

You know, if it's in a flood zone, you have to get a building permit. So private providers makes it extra difficult. Now, I don't know if you'd want to call in, you know, an organization representing them as part of this discussion, because ideally they need to be on board, too, especially since now what? Our building fees have to be reduced 50% for commercial projects at a private provider. So I think you'll see that occurring a lot more.



Speaker 1 - 01:21:47

Thank you,.



Speaker 8 - 01:21:49

Troy.



Speaker 2 - 01:21:51

All right, this is not my main point, but I do just want to say that, you know, if we create an environment inadvertently that makes it easier to develop in other cities than not, that's going to be another issue that we. That we run into. So we just need to make sure that we're not, you know, inadvertently doing that. My main point is. And somebody wiser than me brought this up, so I'll let them take credit or blame for it is I get nervous when I hear the term mandatory recycling program prohibition from direct haul and things like that, because at what point does this become then a regulated recyclable and we lose the ability to charge.



Speaker 6 - 01:22:31

Franchise fees.



Speaker 2 - 01:22:36

And especially under the guy second that. Well, and especially from the concept, we all know what's happening in November, and we're in a situation where we're potentially needing to find and retain other revenue.



Speaker 6 - 01:22:51

Sources other than property tax.



Speaker 2 - 01:22:53

And I know that there are bigger questions at hand here as far as encouraging recycling and doing all that. But we also have to be realistic because if this is something that takes a significant revenue source away from the.



Speaker 5 - 01:23:11

Cities,.



Speaker 6 - 01:23:13

Is the gain worth that? Just. Sorry. Thank you, Troy Russell.



Speaker 5 - 01:23:24

I think my point was covered. I agree with Phil. The only thing I would just say, I'll just say this. Anytime we're going to add a task or responsibility to the building, you know, officials, I think we need to include them in some form or fashion. I'm not in favor of inviting every single building official to come to a meeting, but I think we should really look to speak with Dr. Barbosa with the Board of Rules and Appeals for Broward county, because they can promulgate some rules there that would apply to all the different cities. And I think anything we want to do to facilitate that should go through our office.



Speaker 1 - 01:24:02

So that's what I would say.



Speaker 2 - 01:24:05

Travis, get back to my previous question. When do you anticipate a next round of draft for the C and D ordinance?



Speaker 9 - 01:24:13

Yeah, I think at this point we need to have more direct engagement with the county and some of the folks that have been mentioned here, maybe some of the permit officials, to then determine what needs to go in an ordinance versus, you know, sending out another draft that we kick around and kind of spin our wheels on. And so I think if we get clear feedback, we can turn around an ordinance very quickly. But we need to have that more direct engagement with them to determine, you know, what they will or will not support before we put forth another draft kind of out in the public sphere. That's just my take on it.



Speaker 2 - 01:24:46

Thank you, Travis. And I'm going to open up for any public comment again, whether here or online.



Speaker 7 - 01:24:58

Louis DeVita, Florida Waste Haulers and Recyclers Coalition thank you for the opportunity to speak again. There's a lot of questions that were raised during this workshop, and the first one I would like to address is the Enforcement portion. I do not have the language in front of me, but at previous meetings I did present. When a county passes an ordinance, all municipalities are required to enforce that ordinance unless they have a previous. An ordinance that was previously in place. And I remember specifically when I brought that up, I said, I don't believe there's any municipality in Broward county that has do not cycle C and D ordinance.



Speaker 11 - 01:25:46

So that.



Speaker 7 - 01:25:46

That's not even going to be an issue. So what I'm getting at is that should not be a problem. What this gentleman said, as far as passing more restrictive ordinances, yes, I can agree with that. But the basic ordinance that's passed by the county has to be approved by. Has. Has to be enforced by all municipalities, whether they're members of the SWA or they're not. Okay. I've been involved in C and d recycling for 35 years. We were the pioneers of C and D recycling in Broward County. Okay? So when it comes to C and D, I don't think there's anybody other than maybe Mr. Casa Grande that can get up and speak about C and D as well as I can. The state has given us a statute. It's very simple. We're economically feasible.



Speaker 7 - 01:26:39

It's required that all C and D be processed prior to disposal. It's simple. It's stated. It's state law. The county needs to enforce the state law. What's the easiest way for the county to enforce the state law? Passing an ordinance that follows the state law. Why are we trying to reinvent the wheel? We have a state definition that tells you what C and D take, what encompass what is encompassed in C and D. Let's take the C and D definition as I passed around before. Let's take the statute, present that to the County Commission, because let's face it, there's nobody in this room, there's nobody in the meeting after this or at the SWA that's going to pass an ordinance. The County Commission is going to pass the ordinance. At the workshop that we had on April 14, the contractor said point blank.



Speaker 7 - 01:27:36

They're not going to do paperwork. They're not going to get involved with any of the other stuff that you want to propose. So why are we even going down that road at this point? Let's just be done with it. Let's get something to the commission. Let's get this thing passed and start dealing with the amount of CMD that's slipping through the system month after month after month. Okay? All of the franchise haulers automatically use MRFs. That's not the problem. Most of the haulers that aren't even doing franchises are using MRFs. It makes sense. It's logical. Okay, who wants to go to landfill and stay on the line for hours at the landfill and then have to drive into the landfill for flat tires, et cetera, et cetera, when you can go into a mrf?



Speaker 7 - 01:28:21

So all of this stuff is just common sense and logic. We just have to put it into interplay. All of this stuff. Now, let me backtrack for a second. For the last three years or so that I've worked on the ordinance, I worked with Todd when he was here, and there was a lot of things that we did not like, but we felt needed to be put in. Over several meetings and the workshop, we found out that we don't need these things, and we. And we're going to hit a lot of resistance. So that's how we ended up with what I presented at the workshop for language. And today, there is no municipality. There's no municipality that wants additional paperwork or additional costs. The contractors don't

want additional paperwork or costs. So what's the quickest way to get there? It's a straight line.



Speaker 7 - 01:29:15

The straight line is simply all C and D gets processed prior to recycling. Excuse me, prior to. Prior to disposal. And the landfills cannot take any unprocessed material. Somebody comes in with unprocessed material. Sorry, we don't take that. What do I do with it? You got to take it to a Murph. Here's the 10 MRFs in the county you can take it to. It's done, it's over, it's finished. Why do we keep beating this dead horse? Because that's what we're doing. We're beating a dead horse, and we're just procrastinating and wasting more and more time. I don't know what else to say other than, please, please, let's just move this thing along. Stop with all the language. When we get in front of the commission, if we try to go forward with all this other forms and issue.



