



# Albemarle County

## Legislation Text

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**File #:** 16-328, **Version:** 1

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**AGENDA DATE:** 5/4/2016

**TITLE:**

Ivy Material Utilization Center Programs Agreement

**SUBJECT/PROPOSAL/REQUEST:** Resolution to approve Amended and Restated Ivy MUC Programs Agreement

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Foley, Davis, Graham, Henry

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Thomas C. Foley

**BACKGROUND:** The Rivanna Solid Waste Authority ("RSWA") has operated the Ivy Material Utilization Center ("Ivy MUC") at the request of the County since July 1, 2011 pursuant to Section 4.3 of the Solid Waste Organizational Agreement. Prior to 2011, the Ivy MUC had been operated on behalf of the County and the City of Charlottesville as a regional service for both localities. The County entered into the Ivy Material Utilization Programs Agreement effective July 1, 2011 with the RSWA that established that the Ivy MUC services would be provided at the sole cost of the County and set forth the terms and conditions for its continued operation.

On November 4, 2015, the Board requested that the RSWA oversee the design and construction of a new top load transfer station facility at the Ivy MUC to continue and to improve the transfer station services provided by the RSWA. This request necessitated the negotiation of an amended Agreement to address the issues arising from the construction and operation of the new facility.

**STRATEGIC PLAN:** Goal 2. Critical Infrastructure. Prioritize, plan, and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs.

**DISCUSSION:** The proposed Amended and Restated Ivy Material Utilization Center Programs Agreement between the County of Albemarle and the Rivanna Solid Waste Authority is attached (Attachment A). This amended Agreement provides that the RSWA will continue the operations and services for the County at the Ivy MUC. It also provides that the RSWA will design, construct, and operate a new top load transfer station facility to continue and improve the transfer station services at the Ivy MUC.

Pursuant to Section 4.3 of the Solid Waste Organizational Agreement, the County agrees that the construction of the new facility and the cost of the services will be provided at the sole cost of the County. The amended Agreement provides how the County's financial support will be determined and paid, how tipping fees will be established, and how the new facility will be constructed, and it establishes escrow funds to assure the County's financial obligations. The amended Agreement continues the existing services provided at the Ivy MUC as modified by the amended Agreement into the future on a year-to-year basis unless terminated by the

County.

The proposed amended Agreement was approved by the RSWA Board at its April 26, 2016 meeting. The Resolution prepared for the County's approval of the amended Agreement is attached (Attachment B).

**BUDGET IMPACT:**

The estimate of the cost of the new top load transfer station facility, including equipment, is \$2,587,000, and this funding is included in the County's approved CIP. Any additional operating costs associated with the new facility, as determined by the RSWA, will be at the sole cost of the County. In FY16, the County provided \$355,328 in financial support to the RSWA for the Ivy MUC services.

The County's contribution to RSWA for the total estimated net annual operating cost for IVY MUC and Recycling is expected to be \$647,952 for an increase of \$108,881 over the FY 17 adopted budget. The IVY MUC portion is based on preliminary estimates developed by the County's engineering consultant. The IVY MUC is expected to be operational in FY 18. The associated debt service with the new facility is estimated to be an additional \$141,999 annually and begin in FY 19.

**RECOMMENDATION:**

Staff recommends that the Board adopt the Resolution to Approve the Amended and Restated Ivy Material Utilization Center Programs Agreement between the County of Albemarle and the Rivanna Solid Waste Authority (Attachment B) and to authorize the County Executive to sign the Agreement after approval as to content and form by the County Attorney.

**ATTACHMENTS:**

A - Proposed Amended and Restated Ivy MUC Programs Agreement

B - Resolution to Approve Amended and Restated Ivy Material Utilization Center Programs Agreement