City Council Resolution Brief
on
Post 2018 SPSA

Pursuing a Regional Approach to Reaching an Affordable Solution

DCM Dave Hansen
26 March 2013
City Council Resolution

- Public comment and Council approval: 9 April
- Commitment to a regional solution
- CAO involvement
- Technical Committee assessments & recommendations
- Advisory guidance to existing SPSA Board
- Continue the process
- Develop a feasible and outcome
Post 2018 SPSA

CAO Briefing & Discussion

28 February 2013
Agenda Items

- Circumstances
- City Council Resolutions – intent, contents, & next steps
- MOA Drafting process, contents, and rules for participation
- Negotiation Timeline and Process with Wheelabrator & consideration of other disposal alternatives
- CAO’s Thoughts on how South Hampton Roads solid waste should be managed post 2018
- Next Steps & Calendar review and adjustment
Circumstances

- Effective January 24, 2018, all Use & Support Agreements expire as well as SPSA’s contract with Wheelabrator
- A series of studies have been conducted to provide various alternatives for municipalities to dispose of MSW
- General belief a cooperative regional approach is the superior alternative
- CAO’s desired to become personally involved in discussing and strategizing about the Post 2018 SPSA era
- SPSA will continue Post 2018 even if only in a perpetual existence
- The existing Suffolk approved SPSA landfill CUP does not encompass all potential expansion areas
- Should SPSA dissolve the assets are distributed or conveyed
- A systematic decision making process is underway external to the existing SPSA Board
Post 2018 SPSA Meetings
(Virginia Beach & Regional Meetings)

- 10/6/11  Final Report – Update to Solid Waste Management for Southside Hampton Roads Planning Horizon 2011-2047; by SCS Engineers
- 10/18/11  Presentation of Final Report to Virginia Beach City Council by Bob Gardner of SCS Engineers
- 11/30/11  Virginia Beach City Staff meeting
- 12/20/11  Virginia Beach City Staff meeting
- 1/24/12   Virginia Beach City Staff meeting
- Feb 2012  City Manager update briefing to Mayor and Vice Mayor
- 5/1/12    Virginia Beach City Staff met with SPSA Executive Director
- 5/24/12   CAO Meeting; Virginia Beach makes presentation; Technical Committee formed
- 6/11/12   Technical Committee meeting
- 7/19/12   CAO Meeting; presentation of findings to date
- 8/16/12   Technical Committee meeting
- 9/10/12   Technical Committee meeting
- 10/16/12  Virginia Beach City Council presentation by staff
- 10/18/12  CAO Discussion and Guidance Meeting at HRPDC
- 1/24/13   Technical Committee Resolution Review
- 2/28/13   CAO Briefing and Discussion re: Resolutions and MOA
City Council Resolutions  
Intent, Contents, and Next Steps

➢ Intent  
   ▪ Nonbinding show of Regional commitment  
   ▪ Allows Elected Body’s to include their concerns  
   ▪ Sets the conditions for entering MOA development  

➢ Contents  
   ▪ Summarizes the circumstances  
   ▪ Combines Regional supportive & City specific concepts  
   ▪ Reflects a cooperative Regional approach  
   ▪ Reflects confidence in SPSA  
   ▪ Does not contain the specifics  

➢ Local Governing Body passage: 2nd Qtr CY13
Resolution Contents

- BOD Membership
- New Use & Support Agreements
- Divisions TBD
- Voting
- Equal Fees
- Right to Withdraw
- Disposal Methodology
- MOA
- Comprehensive Landfill CUP
- Transfer Station Ownership
- Post 2018 SPSA Long Term Debt
- Host Fee = Annual business expense allocated to all members
- City specific inclusions (i.e. VB Landfill use)
Drafting the MOA
Process, Contents & Participation

- Joint effort: Technical and Legal Teams
- CY13 effort - monthly workshops - May thru Oct
- Incorporate Resolution feedback from City Councils
- Schedule 6 month CAO review
- Use Preliminary Matrix of Deal Points from Technical Committee meet of Sept 10, 2012 as starting point
- Incorporate current SPSA BOD lessons learned
- Complete MOA and ratify in 4th Qtr CY13
# Preliminary Matrix of Deal Points

**September 10, 2012**

<table>
<thead>
<tr>
<th>BOD Members</th>
<th>Chesapeake</th>
<th>Norfolk</th>
<th>Portsmouth</th>
<th>Suffolk</th>
<th>Virginia Beach</th>
<th>Franklin</th>
<th>Isle of Wight</th>
<th>Southampton</th>
<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain existing board membership</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>Ok</td>
<td>P</td>
<td>O</td>
</tr>
<tr>
<td>Change appointees to Senior Staff</td>
<td>U</td>
<td>Ok</td>
<td>Ok</td>
<td>P</td>
<td>Ok</td>
<td>P</td>
<td>P</td>
<td>U</td>
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**Membership**

