

Meeting Date: October 13, 2015

Agenda Item 46

REQUESTED COMMISSION ACTION:

Consent Ordinance Resolution Consideration Workshop

SHORT TITLE **AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO INCREASE THE SERVICE CHARGES FOR COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

OR MOTION: _____

Summary of Purpose and Why: The Public Works Department received from Waste Management a notice of adjustment of disposal rates to be effective October 1, 2015. This change is in accordance with our current Waste Management contract which allows an annual rate adjustment based on the Consumer Price Index (CUURA320SA0) and Producer Price Index (WPUSOP3130). The disposal adjustment based on the Indexes is an applied 1.17% increase. No price adjustment was requested to the hauling portion of the rates.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Russell Ketchum, Solid Waste Manager
- (2) Primary staff contact: Robert McCaughan, Public Works Director Ext. 4097
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER
Public Works	<u>10/2/15</u>	<u>Approve</u>	<u>Robert McCaughan</u>
Finance	<u>10/2/15</u>	<u>Approve</u>	<u>S. Subble</u>
Budget	<u>10-5-15</u>	<u>Approve</u>	<u>[Signature]</u>
City Attorney	<u>10/2/15</u>	<u>[Signature]</u>	<u>[Signature]</u>

Advisory Board
 Development Services Director
 City Manager [Signature]

[Signature]

ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1st Reading _____	1st Reading _____	Results: _____	Results: _____
2nd Reading _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



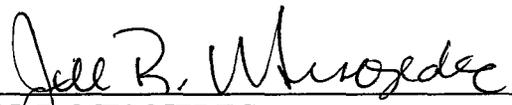
City Attorney's Communication #2015-526
September 24, 2015

TO: Russell Ketchem, Solid Waste Manager
FROM: Jill R. Mesojedec, FRP, Paralegal
VIA: Mark E. Berman, City Attorney 
RE: Ordinance Amending Chapter 96, "Health and Safety"

As requested in your e-mail of September 23, 2015, the following form of Ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO INCREASE THE SERVICE CHARGES FOR COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free contact me if I may be of further assistance.



JILL R. MESOJEDEC

/jrm
l:cor/pw/2015-526

Attachment

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO INCREASE THE SERVICE CHARGES FOR COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 96.13, "Service Charges," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 96.13 SERVICE CHARGES.

There is hereby levied and assessed against each and every person, firm, partnership, corporation, or other legal entity owning, occupying or using any building, structure, residence, duplex unit, triplex unit, multiple dwelling unit, or commercial establishment within the corporate limits of the city and upon each and every condominium association and cooperative association a service charge or charges for the collection of refuse by the city in accordance with the following schedule. In addition, a special services fee to cover the city's cost for bulk waste pickup, collection of illegally dumped material, and recycling shall be added to each residential customer account.

(A) Garbage and horticultural trash.

- | | |
|---|---|
| (1) Residence, duplex, and triplex without bulk containers. | |
| Residence | \$16.28 <u>\$16.29</u> per month |
| Duplex per unit | \$15.68 <u>\$15.69</u> per month |
| Triplex per unit | \$15.07 <u>\$15.08</u> per month |

For residential accounts using can service, which are billed by the unit, a charge of \$2.64 per unit per month, shall be imposed. An additional fee of \$5.97 per month shall be imposed for collection other than curbside and must be for a minimum of three months. This fee may be imposed where the design of the property prohibits the service vehicle from entering the location for the collection of waste, thus requiring walk-out service. Properties may request this service by writing to the City Manager or his designee. This fee may be waived by city where all occupants of a dwelling unit are physically incapacitated and unable to transport their garbage curbside. Proof of physical incapacity or inability must be provided to the City Manager or his designee and he may impose such reasonable conditions as may be required for waiver and certification.

(2) Residences, duplex, triplex, and multiple dwellings with:

(a) Non-compactor type bulk containers, per pickup: ~~\$5.98~~ \$5.99 per cubic yard plus rental and maintenance charges as set out in Schedules A and B below

...

(c) Compactor-type bulk containers, per pickup: ~~\$20.18~~ \$20.21 per compacted cubic yard plus rental and maintenance charges as set out in Schedules B and C below

...