Speaker 7 - 01:30:07

I got to fill out this form. I got to do. I got to handle this piece of thing. I got to document this. It's not going to happen. The contractors will come out in force and. And kill it. So if we want to make it fly, please take the language I submitted. Let's set that to the. Send that to the swa, but the swa. Submit it to the county and let's just move on with this. Thank you.



Speaker 2 - 01:30:32

Thank you, Mr. DeVita. Any further public comments?



Speaker 8 - 01:30:41

Good morning.



Speaker 10 - 01:30:42

John Casagrande, Coastal Waste and Recycling. Just want to, you know, support Mr. DeVito's. You know, what he's saying, not to sit up here and keep repeating it. The one thing that I think would be easier, there's a lot of things that would be an enforcement. I hear everybody wanting to go after the contractor and going on the permits. You know, I don't think anybody's going to. You know, you look at Fort Lauderdale, you look at any one of these plantations that giant contractors are going up. The contractor puts it in the bin and he says, okay, he's going through recycling facility.



Speaker 6 - 01:31:19

How does he know?



Speaker 11 - 01:31:21

You all have.



Speaker 10 - 01:31:21

In all your cities, whether it's Fort Lauderdale with multiple haulers, whether it's Plantation with three, whether it's Miramar with Waste Pro or Davey and Cooper Coral Springs with. With the Coastal. Put it back on the hauler.



Speaker 9 - 01:31:36

If the hauler doesn't recycle, revoke his permit.



Speaker 6 - 01:31:38

Watch how fast that works.



Speaker 7 - 01:31:40

Three strikes and you're out.



Speaker 10 - 01:31:41

It's that simple. You've complicated it to go back after the builders. I mean, do with that. You know why? Because

we're doing it already. We as an industry have used C and D to compete. You got to recycle, reduce. We reduce the load and then we have maybe 40 or 50% of that now goes to a landfill. What happens if the material is. We have not. Haven't addressed what happens if the material gets hauled to a landfill outside of Broward county, which can, you know, there's many C and D facilities, one right up 27. That takes an abundance amount of C and D material. Two, as a matter of fact. So there's a lot of things that, you know, you can poke holes in it and we can continue going on and on. Put the onus back on the hauler.



Speaker 10 - 01:32:30

You know, we'll do our job. We don't want to lose our permit. We, you know, and then it gives the city the ability to oversee it. You have the hauler who obviously you all get franchise fees. Most of you get franchise fees from the C and D, which is also a pretty good piece of it. Why, you know, you all have a. A revenue stream coming from what. What the haulers do, Hall. So we both have a lot at stake. I think, you know, work with your haulers to do it. But, you know, I don't think we need to reinvent the wheel and just, you know, some of the definitions of things. I think that are in that ordinance. We're reinventing what CND is. C&D is defined by 4 or 3 for decades. Let's just go with it.



Speaker 10 - 01:33:11

So that's, I think, would be a lot easier.



Speaker 2 - 01:33:19

Thank you. Any further public comments? Good morning.



Speaker 6 - 01:33:27

Kevin Rivera with WastePro. As a hauler, I agree with all the comments that my colleagues have said. We want things pretty simple. We go to a site, we're in.



Speaker 2 - 01:33:39

The city of Davie.



Speaker 6 - 01:33:40

We know we have to go to this facility. Anything outside of those parameters, it doesn't work. So if we keep it simple, it makes for great service. You don't put the hauler and the contractor in the space of, well, you were supposed to take it here, you're.



Speaker 2 - 01:33:56

Supposed to take it there.



Speaker 6 - 01:33:57

Creates a lot of conflict, and it's typically the driver and a lot of confusion. So keep it simple. We all know where we have to go.



Speaker 9 - 01:34:06

We just got to keep moving forward.



Speaker 6 - 01:34:07

Thank you.



Speaker 2 - 01:34:13

Any other public comments? Anyone online? Any more cups?



Speaker 6 - 01:34:28

I'll turn them back.



Speaker 2 - 01:34:29

Mike. Hey, Travis. Mike Heimbeck, Coconut Creek. It seems to me, am I misreading it, that maybe transfer stations might be exempt from this order ordinance?



Speaker 9 - 01:34:42

Yeah, that's something that we would need to look at. And that's also one of the issues that we discussed with legal. I think it's a policy decision as to whether how aggressive do we want to enforce this? So in one school of thought, if material is leaving the county and not impacting your airspace, you know, do you care as much even though it may or may not be recycled? The other school of thought is that you want to make sure that everything is being recycled and that it would apply to all waste being generated within your county, regardless of where it goes. So in that instance, you would want to regulate material going to a transfer station as well if it were then going to disposal and not going to a permitted facility.



Speaker 9 - 01:35:19

But that's kind of a policy discussion that we need to work out with the county as well.



Speaker 2 - 01:35:23

Okay. I mean, just, you know, companies have invested in this community to process that waste. So to accept the transfer stations really doesn't benefit those companies that are handling the waste in town and then providing jobs and all that stuff.



Speaker 9 - 01:35:46

And does it meet the spirit of the rule to really, you know, require recycling, which is what our intent is.

Speaker 8 - 01:35:59



Any more comments from the group?



Speaker 2 - 01:36:07

I do want to thank all the public comments. I think they're incredibly helpful. I think we should all consider some of the statements that were made about making this as simple as possible. I think I Do struggle with the benefit of the building review. That we may want to re. Consider that because they're. The value you get out at the end is minimal if it's being controlled on the back end process to ensuring that the facilities just won't accept anything that's going through a material recovery facility. So what are we doing? Are we creating a process just to create paperwork and cause additional staff time? There is some value in some of the comments made in terms of keeping it simple. So I do think this group should consider that as we move forward.



Speaker 3 - 01:36:56

Carol, just sitting here listening to the comments that were made by the industry and I need to play it out in my mind a little bit more to sort of figure out how it potentially would work. They're right. In Plantation, we franchise cdd. If I restrict the sites to which they can haul. Again, enforcement is still a little. I'm going to say loosey goosey there, but that might be one way to do this without impacting a lot of other operations and keeping things very simple and very clean. So I don't know. Some of you who do franchise C and D may want to turn that one over in your minds a little bit and we may want to talk about that as a potential alternative.



Speaker 2 - 01:37:49

I think it's clearly a balance. And you know, Ralph brought up some good points about the. What was the ghost hauling? What are the ghost recycling that he mentioned? Jam. Excuse me. We want to make sure that we don't. Sorry that we don't fall into those traps either. But again, this is a. This is a first. First go. So where we start, it's important that we start. We don't have to be perfect day one. But we start and then we evolve and grow as we. But I think what we're hearing from the industry is let's. Let's get going. Right.



Speaker 6 - 01:38:18

Let's get going.