<table>
<thead>
<tr>
<th></th>
<th>Chesapeake</th>
<th>Norfolk</th>
<th>Portsmouth</th>
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<th>Southampton</th>
<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintain same membership</td>
<td>Ok</td>
<td>P</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>P</td>
<td>O</td>
</tr>
<tr>
<td>Create separate divisions (East/West)</td>
<td>P</td>
<td>OK</td>
<td>P</td>
<td>Ok</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>O</td>
</tr>
<tr>
<td>Create SPSA with different members</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>Ok</td>
<td>U</td>
<td>Ok</td>
<td>U</td>
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**Voting**

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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Equal voting</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>U</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Equal voting if equal tipping fee</td>
<td>O</td>
<td>P</td>
<td>O</td>
<td>P</td>
<td>O</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
</tr>
<tr>
<td>Hybrid Voting</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>P</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
</tr>
<tr>
<td>Weighted voting (based on tonnage)</td>
<td>U</td>
<td>O</td>
<td>U</td>
<td>U</td>
<td>P</td>
<td>U</td>
<td>O</td>
<td>U</td>
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**Fees**

<table>
<thead>
<tr>
<th></th>
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<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single tipping fees for all members</td>
<td>O</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
</tr>
<tr>
<td>Division distinct fees based on disposal methodology</td>
<td>P</td>
<td>O</td>
<td>P</td>
<td>U</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</table>

**SPSA Landfill host business expense (Host Fee)**

<table>
<thead>
<tr>
<th></th>
<th>Chesapeake</th>
<th>Norfolk</th>
<th>Portsmouth</th>
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</thead>
<tbody>
<tr>
<td>Flat Fee</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>T</td>
<td>T</td>
<td>T</td>
<td>P</td>
</tr>
<tr>
<td>Fee based on tonnage going into landfill</td>
<td>U</td>
<td>O</td>
<td>U</td>
<td>T</td>
<td>U</td>
<td>T</td>
<td>T</td>
<td>T</td>
<td>T</td>
</tr>
<tr>
<td>Based on live land use (landfill)</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>T</td>
<td>P</td>
<td>P</td>
<td>T</td>
</tr>
<tr>
<td>Based on pre-landfill potential</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>O</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
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</table>

**Entry/Exit**

<table>
<thead>
<tr>
<th></th>
<th>Chesapeake</th>
<th>Norfolk</th>
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<th>Southampton</th>
<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>All members in for 30 years (no exit)</td>
<td>O</td>
<td>U</td>
<td>U</td>
<td>O</td>
<td>P</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
</tr>
<tr>
<td>Option out with payment of long-term debt and contractual obligations</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
</tr>
<tr>
<td>Opt out with no payment</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>P</td>
<td>O</td>
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**CUP for SPSA Landfill**

<table>
<thead>
<tr>
<th></th>
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<th>Southampton</th>
<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suffolk Interchange via SPSA</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Suffolk Interchange via TPO</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>T</td>
<td>P</td>
<td>P</td>
<td>T</td>
</tr>
<tr>
<td>Suffolk Transfer Station</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</tbody>
</table>

**Transfer Stations**

<table>
<thead>
<tr>
<th></th>
<th>Chesapeake</th>
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<th>Southampton</th>
<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member owned</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>SPSA owned</td>
<td>O</td>
<td>U</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>U</td>
<td>U</td>
<td>U</td>
<td>U</td>
</tr>
<tr>
<td>SPSA pays operating and routine maintenance</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>O</td>
</tr>
<tr>
<td>Members pay major maintenance and rehabilitation</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

**New/Relocated Transfer Stations**

<table>
<thead>
<tr>
<th></th>
<th>Chesapeake</th>
<th>Norfolk</th>
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<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPSA pays ≤ $5M / Members pay &gt; $5M</td>
<td>O</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>U</td>
<td>O</td>
<td>U</td>
<td>U</td>
</tr>
<tr>
<td>Members provide site</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Members provide project management</td>
<td>T</td>
<td>O</td>
<td>P</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</table>

**Disposition of Current Assets**

<table>
<thead>
<tr>
<th></th>
<th>Chesapeake</th>
<th>Norfolk</th>
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<th>Suffolk</th>
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<th>Franklin</th>
<th>Isle of Wight</th>
<th>Southampton</th>
<th>SPSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPSA retains landfill</td>
<td>P</td>
<td>P</td>
<td>O</td>
<td>T</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>O</td>
</tr>
<tr>
<td>SPSA retains equipment</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Transfer stations revert to members</td>
<td>P</td>
<td>P</td>
<td>T</td>
<td>O</td>
<td>O</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</tbody>
</table>

