

Meeting Date: October 27, 2015

Agenda Item 42

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 Ketchem, 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 <u>10/13/15</u> Approved	1st Reading _____	Results: _____	Results: _____
2nd Reading <u>10/27/15</u>	_____	_____	_____
_____	_____	_____	_____



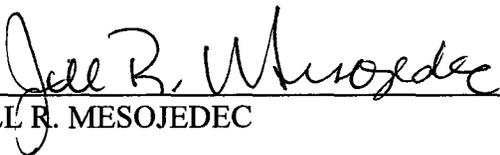
**City Attorney's Communication #2015-526**  
September 24, 2015

**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   | <del>\$16.28</del> <u>\$16.29</u> per month |
|     | Duplex per unit   | <del>\$15.68</del> <u>\$15.69</u> per month |
|     | Triplex per unit  | <del>\$15.07</del> <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.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**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
9/30/2014	<u>152.70</u>	10/31/14
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

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

Rebate

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



**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

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