Speaker 2 - 01:38:20



So I think the county was unable to attend because they have a commission meeting today. But I do think it's important that the county is going to play a big role in making sure that the comments from us and the comments from the industry as we develop the ordinance and there's clearly some legal questions here. I think making this county wide is going to make it easier for us on the cities rather than us having to do a heavy lift internally. So I still think there's some legal issues to resolve. And Phil's point is well taken about. Yeah, private providers. I was also talking about in terms of the landscaping tree preservation ordinance is a good analogy that he brought up. So Sam, was the county planning on attending the next July meeting?



Speaker 1 - 01:39:08

Yes, they said both Kevin Kelleher and Natasha said they will have all intentions of being at the next meeting.



Speaker 2 - 01:39:19

And then Travis, are you intending to have ongoing conversation with the county over the next 30 days?



Speaker 9 - 01:39:26

Yeah, our intent is to continue dialogue as well as to reaching out to some of the folks that were mentioned. The tree preservation ordinance is a good one for us to go look and do our homework on as potentially an example of how something was approved that then applies across the county and is reciprocated with the municipalities. And I think it was also. Is it Dr. Barbosa that was mentioned as a person that we should reach out to regarding kind of the appeal process and looking at things countywide as well. So we've got notes, I've got Shelby on the call as well. So we'll be following up with some of these people. If I could just address some of the public comments.



Speaker 9 - 01:39:59

So the current draft that you all were provided is the most current version and that's the simplified kind of streamed down version. The goal would be that's enforced at the disposal locations. Right. So there's no requirement of a covered project. There's no requirement of a C and D facility. If you're generating waste, you got to take it to be properly processed at a C and D permitted facility before disposal. And if you show up with the unprocessed load at disposal site, then you should be rejected. That's the way the current draft that we provided is written. The county expressed concerns with that and they're the ones that said that they would like to see it go back to be administered at the permit level. So that's a fundamental disconnect and we can't speak on their behalf without them being represented here.



Speaker 9 - 01:40:46

And I don't want to intend to portray their position on that fully. But that's the main primary concern I've got is that they're indicating they would have a preference for the, you know, the permitting process be the enforcement mechanism versus the other way around. I think the example language that Mr. DeVita provided is a good resource. We've looked at it. I think the concern with that is that it might be too simplistic and where is the enforcement there? So we've tried to take what he had and add a little bit to it to make it clear who and what would be enforced. But there's still some issues with that, like the transfer station, others that we need to work through.



Speaker 9 - 01:41:23

Overall, I think we've got to have more direct engagement with the county prior to the next meeting so that we've got a better understanding of where they're at and provide something to you all to review well in advance of that meeting, so we can hopefully be more productive and not spin our wheels quite as much, because I definitely understand the concerns with that.



Speaker 2 - 01:41:40

Thank you, Travis. So, yeah, I think it's really critical over the next several weeks, you meet with the county, resolve as many of the issues so that when we get together next time, we have very clear, hopefully, just a handful of policy issues that we need to resolve as a group and as we'd like to all kind of bring this in for a landing as quick as possible. One of the challenges, I think our next meeting is July 13th. I know each of you may have breaks with each of your commissions. I know in Sunrise we only have one meeting in July and one meeting in August, and there's many folks that may have planned vacations. So right now it's really critical that July 13th being that we get a quorum and people available. So I know we don't have a full quorum today.



Speaker 2 - 01:42:28

So, Sam, I think we're going to have to do some outreach to each of the cities and making sure that if their members aren't available, that their alternative is. And if we don't feel we have a quorum that we're going to be able to reach, we look at an alternative date. Because I think this next meeting is going to be important meeting if we're trying to bring this in for a landing. All right, is there any more comments on C and D before we move on? I do want to thank everyone for the very productive conversations workshop from the members and the industry and the presentation. Travis. So thank you. Sam, I'll turn it over to you.



Speaker 1 - 01:43:15

I think that's pretty much it. Let's see anybody else has anything else? Be Meeting adjourned. All right.



Speaker 9 - 01:43:29

Thank you, everyone.



Speaker 1 - 01:43:34

Vanessa.



Speaker 3 - 01:43:57

Yep.



Speaker 7 - 01:43:57

Oh, wow. Okay.



Speaker 2 - 01:44:19

Yep.



Speaker 7 - 01:44:20

That's a Tuesday recommender.



Speaker 2 - 01:44:27

Yeah, I think that's right.



Speaker 5 - 01:44:41

Okay.



Speaker 11 - 01:44:41

Perfect.



Speaker 5 - 01:44:42

Yeah.



Speaker 9 - 01:45:14

Yeah.



Speaker 7 - 01:46:31

One. See the joint. Yeah. So, well,.



Speaker 9 - 01:49:06

36 Months,.



Speaker 5 - 01:49:31

Like in your.



Speaker 9 - 01:49:32

College projects at that time, you know, like.



Speaker 7 - 01:49:34

Oh, yeah. Two weeks before the things and then like three nights before. You're staying up all night long.



Speaker 5 - 01:50:22

Question.



Speaker 3 - 01:50:47

It.



Speaker 5 - 01:51:14

70.



Speaker 9 - 01:51:57

Good.



Speaker 6 - 01:52:04

Sa.



Speaker 3 - 01:55:16

Okay.



Speaker 9 - 01:57:10

It.



Speaker 5 - 02:02:42

Here.



Speaker 9 - 02:03:10

Yeah.



Speaker 11 - 02:16:01

Good morning, everyone. Thank you for being here today. And let us stand and have a pledge of allegiance.



Speaker 3 - 02:16:14

To the flag of the United States of America, one nation under God, indivisible and justice for all.



Speaker 11 - 02:16:30

Thank you very Much for attending. We have two.



Speaker 3 - 02:16:34

Sorry.



Speaker 7 - 02:16:35

Roll call.



Speaker 11 - 02:16:36

Oh, sorry. Okay.



Speaker 6 - 02:16:38

Roll call. Chair Mead here.



Speaker 3 - 02:16:42

Vice Chair Horley. Thank you so much.



Speaker 11 - 02:16:48

Love the formalities.

 Speaker 7 - 02:16:51

Public comments.

 Speaker 11 - 02:16:54

Mr. Bram.

 Speaker 7 - 02:16:54

Charatar.

 Speaker 11 - 02:16:55

Richard, please.

 Speaker 8 - 02:17:05

Good morning, Chair and members of the C and D and Commercial Recycling Subcommittee. I would like to offer a brief idea for consideration as the Authority continues developing its C and D strategy and prepares for the upcoming workshop. Beyond improving recycling rates, I encourage the county to also explore a stronger focus on material reuse as part of the overall system. Reuse preserves far more of the original value of construction and demolition materials and delivers additional environmental, economic and social benefits compared to processing materials as commodities. As part of that discussion, I would suggest considering a Broward county materials exchange and reuse network modeled after the successful programs such as Urban or in Berkeley, California.