**Other Wastes - Operation Issues (SPSA or members)**

- Recycling
- Composting
- HHW
Negotiation w/ Wheelabrator

- **Existing Wheelabrator WTE**
  - Significant volume reduction (90%vol/70%wt)
  - Reduces landfill consumption/dependence
  - Generates renewable energy (steam, electrical)
  - Recovery (metals)/recyclables
  - Existing facility, proven performance, and reliable
  - New contract will be required
    - Regionally
    - By Division
  - Ash disposal: multiple options/opportunities

- **Current Timeline is to begin in 3\textsuperscript{rd} Qtr CY15**
Current Disposal Alternatives

▸ WTE
   - Higher cost
   + Environmentally preferred option compared to landfilling
   ? Consistent with current practice
   + Conserves landfill disposal capacity
   - Aging technology

▸ Landfill Only Solution
   + Lowest cost
   - Perceived as a Less preferred option environmentally
   + 110 year capacity at 500,000 T/year
   + Landfill gas Utilization
Regional Landfill

833 Total Acres

To Franklin

Nehra Property 212 acres
Zoned M-1

Natural Gas Pipeline

Cell VI

Cell V

Cell VII

To Chesapeake

204 Acres – Cells I-VII
266 Acres – Cells VIII – XIII (Currently Undeveloped)

470 Acres Total

Regional Landfill Zoned M-2
<table>
<thead>
<tr>
<th>Incoming Waste Volume</th>
<th>Cells 5/6</th>
<th>Cell 7</th>
<th>Cells 8,9,10</th>
<th>Cells 11,12,13</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3 MCY</td>
<td>4.2 M Tons</td>
<td>10.8 MCY</td>
<td>32.1 MCY</td>
<td>21.2 MCY</td>
</tr>
<tr>
<td>10.8 MCY</td>
<td>8.6 M Tons</td>
<td>25.7 M Tons</td>
<td>17.0 M Tons</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Ton/Year</th>
<th>200,000</th>
<th>2033</th>
<th>2076</th>
<th>2205</th>
<th>2289</th>
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<tbody>
<tr>
<td></td>
<td>300,000</td>
<td>2026</td>
<td>2055</td>
<td>2140</td>
<td>2197</td>
</tr>
<tr>
<td></td>
<td>400,000</td>
<td>2022</td>
<td>2044</td>
<td>2108</td>
<td>2151</td>
</tr>
<tr>
<td></td>
<td>500,000</td>
<td>2020</td>
<td>2037</td>
<td>2089</td>
<td>2123</td>
</tr>
<tr>
<td></td>
<td>600,000</td>
<td>2019</td>
<td>2033</td>
<td>2076</td>
<td>2104</td>
</tr>
<tr>
<td></td>
<td>700,000</td>
<td>2018</td>
<td>2030</td>
<td>2067</td>
<td>2091</td>
</tr>
</tbody>
</table>

Notes:
1. Landfill life estimates assume 1,800 lbs/cy density.
2. Cells V & VI volume of 5.3 MCY estimated remaining volume as of 1/1/2012.
4. Years shown indicate a sequential filling of each Cell.

Information provided by HDR Engineers

<table>
<thead>
<tr>
<th>Waste Disposed in the Regional Landfill in Tons</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
</tr>
<tr>
<td>1,184,268</td>
</tr>
</tbody>
</table>
WTE vs. Landfilling
Eastern Division Only

Chesapeake, $9,044,000, 25%
Norfolk, $6,458,000, 18%
Portsmouth, $3,680,000, 10%
Virginia Beach, Post Dec 2015, $11,997,000, 33%
Suffolk, $4,848,000, 14%

$36.0M

Does not reflect:
- Landfill expansion costs
- $5M/Member Transfer Station
- Increased fuel costs

Suffolk, SPSA Fees, $1,897,000, 14%

Chesapeake, $3,539,000, 25%
Norfolk, $2,527,000, 18%
Virginia Beach, Post Dec 2015, $4,694,000, 33%
Portsmouth, $1,440,000, 10%

$14.1M
SPSA Infrastructure

- Significant benefits to retaining
  - Realize value of capital investment at the Regional Landfill when all debt paid by 2018
  - Much longer life +140 years
  - CUP for expansion
  - Existing systems: personnel & operational practices in place
  - Compliance routines established
  - Communication systems established
  - Low cost alternative available via landfill only
- Maintenance & Repair/New Construction of Transfer Sites
SPSA Landfill in Suffolk

