

**MEETING OF THE CITY COUNCIL
PLANTATION, FLORIDA**

March 18, 2015

The meeting was called to order by Councilmember Lynn Stoner, President of the City Council.

1. Roll Call by City Clerk:

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| Councilmember: | Ron Jacobs Robert A. Levy Lynn Stoner Peter S Tingom Chris P. Zimmerman |
| Mayor: | Diane Veltri Bendekovic |
| City Attorney: | Donald J. Lunny, Jr. |

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2. The invocation was offered by Mayor Bendekovic.

The Pledge of Allegiance followed.

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ITEMS SUBMITTED BY THE MAYOR

3. Election of City Council Officers

Motion by Councilmember Levy seconded by Councilmember Jacobs to nominate Councilmember Zimmerman for President and Councilmember Jacobs for Pro Tem. Motion carried on the following roll call vote:

Ayes: Zimmerman, Jacobs, Levy, Tingom, Stoner
Nays: None

Councilmember Stoner turned the gavel over to Councilmember Zimmerman.

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Mayor Bendekovic introduced Darlene Vlazny, President of the Plantation Woman's Club.

Ms. Vlazny announced that the Woman of the Year Luncheon honoring ten outstanding women in the City of Plantation will be on Saturday, April 11, 2015 at the Jacaranda Country Club. Their Garden Expo is the weekend of March 28 and 29, 2015. She thanked their photographer, Lina (sic) Flores, and Lynn Braden, Co-Chair. Ms. Flores is also the Plantation Woman's Club Woman of the Year. Ann Ebert is their Project Chair.

Ms. Ebert presented the following checks:

- Danny Ezzeddine, Director of Design, Landscape and Construction, was presented a check in the amount of \$2,000 for the trees at Volunteer Park.
- John Hatch, sponsor for the golf tournament, was presented a check in the amount of \$750.

Ms. Ebert stated that part of that package includes a golf foursome which will be used at the Woman of the Year Luncheon as one of their raffles. It is a \$400 value.

Mr. Hatch advised that the golf tournament will be on May 2, 2015. Contact the Fire Department for information.

Ms. Ebert introduced Gail Tribble (sic), Education and Scholarship Chair.

Ms. Tribble presented the following checks:

- A check in the amount of \$1,000 to South Plantation High School was presented for their solar car program.
- A check in the amount of \$1,000 to Plantation High School was presented for their rocket program.

Ms. Ebert announced that seniors should get their scholarship applications; they must be turned into her by March 24, 2015. The scholarships are for a total of \$8,000 over a four-year period.

They are organizing a new night division for people who work and cannot come during the day; on the fourth Tuesday of the month at Deicke Auditorium at 7:00 p.m.

Councilmember Zimmerman gave a special thanks to the Plantation Woman's Club.

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Police Chief Harrison provided an update of the carwash that was held last Saturday at the Citgo Gas Station on East Acre and Broward Boulevard. They raised \$1,347 on that day. A special thank you to Councilmember Stoner was given for her generous donation. The money raised goes towards sending children to summer camp. Captain Steve Geller is the person in charge of the car wash and he is already working on a bigger better one for next year. The money was presented to James Romano, Director of Parks and Recreation.

Mr. Romano thanked the Police Department and Captain Geller.

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James Romano, Director of Parks and Recreation, made the following announcements:

- Summer camp applications are available at Central Park, Jim Ward Community Center, Volunteer Park and all Plantation public elementary schools beginning on Monday, March 30, 2015. The summer camp lottery will begin on Monday, April 27, 2015. Summer camp begins on Monday, June 8, 2015 and runs through Friday, July 31, 2015. There will be a three-week Kids Camp Program that runs from August 3, 2015 until August 21, 2015.
- This Friday is Spring Break Camp; there are a few openings left at the Frank Veltri Tennis Camp and the Equestrian Center.
- Tinsel Town Auditions will begin today and continue on Saturday, March 21, 2015 from 9:00 a.m. to 2:00 p.m. at Volunteer Park. The selected acts will perform on Friday night, May 1, 2015 at Volunteer Park.
- Online registration for PAL begins on Wednesday, April 1, 2015 and Saturday, April 25, 2015 at www.Plantation.org. Registration can also be done in person at Plantation Central Park Monday through Friday between 8:00 a.m. and 8:30 p.m. and Saturday from 8:00 p.m. to 4:00 p.m.
- The Royal Easter Egg Hunt will be on Saturday, April 4, 2015 at 10:00 a.m. at Pop Travers Park. This is for ages 3 – 10. This is a free program sponsored by the Plantation Woman’s Club.