 Speaker 8 - 02:17:59

The intent would not be to create a rigid or centralized system, but to facilitate connections that allow usable building materials to be recovered and redirected into productive use before they enter the waste stream. For Broward, this concept could support a county enabled network approach that connects C and D processors, contractors and developers, municipal public works departments, Habitat for Humanity, restores, reuse businesses, schools and nonprofits, and affordable housing projects. The county's role would be to facilitate partnerships and recognize verified reuse as part of diversion credit systems, while allowing the private sector and nonprofit community to operate the actual reuse pathways. This type of approach could help recover doors, windows, cabinetry fixtures, lumber pavers and other reusable materials, supporting affordable housing, community projects, small businesses and local nonprofits, while reducing disposal costs and environmental impacts.



Speaker 8 - 02:19:08

The goal is simply to recognize that reuse preserves far more material value than recycling alone and to explore opportunities for facilitating reuse of construction materials as part of the county's broader circular economy and zero waste efforts.



Speaker 3 - 02:19:23

Efforts.



Speaker 8 - 02:19:25

I offer this as a practical circular economy concept for consideration as Broward county continues refining its C and D framework and advancing its zero waste goals. Thank you for your time.



Speaker 11 - 02:19:38

Thank you, Richard. Mr. DeVita,.



Speaker 7 - 02:19:59

Good morning. Louis DeVito of the Florida Waste Haulers Recyclers Coalition. Mr. Chairman, Madam Vice Chair.

Ms. Smith. Mr. May. We had the C&D workshop on April 14th and we had a consensus that the mandatory C and D ordinance required by Florida statute be adopted. It was further agreed that the submitted language by the consultants had flaws and needed simplification. Their current draft has been modified, but still too wordy. The introduction of this ordinance was three and a half years ago. It's undergone much discussion, changes, input, and finally a workshop and a consensus. I presented the simple outline which states Florida mandatory C and D recycling statute, the Florida Administrative code definition of C and D and asked it to be submitted to the county attorney assuring all C and D is processed prior to disposal.



Speaker 7 - 02:20:50

Note the concerning compliance language that was originally in the draft language has been stricken. This needs to be moved forward now without convoluted clauses in language for the people that were not at the previous meeting. I did get a little bit vocal, maybe lost my temper a little bit because there's a frustration factor. And the frustration is, as I said, three and a half years of back and forth. There were things that were written into different proposals that we presented which I did not necessarily agree with, but I felt compelled to comply with the other people that were working on it. I think we're at the point now where we have to stop trying to be diplomatic and be more to the point. And to the point is very simple. The state statute says we have to do it.



Speaker 7 - 02:21:48

We have a definition of what material should be included. And the only way we're going to do it is by simplifying it with mandatory C and D recycling prior to disposal. And the landfills have to ban the receiving materials that have been on that have not been processed. That's the key. And at the workshop, there was a whole big round and around about enforcement and forms that would have to be filled out. We tried to eliminate all that because that was stuff that were running into ROP roadblocks with. So once again, if the landfills just say, pure and simple, sorry, we do not accept that, and refer them to one of the ten MRFs in the county, it solves the problem once and for all. And unless we go that route, we're just going to keep having trouble.



Speaker 7 - 02:22:44

One other thing I want to say publicly, and I've said this before publicly, and I want to drive this point home. The resistance seems to be from the county because the perceived loss of revenue at the county landfill because they do not have any processing for C and D. So if they cannot accept unprocessed material, what are they going to do for revenue? I gave the solution for that as well. All of the MRF owners and operators are having to truck all of their material up to central and north Florida, their residual material. Perfect opportunity for the MRF operators, haulers, and the Broward County Landfill to take that material at that landfill. It'll bring. Continue to bring revenue into the landfill and it'll save money for the.



Speaker 7 - 02:23:40

For the MRF owners and operators that are having to truck that all up to west Central Florida. Thank you.



Speaker 11 - 02:23:47

Thank you, sir. I think we all share your frustration at sometimes how long these things take. I think we have come a long way. I think the roundtable that we had previously took a lot of some of the other things out of the proposal. I think the new proposal that we've got in front of us is more streamlined. Perhaps not as much as you would like, but it is more streamlined. So I think that was a very productive meeting that we had minutes of the prior meeting. Motion to approve.



Speaker 3 - 02:24:26

So moved.



Speaker 11 - 02:24:28

Second. Moving a second. All in favor say aye. Motion approved. Okay, Sam, want to go over the C and D?



Speaker 1 - 02:24:40

I'm going to ask Daniel to come up or speak. And is Travis still on the line? Yeah. So, yeah,.



Speaker 6 - 02:24:49

Travis, if I may, I think the point that we're at now is that we need policy direction. There's been a lot of discussion over the past several months. We're arriving, we're starting to narrow down the various issues. There is clearly a disconnect in terms of. Of where enforcement lies. The approach that Mr. DeVita has been advocating for makes sense because it really should be the receiving facility that has the responsibility to say, this is the language of the ordinance. There is no direct disposal. We have Florida statute that we can stand on. But I worry that we're going to start to drift back towards greater complexity rather than getting something on the books that is foundational that we can then work to. To improve. You know, a lot. A lot of the metrics have been taken out.



Speaker 6 - 02:25:46

We simply need legislation that starts this process. It's. It's been stated before. We need not let you know the good be the enemy of perfect.



Speaker 11 - 02:25:59

Thank you. Travis, did you have anything to add on that?



Speaker 9 - 02:26:03

Yes, sir. Good morning. I had a brief PowerPoint I provided to the TAC. It was only about six slides and kind of gave an overview of some of the feedback that we got from the industry Day workshop that you all hosted. So that was kind of more of their benefit. Sam, if you'd like, I can go through that again briefly, but otherwise, I feel like this. This body had firsthand seats there and kind of understands some of the concerns that we've got. And I can kind of walk through and summarize that. So just let me know how you'd want to go about that. But then we need to.



Speaker 11 - 02:26:34

Why don't you go through. Yeah, go through it again, Travis, because Denise was not at the last meeting.



Speaker 9 - 02:26:40

Okay, sounds good. I will share my screen, and I see it on there. So just a Quick kind of update of where we started and where we've been and where we're headed. Okay. As it was just discussed, we have clear statutory authority to enact C and D ordinances, something that's actually been on the book since 2012. Key point there is that there is a lack of enforcement at the state level currently to require counties to follow the letter of the statute. And so that's something where, you know, we're not seeing the state come in and really enforce that statute, even though it's been on the books for quite some time. We've already discussed and identified that C and D is a large percentage of the waste stream.