(f) Compacted special pickup per cubic yard ~~\$29.82~~ \$29.83

(3) Multiple dwellings without bulk containers. ~~\$10.21~~ \$10.22 per unit per month

(4) Commercial establishments without bulk containers. ~~\$29.51~~ \$29.67 per month for two garbage receptacles plus ~~\$14.77~~ \$14.85 per month for each additional garbage receptacle.

(5) Commercial establishments with:

(a) Non-compactor type bulk containers, per pickup: ~~\$20.18~~ \$20.34 per cubic yard plus rental and maintenance charges as set out in Schedules A and B below.

- (b) Compactor-type bulk ~~\$70.57~~ \$71.21 per containers, per pickup; compacted cubic yard plus rental and maintenance charges as set out in Schedules A and B below.
- (c) Non-compactor special ~~\$22.78~~ \$22.94 pickup per cubic yard;

...

(7) Trailer parks. The charge for collection shall be ~~\$13.56~~ \$13.57 per month per pad space for each trailer park regardless of whether any pad spaces are occupied or vacant. Trailer parks using bulk containers shall pay the rental and maintenance charges as set out in Schedule A and Schedule B, plus ~~\$5.98~~ \$5.99 per cubic yard per pickup of the bulk containers. The charges provided in this chapter for trailer parks shall be billed at the end of each month to the operator of the trailer park.

...

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective immediately upon passage.

PASSED FIRST READING this _____ day of _____, 2015.

PASSED SECOND READING this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

jrm
9/24/15
L:ord/ch96/2015-525

**Waste Management
POMPANO RATE SCHEDULE
EFFECTIVE: October 1, 2015**

Transp. Index Change	0.00%	\$	79.38	= Tipping Fee 2015
80% of Change Max 7%	0.00%	\$	78.46	= Tipping Fee 2014
			\$0.92	= Change

TYPE OF SERVICE	Current Rate	06/14 vs 06/15 80% Transp Index Adj.	Disposal Adj.	Revised Rate
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RESIDENTIAL:

SINGLE UNIT	\$16.28	\$0.00	\$0.01	\$16.29
DUPLEX UNIT	\$15.68	\$0.00	\$0.01	\$15.69
TRIPLEX UNIT	\$15.07	\$0.00	\$0.01	\$15.08
BACK DOOR SERVICE (added for 2004/5)	\$5.97	\$0.00	\$0.00	\$5.97
RESIDENTIAL CONTAINER PER YARD	* \$5.98	\$0.00	\$0.01	\$5.99
RESIDENTIAL COMPACTOR PER YARD	* \$20.18	\$0.00	\$0.03	\$20.21
TRAILER PAD	\$13.56	\$0.00	\$0.01	\$13.57
MULTIPLE DWELLING CANS	\$10.21	\$0.00	\$0.01	\$10.22

MONTHLY CONTAINER MAINTENANCE:

2 CUBIC YARDS	\$19.70	\$0.00	\$0.00	\$19.70
3 CUBIC YARDS	\$24.71	\$0.00	\$0.00	\$24.71
4 CUBIC YARDS	\$29.63	\$0.00	\$0.00	\$29.63
6 CUBIC YARDS	\$34.53	\$0.00	\$0.00	\$34.53
8 CUBIC YARDS	\$39.49	\$0.00	\$0.00	\$39.49

SHORT,EASY ROLLOUT,PER ROLLOUT,PER WEEK

(10-20 FEET,STRAIGHT ROLLOUT,PAVED AREA)	\$19.70	\$0.00	\$0.00	\$19.70
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LONG,DIFFICULT ROLLOUT,PER ROLLOUT,PER WEEK

(> 20 FEET,AROUND CORNER,OFF PAVEMENT)	\$29.63	\$0.00	\$0.00	\$29.63
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CASTERS

	\$5.92	\$0.00	\$0.00	\$5.92
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MONTHLY COMPACTOR MAINTENANCE:

2 CUBIC YARDS	\$59.23	\$0.00	\$0.00	\$59.23
3 CUBIC YARDS	\$74.04	\$0.00	\$0.00	\$74.04
4 CUBIC YARDS	\$89.82	\$0.00	\$0.00	\$89.82
6 CUBIC YARDS	\$103.62	\$0.00	\$0.00	\$103.62
8 CUBIC YARDS	\$118.46	\$0.00	\$0.00	\$118.46
SPECIALS (Non-compacted special pickup per cubic yard)	\$8.76	\$0.00	\$0.00	\$8.76
SPECIALS (Compacted special pickup per cubic yard)	\$29.82	\$0.00	\$0.01	\$29.83

* Multifamily Container rates were increased to include an \$2.22 per loose yard, \$8.88 per compacted yard "Special Services" charge which Southern collects and remits to the city. This charge is not included in Revenue. This rate is per letter from Pompano Beach dated 11/10/2009 up from \$.93/\$3.72 in prior years.

**Waste Management
POMPANO RATE SCHEDULE
EFFECTIVE: October 1, 2015**

Transp. Index Change	0.00%	\$	79.38	= Tipping Fee 2015
80% of Change	0.00%	\$	78.46	= Tipping Fee 2014
= Change		\$	0.92	= Change

TYPE OF SERVICE	Revised Rate	06/14 vs 06/15 80% Transp Index Adj.	Disposal Adj.	Revised Rate
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COMMERCIAL:

COMMERCIAL CANS(2-30gal containers 2x/wk)	\$29.51	\$0.00	\$0.16	\$29.67
EACH ADD'L CAN	\$14.77	\$0.00	\$0.08	\$14.85
COMMERCIAL CONTAINER PER YARD	\$20.18	\$0.00	\$0.16	\$20.34
COMMERCIAL COMPACTOR PER YARD	\$70.57	\$0.00	\$0.64	\$71.21

MONTHLY CONTAINER MAINTENANCE:

2 CUBIC YARDS	\$20.92	\$0.00	\$0.00	\$20.92
3 CUBIC YARDS	\$26.14	\$0.00	\$0.00	\$26.14
4 CUBIC YARDS	\$31.39	\$0.00	\$0.00	\$31.39
6 CUBIC YARDS	\$36.58	\$0.00	\$0.00	\$36.58
8 CUBIC YARDS	\$41.81	\$0.00	\$0.00	\$41.81

SHORT,EASY ROLLOUT,PER ROLLOUT,PER WEEK

(10-20 FEET,STRAIGHT ROLLOUT,PAVED AREA)	\$20.92	\$0.00	\$0.00	\$20.92
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LONG,DIFFICULT ROLLOUT,PER ROLLOUT,PER WEEK

(> 20 FEET,AROUND CORNER,OFF PAVEMENT)	\$31.39	\$0.00	\$0.00	\$31.39
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CASTERS

	\$6.24	\$0.00	\$0.00	\$6.24
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SPECIALS

	\$22.78	\$0.00	\$0.16	\$22.94
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MONTHLY COMPACTOR MAINTENANCE:

2 CUBIC YARDS	\$62.72	\$0.00	\$0.00	\$62.72
3 CUBIC YARDS	\$78.43	\$0.00	\$0.00	\$78.43
4 CUBIC YARDS	\$95.15	\$0.00	\$0.00	\$95.15
6 CUBIC YARDS	\$109.77	\$0.00	\$0.00	\$109.77
8 CUBIC YARDS	\$125.46	\$0.00	\$0.00	\$125.46

ROLLOFF SERVICES

15/20 YARD MAINTENANCE		\$155.66		\$0.00		\$0.00		\$155.66
15/20 YARD PER PULL **		\$261.30		\$0.00		\$0.00		\$261.30
30/40 YARD MAINTENANCE		\$174.07		\$0.00		\$0.00		\$174.07
30/40 YARD PER PULL **		\$410.21		\$0.00		\$0.00		\$410.21
PACKERS **		\$319.33		\$0.00		\$0.00		\$319.33

** Excludes disposal rate which will be charged separately based on whether load is processable or non processable and the rates in effect at the time of service