- Comprehensive Landfill CUP
  - Includes cells 8,9 &10 (thru year 2089). . . or . . .
  - Includes cells 11, 12, & 13 (thru year 2123)*
- Grade separated interchange
- Host fee:
  - $1M minimum floor
  - $4/T landfilled
- Citizen based services on site
- Yard debris composting
- Acquisition of adjacent 200 acres
  - Buffering
  - Regional Composting Facility

* SPSA landfill capacity based on 500,000 Tons of MSW landfilled per year
Transfer Stations

- Current BOD has no direction for disposition of assets
- Needed for disposal of MSW regardless of post SPSA regional decision
- Source of unpredictable SPSA long term debt and fluctuating tipping fees
- Could be viewed as tail of collection versus head of disposal
- Eastern Division members all have a need
  - Portsmouth has none and needs one
  - Norfolk needs a rebuild at minimum
  - VB needs to relocate both
  - Chesapeake needs another
  - Suffolk needs another

Recommendations

- Convey ownership of existing transfer sites to respective City
- Program $5M cost share participation from SPSA per City for life of new Use and Support Agreement
- Capital Maintenance costs born by respective City
- Operational M&R born by SPSA
CAO’s Thoughts/Guidance on Waste Management in the Post 2018 SPSA Era

Eastern Division

- **Virginia Beach**: Mr. Jim Spore, CAO, Virginia Beach stated that Virginia Beach was in and thanked the Technical Committee for the viable & responsible options that were provided regarding post SPSA 2018. The tipping fee issue basically depends on how the region decides to dispose of its waste: landfill or waste to energy.

- **Norfolk**: Mr. Marcus Jones, CAO, Norfolk, stated that the City of Norfolk is very appreciative for all the hard work the Technical Committee has done.

- **Chesapeake**: Mr. James Baker, CAO, Chesapeake, stated that there obviously will be a difference when deciding different disposal options (landfill vs. WTW) and depending on the outcome it could drive other localities to making similar decisions as Franklin. With that being said, the City of Chesapeake is pleased with the direction.

- **Portsmouth**: Mr. John Rowe, CAO, Portsmouth stated that the City of Portsmouth feels that a division approach is the best approach. He also stated that locating a transfer station in Portsmouth might be as difficult as financing a transfer station.

- **Suffolk**: Ms. Selena Cuffee-Glenn, CAO, Suffolk, stated that she has received good feedback and the City of Suffolk sees the benefit of taking a regional approach. She also stated that she sees the light at the end of the tunnel and has good things to take back to her Council. She ended by saying her preference is to look at a regional solution and she would like to get a resolution in front of her council ASAP.
CAO’s Thoughts/Guidance on Waste Management in the Post 2018 SPSA Era

Western Division

- **Franklin:** Mr. Randy Martin, CAO, Franklin, stated that he was shocked by the City of Virginia Beach and Norfolk’s change of mind on supporting one tipping fee for all members. He stated that the City of Franklin was prepared to move forward with signing the Resolution however today’s developments will force the City of Franklin to take a different approach. If consensus can’t be made on tipping fees the City of Franklin is out. The City Franklin waste is disposed differently from the eastern communities therefore tipping fees shouldn’t be the same. He also stated that he is not interested in paying for others improvements.

- **Isle of Wight:** Mr. W. Douglas Caskey, CAO, IOW, stated that IOW is still battling on how to move forward. They still have concerns regarding tipping fees.

- **Southampton:** Mr. Michael Johnson, CAO, Southampton, stated that everything should not be put in the same basket. The January 24, 2018 expiration date is only for the Use and Support agreements not the membership in SPSA. He also stated that preparations need to be made for communities that wish to exit SPSA.
Next Steps

- 18 Oct 12: CAO’s receive Technical Committee Progress Report
- 4th Qtr CY12: Provide briefings to respective Councils/Boards

1st Qtr CY12: Brief CAO’s re: Resolutions and MOA process

2nd Qtr CY13: Obtain Council/Board Resolutions regarding membership commitment to a Post 2018 SPSA

3rd Qtr CY13: Draft MOA and obtain legal reviews

4th Qtr CY13: Municipality ratification of the MOA

4th Qtr CY13: SPSA Board submission of a comprehensive Landfill CUP application

1st Qtr CY14: Draft Use and Support Agreements for the Post 2018 SPSA

1st Qtr CY15: Municipality ratification of Use & Support Agreements

3rd Qtr CY15: Commence negotiations with Wheelabrator for a WTE proposal

3rd Qtr CY16: Finalize decision on Post 2018 Disposal Strategy

1st Qtr CY17: Municipality ratification of the Post 2018 Disposal Strategy

1st Qtr CY 18: Stand up Post 2018 SPSA
City Council Discussion

Post 2018 SPSA Resolution
on
9 April 2013