Speaker 9 - 02:27:32

So it's a ripe opportunity for us to target that to help increase overall recycling within the county and meet the authorities goals that align with the master plan that's been submitted. And then you all are aware again, I'm Travis Barnes, senior consultant with rrs and we're part of the SCS project team that's primarily been tasked with helping

to develop the C and D ordinance currently. So kind of where we've been, we conducted a comparative analysis of different jurisdictions across the country and looked at model language from that. I will say to public speaking comments this morning that we received. You know, building reuse is definitely something that we could look to lean in on in the future. The current draft ordinances both have been had submitted do allow for donation of materials to Habitat for Humanity or to other entities like that.



Speaker 9 - 02:28:26

So there is a pathway for that to count towards their recycling credits. Just wanted to kind of speak to that. And only on our project team we have an individual that her entire career has been focused on building reuse and she's actually on the board of directors for build reuse.org so we're well steeped in that and just wanted to say that we've got a lens where we're wanting to make sure that's a possibility with any ordinance that we adopt as well. In regards to some of the cities that we looked at and municipalities, Lee county obviously was one of the ones that stood out and has a model ordinance for us to look at in Florida.



Speaker 9 - 02:29:00

And we've had discussions with them as well as some of the members of the executive committee and I believe you all went and paid a visit to them to see their operation, how it interacts. We had also done engagement with the Construction Demolition Recycling association and other kind of experts within the field to figure out what are some of the best practices that we should be looking at over on the Right hand side is just a quick little table of some of the different facilities, excuse me, cities that we compared their ordinance language to help inform kind of the initial draft that we put forth. As you guys are aware, the initial draft was much more aggressive in setting specific recycling targets, not only for projects that are generating waste, but also the facilities that are processing that waste.



Speaker 9 - 02:29:45

And we had initially recommended that there be a third party certification process through the Recycling Certification Institute, which is the primary entity that's doing those third party certifications as something that we had initially recommended. After the workshop that we had back in April, it was very clear that there was not an appetite for that level of certification on facilities. They felt that it was redundant and that there's already reporting to the state Department of Environment Protection as well as the Broward county, and that there would be no need to have additional certification for that. You could utilize some of the existing data that's already been captured to help determine what a facility's recycling rate is. The MRF operators also indicated that achieving 50% recycling is not a guarantee that many of the facilities are, you know, operating 25 to 40% recovery currently.



Speaker 9 - 02:30:35

And that's largely dependent on the quality of the material that's coming into their tipping floors. And you know, they can only recover materials that are recoverable within the loads that they're getting, particularly if they're

comingled loads with a lot of potentially excess, you know, garbage and stuff in there in addition to the targeted materials. We heard from the general contractors at that meeting that they wanted to have an approach that was very straightforward, not complicated. Any additional things that would slow them down or any increased costs would be passed on to the customer or potentially require additional staff. And so they wanted to make sure that there would be something that would be easy to enforce and not slow down the development review process. In particular, there was not any support for withholding a certificate of occupancy for not meeting recycling requirements.



Speaker 9 - 02:31:25

And as Mr. DeVita said, emerging consensus that we should streamline an ordinance, make it as simple as possible, and really focus on just banning the direct hauling of material where that would be enforced kind of at those disposal sites, which is kind of reflected in the most recent draft that we've submitted to you all since then. We had a meeting this past Friday with Broward county staff and we are going to continue to more directly engage with them.



Speaker 9 - 02:31:52

They have expressed concerns with that modified approach and a preference for wanting to emulate more of the initial approach that we had, which is kind of using The Lee county ordinance as an example, whereby projects that are generating waste would have to submit verification that they took their material to a permitted C and D facility and that be enforced during the permit review process, as opposed to being something that would be enforced at the disposal locations. So that is kind of the disconnect where we've heard from other stakeholders versus the county and the difference of approaches and the next steps is really navigate, you know, that to find a policy alignment to Daniel's comments this morning, we really do need direction on which approach the county is going to be willing to support.



Speaker 9 - 02:32:43

Out of this morning's discussion, there was an example that was mentioned of a tree preservation ordinance that apparently has on the books in Broward county that each of the cities must abide by to at least meet those minimum requirements of the county ordinance or to have more stringent requirements if they want. So we're going to be looking to that as potentially an example of something that we could kind of emulate in regards to implementation framework to have something that the county is willing to approve and then the cities would need to comply with, but kind of be enforced at their local level. Beyond that, the county has expressed that they want to look into, you know, their legal ability to enforce the current draft ordinance that we've got that would ban disposal.



Speaker 9 - 02:33:27

And so we're going to be working with our legal team to also kind of make sure that we're on firm legal standing with any of that stuff. But I think the primary disconnect right now is, you know, do we set the requirement to be the

responsibility of the site that's generating the waste, so the construction or demolition project, or do we set it to where the disposal facilities can't accept material and that's where it's enforced? I think that's the big disconnect we're at right now, and we need to have more direct engagement with them.



Speaker 9 - 02:33:57

Beyond that, we're here today to kind of talk through what our next steps and get more input from you all, knowing that the goal would really be to have an order ordinance soon that we can make as a recommendation to the executive committee and then the governing board to hopefully have consideration by the county to adopt. That's kind of summary of where we're at right now. We just met with the county this past Friday, so we do need to have them represented at future meetings and they've expressed a willingness to do that because obviously we can't speak on their behalf. I think that would be really productive to have them to be able to articulate their position with these different committees.



Speaker 11 - 02:34:36

Okay, thank you. I noticed that your C and D estimates are for Broward county were 48% of the total waste stream. Am I understanding that correctly from the graph that was on page one?



Speaker 9 - 02:34:52

Yeah, I think that's 44% was this one. And that's from the Arcadis waste composition study that was done in 2018? I believe so there might be a more recent stat than that, but.



Speaker 6 - 02:35:08

44%.



Speaker 11 - 02:35:09

44%, Okay.



Speaker 9 - 02:35:10

Yes, sir.



Speaker 11 - 02:35:11

All right. Because that still seems to be a little different than some of the numbers that we're getting up from in the 30s, which is still high. Still high. But I'm just wondering about the differences. Yours is from 19 or 2018?



Speaker 9 - 02:35:25

Yeah, I'm looking at the source data. It's the Arcadist Broward County Solid Waste and recycling issue study from 2018.



Speaker 11 - 02:35:31

All right, thank you. Any questions or comments for.