TEMPORARY ROLLOFF SERVICES

15 YARD OPEN TOP		\$364.10		\$ -		\$0.00		\$364.10
20 YARD OPEN TOP		\$435.58		\$ -		\$0.00		\$435.58
30 YARD OPEN TOP		\$546.22		\$ -		\$0.00		\$546.22

Temporary Rolloff Disposal Increase Calculation:

<u>Disposal Rate per Yard</u>		\$	12.50			\$	12.50
15 YARD OPEN TOP	15	\$	187.50		\$	-	\$ 187.50
20 YARD OPEN TOP	20	\$	250.00		\$	-	\$ 250.00
30 YARD OPEN TOP	30	\$	375.00		\$	-	\$ 375.00
<u>Collection:</u>							
15 YARD OPEN TOP	15	\$	176.60	\$	-		\$ 176.60
20 YARD OPEN TOP	20	\$	185.58	\$	-		\$ 185.58
30 YARD OPEN TOP	30	\$	171.22	\$	-		\$ 171.22
<u>Total Rate:</u>							
15 YARD OPEN TOP	15	\$	364.10	\$	-	\$ -	\$ 364.10
20 YARD OPEN TOP	20	\$	435.58	\$	-	\$ -	\$ 435.58
30 YARD OPEN TOP	30	\$	546.22	\$	-	\$ -	\$ 546.22



Facility: Reuter Recycling
Computation of Tipping Fee Increase
Effective: October 1, 2015
For the City of Pompano Beach

FINAL

Series ID	Index Measurement	
	WPUSOP3130 Producer Price	CUURA320SA0 Consumer Price
<u>Index as of</u>		<u>Index as of</u>
9/30/2013	<u>151.30</u>	10/31/13 <u>238.858</u>
9/30/2014	<u>152.70</u>	10/31/14 <u>244.130</u>
Percent Change	<u>0.93%</u>	Percent Change <u>2.21%</u>
	(P) = preliminary	

Tipping Fee Adjustment % :

Producer Price	0.93%
Consumer Price	<u>2.21%</u>
Total Change	3.13%
divided by	<u>2</u>
Average Change	1.566%
percentage of change approved	<u>75.00%</u>
Tipping fee adjustment %	<u>1.17%</u>

Fee Structure

September 30, 2014 base fee	\$ 78.46	\$ 78.46
Tipping fee adjustment %	1.17%	
Tipping fee adjustment	<u>\$ 0.92</u>	<u>\$ 0.92</u>
October 1, 2015 base fee ----->		\$ 79.38

Rebate

Rebate - October 1, 2014	\$ 880,627	\$ 880,626.91
Tipping fee adjustment %	1.17%	
Rebate - adjustment	<u>10,344.56</u>	<u>\$ 10,344.56</u>
Rebate - October 1, 2015		<u>\$ 890,971.47</u>

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUURA320SA0
Not Seasonally Adjusted
Area: Miami-Fort Lauderdale, FL
Item: All items
Base Period: 1982-84=100
Years: 2011 to 2015

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2011		227.451		231.503		231.197		232.749		232.141		231.794	230.851	229.524	232.178
2012		234.043		236.095		233.991		236.110		236.793		235.023	235.207	234.526	235.889
2013		238.524		238.124		237.815		237.438		238.858		239.417	238.179	237.921	238.437
2014		242.268		244.073		243.428		243.124		244.130		242.676	243.147	242.921	243.372
2015		243.283		245.195		246.245								244.327	

Producer Price Index-Commodities
Original Data Value

Series Id: WPUSOP3130
Not Seasonally Adjusted
Group: Stage of processing
Item: Consumer durable goods
Base Date: 198200
Years: 2011 to 2015

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2011	145.7	146.0	146.2	146.8	146.6	146.9	147.2	147.3	147.3	149.7	149.7	149.5
2012	150.2	150.3	150.3	150.5	150.2	150.4	151.0	150.9	150.5	152.5	152.7	152.5
2013	152.3	152.3	152.2	152.2	151.8	151.6	151.3	151.3	151.3	153.4	153.7	154.0
2014	154.4	154.4	153.6	153.5	153.2	153.0	153.0	153.0	152.7	155.2	155.0	154.5
2015	155.4	156.1	155.9	155.6	155.6	155.4	155.6					