

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	March 5, 2024	Consent [X]	Regular []
		Public Hearing []	
Department:	Water Utilities Department		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, supporting the Continued Operation of the Solid Waste Authority of Palm Beach County's (SWA) Biosolids Processing Facility beyond August 9, 2029.

Summary: On May 3, 2005, the Palm Beach County Board of County Commissioners approved an Interlocal Agreement (ILA) for Biosolids Processing and Recycling with SWA (R2005-0897). Under the ILA, the SWA is responsible for the design, construction, operation and maintenance of the regional Biosolids Processing and Recycling Facility (BPF), and, in addition, will market the biosolids pellets to various fertilizer manufacturers. The Facility became operational in 2010. The Palm Beach County Water Utilities Department (PBCWUD), along with the other participating utilities including the South Central Regional Wastewater Treatment and Disposal Board, City of Boca Raton Utilities Department, Loxahatchee River Environmental Control District, Seacoast Utility Authority, and the East Central Regional Wastewater Treatment Facilities Operation Board are responsible for delivering wastewater biosolids to the facility, and paying for the pro-rata share of capital and net operating costs. In accordance with the ILA, at least five years prior to the termination of the Operations and Maintenance Agreement (August 2029), the participant utilities are required to jointly determine if the BPF shall continue operation or if the operation shall cease on August 9, 2029. On November 27, 2023, SWA formally requested the participant utilities to vote to either (1) Continue operation of the BPF or (2) Discontinue the BPF operation after August 9, 2029. PBCWUD believes it is in the best interest of the County to continue operation of the BPF. Countywide (MWJ)

Background and Justification: As part of the wastewater treatment process at Southern Region Water Reclamation Facility, biosolids are removed from the wastewater, thereby purifying it. These biosolids can be either land filled or beneficially recycled as a fertilizer or soil additive. While the Department has always embraced the concept of recycling this product, increasing regulation has hindered land application efforts, and could prevent it in the future. Biosolids pelletization provides an attractive alternative that will allow for the continued recycling of this product while at the same time meeting existing and future regulations. The resulting pellets can be blended with other fertilizer components and then be beneficially reused by the public.

Attachments:

1. One (1) Original Resolution

Recommended By: Kristin Betts for 2-7-2024
 Department Director Date

Approved By: Neil J. Owen 2/14/24
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund Dept Unit Object

Is Item Included in Current Budget? Yes X No

Does this item include the use of Federal Funds? Yes No X

Does this item include the use of State Funds? Yes No X

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No Fiscal Impact

C. Department Fiscal Review: See Ltr for ER

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

[Signature] 2/7/2024
OFMB JA 217
DPP 217

[Signature] 2/9/24
Contract Development and Control
TMD 2/9/24

B. Legal Sufficiency:

[Signature] 2/12/24
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. R2024-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SUPPORTING THE CONTINUED OPERATION OF THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY'S BIOSOLIDS PROCESSING FACILITY BEYOND AUGUST 9, 2029.

WHEREAS, On May 3, 2005, the Palm Beach County Board of County Commissioners (Board) approved the Agreement for Biosolids Processing and Recycling (Agreement) (R2005-0897) with the Solid Waste Authority of Palm Beach County (SWA); and

WHEREAS, pursuant to the Agreement, the SWA is responsible for the design, construction, operation, and maintenance of a regional Biosolids Processing and Recycling Facility (BPF), and the marketing of biosolids pellets to various fertilizer manufacturers; and

WHEREAS, also pursuant to the Agreement, the Palm Beach County Water Utilities Department (PBCWUD), along with other participating entities, is responsible for delivering wastewater biosolids to the BPF, and paying their pro-rata share of the BPF capital and net operating costs; and

WHEREAS, pursuant to Section 5.1 of the Agreement, the Agreement terminates on August 9, 2029, which corresponds with the termination date of the Operation and Maintenance Agreement (O&M Agreement) between SWA and the contract operator of the BPF; and

WHEREAS, also pursuant to Section 5.1 of the Agreement, at least five (5) years prior to the termination date of the O&M Agreement, the participants to the Agreement shall jointly determine, by written vote, whether the operation of the BPF shall continue beyond August 9, 2029; and

WHEREAS, the Board believes that the continued operation of the BPF beyond August 9, 2029 is in the best interests of PBCWUD and the County and hereby supports such extension.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Board hereby finds that the continued operation of the BPF beyond August 9, 2029 is in the best interests of PBCWUD and the County and hereby supports such extension.
2. This Resolution shall be effective immediately upon approval.

The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote; the vote was as follows:

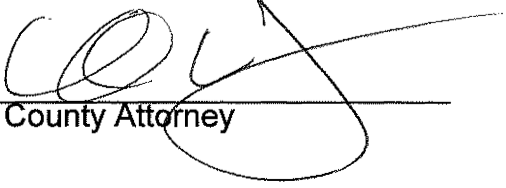
Commissioner Maria Sachs, Mayor	_____
Commissioner Maria G. Marino, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Michael A. Barnett	_____
Commissioner Marci Woodward	_____
Commissioner Sara Baxter	_____
Commissioner Mack Bernard	_____

The Mayor thereupon declared the Resolution duly passed and adopted this ____ day of _____, 2024.

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF
THE CIRCUIT COURT & COMPTROLLER,
PALM BEACH COUNTY

By: 
County Attorney

By: _____
Deputy Clerk

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Commissioner Maria Sachs, Mayor	-
Commissioner Maria G. Marino, Vice Mayor	-
Commissioner Gregg K. Weiss	-
Commissioner Michael A. Barnett	-
Commissioner Marci Woodward	-
Commissioner Sara Baxter	-
Commissioner Mack Bernard	-

The Mayor thereupon declared the Resolution duly passed and adopted this day of _____, 2024.

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT
COURT & COMPTROLLER, PALM BEACH
COUNTY

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By _____
County Attorney