Speaker 3 - 02:35:36

Thank you. Hi, Travis. Denise Orland here. I apologize I was not present for the last meeting. I'm not in favor of imposing any more requirements. Requirements on municipal staff, especially in light of what we may be facing next year with property tax reform. So my question to you is, did it come up in the last meeting? Are we at the point that we need to engage our building departments and get feedback from them about. I mean, I'm definitely in favor of banning the materials at the landfill. So I'd like to hear what the discussion was on that at the prior meeting, please.



Speaker 9 - 02:36:18

Right. At the TAC meeting this morning, there was a discussion that if we were going to pivot back to have the enforcement occur with the permit review process, that we would certainly need to have the permitting and building folks be represented to hear what. What that strain would cause on them and any concerns that they've

got. How easy would it be or not easy to be to implement that? Totally understand concerns about what's happening may or may not happen in Tallahassee impacting all that as well. I think the county's preference currently seems to differ from the kind of consensus that's building elsewhere to keep it simple and to really focus on, you know, preventing disposal, making sure stuff goes to permanent facilities. So that's. That's kind of where we're at.



Speaker 9 - 02:37:06

But, yes, it was brought up that we need to bring them to the table, the building officials, if we're going to move in that direction.



Speaker 3 - 02:37:12

Thank you.



Speaker 6 - 02:37:14

Okay.



Speaker 9 - 02:37:18

I will say on to that, Ms. Horland. You know, the example of Lee County. I can pull up their form. It really is not that cumbersome in that they're just requiring the wait tickets to be provided as part of the development review process. So once the project is complete, you know, there's an online form, you submit your permit number, the site job site number, you know, your contact information, and then you just upload your weight tickets as to where you took the material to demonstrate that some of it went to disposal and some of it went to recycling. And then that meets the spirit of their ordinance. So I don't think it would necessarily be extremely burdensome on those building officials. But again, we definitely want to hear from them and make sure that, you know, they don't have difference of opinion.



Speaker 9 - 02:38:08

The other thing is that each of the cities, I think, do some of that in their own way. And so how do we ensure consistency across all of the different jurisdictions was another issue that was brought up at the tac.



Speaker 3 - 02:38:19

So I don't know how we proceed without contacting those building officials at whatever means. I think it'd be difficult to get everybody in here. But if we have to take that Lee county form and send it out with a brief memo outlining where we are and get that feedback from those building officials, I think that would be the priority at this point.



Speaker 9 - 02:38:41

Yeah, I would agree. And here I'll share real quickly, just so you can see it on the screen. I'll make it a little bit bigger. But this is their online form. And so basically, when you go in, you have an online portal that you can submit the information and just upload your weight tickets and they've got a signature box that you're just complying with the ordinance. So fairly straightforward. But again, we'd want to make sure that we're getting input from those folks that would be directly administering and enforcing it.



Speaker 3 - 02:39:08

Thank you,.



Speaker 7 - 02:39:11

Travis.



Speaker 11 - 02:39:12

I think there's. Am I correct in saying that There's, I think, 10 recycling facilities in Broward County?



Speaker 9 - 02:39:19

Is that a good number for C and D focused ones?

Speaker 11 - 02:39:25



Okay. Yeah.



Speaker 6 - 02:39:26

Specifically C and D. Yeah, I think that's about right.



Speaker 9 - 02:39:30

We need to go back and look at it. I believe it was task two white paper that identified all the facilities and what they take. I don't think there is consistency across all of those as to what materials they. They accept.



Speaker 11 - 02:39:42

That was the next question.



Speaker 9 - 02:39:44

Right? Yeah. And so, you know, you've got some that potentially are targeting more, you know, yard waste, land clearing debris type stuff, and others that are looking at fully commingled debris. You know, others might be targeting more concrete, you know, metals, those types of things. I will say, in regards to the definition of the C and D materials, the state statute definition is more broad than what we've proposed. And so our ordinance definition is kind of a subset of those materials that we thought were more readily recoverable. But that's been brought up as you know, why don't we rely on the state statute?



Speaker 9 - 02:40:18

In our opinion, the state statute's list of materials is more extensive than what we've proposed and would cast a wider net on materials which would be good to increase overall recycling, but would potentially make it more

burdensome for those projects. If you were to set a certain threshold of a recycling requirement,



Speaker 11 - 02:40:40

How does that work? If a facility only takes out one or two items out of the recycling stream and then takes it to final disposal, are they at that point final disposal would be justified in saying, no, there's more there that can be recycled, or would they just take the word of the prior facility and say, okay, you've been there. How does this work?



Speaker 9 - 02:41:05

Yeah, under the current draft that we've provided to you all, the one that's the banning, direct hauling, there's no minimum requirement for a project to hit a recycling rate and there's no minimum requirement for a permitted C and D facility to have a specified recovery or recycling rate. So it would be just a simple they did take it to a permanent facility, that facility recovered, whatever they're able to recover, and then that checks the box. They're in compliance with the ordinance. That's all a policy decision. You could set requirements that are more stringent. But as it's currently written, if material is taken to a permanent C and D facility, then they would be in compliance and there would be no additional documentation needed as to what was actually recovered from that waste.



Speaker 11 - 02:41:50

Okay, thank you.



Speaker 6 - 02:41:52

More questions?



Speaker 11 - 02:41:53

Comments?



Speaker 6 - 02:41:55

Recognizing that the county and all municipalities are unsure about what the future is going to be, I would suggest rather than engaging them in a new process that I believe is relatively straightforward because it is simply another step in what is well established and well defined process that we continue to engage with the county to focus on legislation that essentially prohibits direct disposal, it seems like that is not because it's the path of least resistance, it's foundational to any future changes that add process and effectiveness in the future. I'm sensing frustration from just about everybody that has engaged either with Tac itself, this subcommittee, the executive committee and the governing board to do something better than what we're doing today with construction and demolition debris.



Speaker 6 - 02:43:03

And this would give us that opportunity to Focus on, really the ultimate goal is to preserve disposal capacity while beneficially using material. And as we learn what happens November, well, first in August locally and then in November statewide, what the impact really is going to be, we can start to further define it, but I just feel like it was described as a hamster wheel we're spinning around because there is not yet consensus on what is the best approach. But I think that there is agreement that keeping it out of landfill, to the extent practical, is a good starting point.



Speaker 3 - 02:43:47

Absolutely, I agree. And to your point, if the Lee county implementation at the municipal level is as easy and uncumbersome as they say, then that's definitely something it's worth exploring. And as I said, getting the feedback from our building officials. But I agree. We need, we need the legislation.



Speaker 6 - 02:44:08

Yeah. I'm not here to speak on behalf of the county, but going forward, what they shared is Lee county is established. It's defensible. It has. There's measurable results. So the feedback that was shared in our last engagement was that should be the kind of legislation that is considered.



Speaker 3 - 02:44:31

Okay.



Speaker 6 - 02:44:31

But I see it as a second step, first step. But again, it's merely a thought and a recommendation. And we look to you to provide clarity and policy.



Speaker 11 - 02:44:42

Direct.



Speaker 3 - 02:44:42

You're asking to continue discussions with the county getting this. Sam, did you want to weigh in?



Speaker 10 - 02:44:49

Yeah.



Speaker 1 - 02:44:49

The county said they're going to be at our next meeting, our next TAC meeting and for discussion on it. They couldn't be at this one. They, they had a county commission meeting, but they will be at the next one to discuss. Discuss it openly, you know, as, as part of the whole group. So that's what we need. We need them to be part of our discussion on where. Which direction we need to go in, you know, and I think that we're leaning forward towards not having it to go to all the municipalities to add more work to their workload already. But the county was kind of. The county was. When we talked to them, it's kind of wanted us to go more to the Lee county model, and Lee county model was to have that.



Speaker 1 - 02:45:38

So I think we just need to have that discussion openly with them to voice our concerns of that.



Speaker 3 - 02:45:45

Well, and again, I'm assuming it's going to be an imposition on our building department. Perhaps it won't be as much as we think it is. So that's why I think they need to be engaged. The one thing I will ask before that next TAC meeting, I understand there was not a quorum today. That we make sure that we're getting R3Ps before people show up here and give up their morning. We don't have a quorum.

Speaker 11 - 02:46:06



I would also suggest that we have meetings with the county before the TAC meeting so we can hopefully get some items squared away that.



Speaker 8 - 02:46:17

We don't need.



Speaker 11 - 02:46:18

To bring to the meeting.



Speaker 1 - 02:46:19

Yes. And maybe even have some of the building officials on the meeting with us also. They could be there.



Speaker 6 - 02:46:24

Absolutely.



Speaker 1 - 02:46:25

We express some of their concerns. I've spoken with a few building officials already and they have concerns about adding anything more to their load that they have individually. But it's just discussion to have with them about, you know, adding a form to what they have. But you know, it's just anything they have added on to it. There's just something there they would have to budget for. And you say well it wouldn't be, they wouldn't really have to budget for that. But anything they do, it's. In addition to what they're doing. They're gonna, there's going to be some fiscal impact and so we have to figure out what that fiscal impact would be.



Speaker 11 - 02:47:04

There's going to have to be some consensus. I'm not in favor of adding to anybody's workload or anybody's budget, but at some point we're going to have a trade off. Either we have a workable C and D ordinance or we continue on as we are. So that's going to be. Again, the county is going to be a large part of that. I welcome any input we had the roundtable that I thought, as I mentioned in earlier comments was very successful. I welcome any comments from the county. County to contribute to this, to hopefully get. Get to get to. Yes, as they say. Any more comments on the CND? Anyone?



Speaker 6 - 02:47:47

Any.



Speaker 7 - 02:47:50

Two comments. To the best of my knowledge, the 10 facilities that we've been talking about, unless something's happened in the last week or so, all except processed loads of C and D, excuse me, complete loads of C and D to be processed so they don't have to be separated or whatever you can bring them co mingled. All 10 facilities do accept that. Now there are other places that accept concrete, metals, et cetera, but we're not even discussing those. We're talking about MRFs that accept unprocessed C and D, process it and then move the components. The components to other. Other places.



Speaker 11 - 02:48:31

The question was do they accept all types of sand?



Speaker 7 - 02:48:34

Yeah, they take. Just do the isolation commingled Sandy. They bring it, they drop it, run it through their Conveyors, et cetera, pick it. And, you know, the stuff that's left over that can't be recycled, that's what is the residual material, which I said earlier, is being trucked up to Central Florida, which of course, that can, could be going to the Broward County Landfill. We could kill two birds with one stone. You know, on that note, the other thing is, as I mentioned, I think earlier, I don't know if this meeting or the previous meeting, a lot of the language that we had written into the initial C and D ordinances that were proposing included the form and stuff that we thought was kind of simple and easy to comply with.



Speaker 7 - 02:49:20

But we ran into a lot of resistance from the municipalities, number one, because they don't want any more work. They don't want any responsibility for money. They don't want any responsibility for inspections or any of the other stuff that's going to come with it. So that's why that was a way to get rid of it. But then when we had the workshop and the builders all said no. So the one thing we have to keep in mind, whatever comes out of this group, the tac, the swa, has to go to the county commission. And the best thing we can do is take something to the county Commission that's bulletproof. And the only way we're going to get bulletproof is to make it simple and cut and dry all the other stuff.



Speaker 7 - 02:50:07

We're just going to spin our wheels and waste our time and, you know, to continue on down the road. If we have somebody that's objecting, I'm a salesman. And when you're a salesman, the first thing you do is you overcome the objection. So let's get the county to the table. When I say the county, it's obviously the county. It's not the commissioners. Let's get them to the table, find out what their argument is, and let's, let's put that there. Put it on the table. Is it the, is it the fact that you're going to lose your revenue at the landfill or you perceive losing the revenue at your landfill? I know that there's talk about trying to do composting at the landfill, which would increase revenue. They can compete for the residual. Okay, so there are other things that can be done.



Speaker 7 - 02:50:57

One of the other things I proposed recently at another meeting is commercial food waste composting, which should be done. It would take out the second heaviest component of the solid waste stream next to C and D, and it could be done effectively at the Broward County Landfill. Now there was, I don't know if it was six months ago, eight months ago, a year ago, Kevin Kelleher at one of the meetings was asked about a landfill capacity. And I recall there was something about they were getting ready to open another cell. But there was a certain amount of acreage that was available for usage, but they had to be careful because it went into reserve land or wetland or something like that. But there was quite a bit of acreage that could be used.



Speaker 7 - 02:51:48

So once again, they could be doing some of those things which would generate the revenue, the perceived revenue that they're going to. They're going to lose if they can't take unprocessed cmd.



Speaker 6 - 02:52:02

That's.



Speaker 11 - 02:52:03

Thank you, Mr. David. Any other comments?



Speaker 8 - 02:52:11

Yes, hi, Richard Ramshar, Sir. I support what he's saying concerning the Broward County Landfill. Using that portion of that for food waste, organics composting. I've spoken to Mayor Beam fir about this. I've spoken to Steve Wright Cruise about this. I think it's an excellent idea. There's 588 acres of land out there. About 275 or 288 is being used for the CMD self hauling. So I've been out there several times myself and I've looked over the facility and I think that this is a low hanging fruit that we should be looking into immediately.



Speaker 11 - 02:52:56

Thank you, Richard. Okay, any other comments on the C and D portion of the meeting? Okay. Want to go into the commercial team?



Speaker 6 - 02:53:13

Yeah.



Speaker 1 - 02:53:16

Yes, I'm sorry, do we have any updates on commercial recycling?



Speaker 6 - 02:53:19

We have provided draft legislation and presentation on sort of the framework. I just want to report out to you what was discussed at the last TAC meeting, which is not two months ago really related to these areas. Material selection, minimum container threshold enforcement, compliance, the hauler registration. And then also considering textiles as it relates sort of the same concept. The ordinance is easy. The implementation is going to be challenging. And in this case we are going to have to speak with municipal planners, building officials because we know there will be conflicts with land development code and we also know what the environment is like today. Right. More work is going to be challenging until we have greater certainty coming out of November in terms of material selection. We were intentional. We wanted to empower the businesses to select the material.



Speaker 6 - 02:54:25

And part of it is philosophy. Participation yields greater tonnage. And we want to start basic. Pick one material that you believe that you generate the most of and then build on that. It's like priming the pump. So there was a lot of discussion around that. But we're still advocating for let the businesses self select based on the example jurisdictions that have implemented similar approaches. That's how they've done it. And we believe that's a successful path. In terms of container size threshold, we need direction. We agree that a 96 gallon cart is probably the smallest. That's a half cubic yard. So assume that it's that at the minimum it's collected once a week. But there wasn't unanimity. It could be a two yard container. Part of it is the give and take. I don't know.



Speaker 6 - 02:55:23

We don't yet know the constraints that municipalities are feeling in terms of parking required parking spaces. So I think that's a conversation that either we should have with tac, but we need to prep them so that they can engage with their colleagues to either bring them to a TAC meeting or to convey what is shared from the other departments. In terms of compliance, we're enforcement, we built in a recognition program and that will be further fleshed out during the, you know, as we move into implementation. But we also agree with the feedback that it should not be punitive. Almost everything that we're talking about ties into education and outreach and we. So the goal is not to implement the compliance program straight away, but have it transition from status quo implementation of the ordinance and then moving forward into compliance.



Speaker 6 - 02:56:25

We need to have more discussions with the authorities, general counsel around material hauler registration. It just get, it's a little complicated in terms of what the state requires or does not allow. And lastly textile. So that's not a designated recyclable material, but we believe that for certain kinds of businesses that would be appropriate. So again we need to work with general counsel to make sure that if that is considered that it doesn't invalidate the legislation. So we still have some work to do. But let me, I'm going to pose it to you. Given the current environment, how should we best bring back an ordinance that reflects this feedback? Is it something that we have the appetite to do?



Speaker 11 - 02:57:20

Yeah. First of all, let me ask you a question. You're referring to the business community,.



Speaker 6 - 02:57:26

Is.



Speaker 11 - 02:57:27

That what you mean? Or are we including here multiple housing units?



Speaker 6 - 02:57:32

It would include.



Speaker 11 - 02:57:33

Yeah. And.



Speaker 6 - 02:57:36

Customers that are considered commercial. I'm sorry, customers that are considered commercial.



Speaker 11 - 02:57:42

Okay.



Speaker 6 - 02:57:42

So yes, it would include multifamily. Okay. Okay.



Speaker 11 - 02:57:46

I hate to say this, I think we just need to have a couple more meetings on this because I don't know, I don't feel comfortable with. With the amount that I've done on this, let's put it that way. I don't know where the rest of the committee stands on this, but I think we need to get into that a little bit more. I think we put a lot of time into the C and D aspect of this, and I think we need to get into the commercial a little bit more. As you said, there's. There's things that need to be talked about with the various cities. And I think that's a conversation that it's got to be had, no matter the times in the November elections, still has to be had.



Speaker 11 - 02:58:25

So I. I think we need to schedule that and get into this a little deeper.



Speaker 6 - 02:58:30

Yeah. And I'll also share. We, as the consulting team, we look to those counties that are achieving high recycling rates. Right. So take a big step back. Our goal that this is part of is getting Broward county or the authority to 75% recycling. Commercial recycling is a big part of it. So we conduct a lot of waste composition studies and we usually look at residential and commercial. Much of what is disposed around the state are commercial recyclables. And what we're asking for is everybody to do their part. No one group has to do everything. But we are looking for the opportunities to move the needle, and that's sort of. That includes the construction and demolition debris. It is valuable material. It is heavy material, and it moves a needle in the same way that commercial recycling does.



Speaker 2 - 02:59:29

Yeah.



Speaker 11 - 02:59:30

And I think the other communities maybe have more similarities with the commercial end of it, and we can learn more from them. With us in Broward county, the C and D is perhaps a little more of a unique animal with our independent contractors, and we have taken care of our recyclable facilities. So I think we've got perhaps a difference there. But I think the commercial is a little bit more akin to other municipalities and we can probably piggyback off their knowledge a little easier.



Speaker 6 - 03:00:03

So I will also share. I love a productive workshop. A workshop that does not yield output, wastes everybody's time.



Speaker 11 - 03:00:15

Absolutely.



Speaker 6 - 03:00:15

But I'm going to ask if you think it's appropriate to have a workshop so that we are able to engage with all stakeholders that include municipal departments as well as the business community, basically all affected parties. And I would suggest that we do that in August. It's an off month for at least elected officials, most of the ILA communities. It will give us enough time to do some additional legal due diligence to make sure that we're speaking with clarity and that we focus on the substance of the ordinance, but really seek input on the implementation side so that we're flagging areas that require. Require additional research so that we can bring back not just a revised ordinance, but start to talk about the implementation.



Speaker 11 - 03:01:13

Yeah, I would be definitely in favor of a workshop. You said August. I think that's a great month. I think Vice Chair Horlund has some excellent input, and I think hopefully we could maybe schedule some type of meeting. I don't know how to work that because we can't go together, can we? No, we can't. Just to get some input. We'll have to talk about that and see how we can work that out to get him. Yeah.

Speaker 1 - 03:01:43



I have a question. Do you know how many municipalities in Broward county have commercial recycling ordinances? Mandatory commercial recycling ordinances? Now, I know. I know at least of one. But if there are, there.



Speaker 6 - 03:01:59

I don't know of more, but it's a simple check to do.



Speaker 1 - 03:02:05

Okay. And if they. And how they're enforcing their. Their ordinances, you know, for those that do have them.



Speaker 3 - 03:02:15

Go ahead and pause.



Speaker 6 - 03:02:17

Okay.



Speaker 11 - 03:02:18

Any other comments for the good of the organization? If not, then we'll stand adjourned.