In response to Councilmember Levy, Mr. Romano explained that there are cheerleaders for flag football and also for tackle football.

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Mayor Bendekovic presented Service Awards to the following City Employees:

| | | |
|---------------------|----------------------|----------|
| Dwayne Wood | Public Works | 20 years |
| *Beverly Cassell | Fire Department | 15 years |
| *Officer Susie Poux | Police | 15 years |
| Michael Bradshaw | Public Works | 10 years |
| *Rene Lovelle | Utilities | 10 years |
| Jessica Shearouse | Library | 10 years |
| *Pierre Aubry | Parks and Recreation | 5 years |

***UNABLE TO ATTEND**

Congratulations were offered.

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Mayor Bendekovic made the following announcements:

- Friends of the Library Book Sale is Friday, March 20, 2015 from 9:00 a.m. to 5:00 p.m. and Saturday, March 21, 2015 from 9:00 a.m. to 4:00 p.m. at the Helen B. Hoffman Library.
- Lauren’s Kids will have a walk in Broward County on March 23, 2015. The walk will begin at Nova Drive and University Drive at 2:30 p.m. It will be at Barnes and Noble at 3:30 p.m. and it will be at Plantation City Hall from 4:45 p.m. to 5:30 p.m.

- The Plantation Farmer's Market is at Volunteer Park every Saturday from 8:00 a.m. to 2:00 p.m.

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CONSENT AGENDA

As a Commissioner of the CRA, Mayor Bendekovic has a voting privilege on Item No. 11.

Item No. 10 was pulled from the agenda.

Mr. Lunny read the Consent Agenda by title.

4. Request to approve the first (1) of four (4) one-year renewal options with Harn R/O Systems, Inc. to furnish and deliver Avista Techn. Vitec 5100 scale inhibitor at a rate of \$3,550 per tote in accordance with City of Plantation ITB No. 020-14 Water Treatment Process. (Budgeted-Utilities)
5. Request to award a purchase order to Harn R/O, Inc. for the Installation Service for New Membrane Elements for the CWTP in the amount of \$62,880. (Budgeted – Utilities)
6. Request for emergency authorization to issue a purchase order in the amount of \$41,307 to US Auto Radiator Supply Company of Broward d/b/a 3 Star Radiator for the fabrication and installation of a radiator for the Regional Wastewater Treatment Plant Generator. (Budgeted – Utilities)
7. Approve Stop Loss Insurance premium in the amount of \$1,292,892 annually with CBM/Zurich North America.
8. Council's acceptance of the Community Redevelopment Agency Basic Financial Statements for the Fiscal Year ended September 30, 2014.

Resolution No. 12037

9. **RESOLUTION** adopting Federal Procurement Standards for Emergency Services Contracts, Amendments to existing Emergency Services Contracts to reflect preference in the contracts.

Resolution No. 12038

11. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period March 5, 2015 through March 11, 2015 for the City of Plantation's Community Redevelopment Agency.

Resolution No. 12039

12. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period March 5, 2015 through March 11, 2015.

Resolution No. 12040

13. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period March 5, 2015 through March 11, 2015 for the Plantation Gateway Development District.

Councilmember Levy requested that Mr. Lunny explain No. 9 because up until now we have given preference to local contacts when doing contracts. He questioned the new process due to the Federal standard.

Mr. Lunny advised that FEMA has changed its procedures for reimbursement for emergency services that are typically rendered after a Declaration of a State of Emergency has been declared. Because of those changing standards certain processes, procedures and changes need to occur in the City's legal arrangements that apply during States of Emergency.

Councilmember Levy stated that the City has always tried to give preference to local vendors and local contracts when necessary. This is a Federal requirement that does not allow us, in this situation, to do that. We will be looking at them as to how relevant they are to Federal standards. He assumes that we are still giving preference to local vendors.

Motion by Councilmember Jacobs, seconded by Councilmember Tingom, to approve tonight's Consent Agenda as printed. Motion carried on the following roll call vote:

Ayes: Stoner, Tingom, Jacobs, Levy, Zimmerman
Nays: None

Mayor Bendekovic voted on Item No. 11 affirmatively.

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ADMINISTRATIVE ITEMS

Mr. Lunny read Item No. 14.

14. DISCUSSION CONCERNING WASTE MANAGEMENT; PUBLIC HEARING AND FIRST READING OF AN ORDINANCE OF THE CITY OF PLANTATION PERTAINING TO THE SUBJECT OF ENVIRONMENTAL CONTROL; EXTENDING THE EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY OF PLANTATION AND WASTE MANAGEMENT, INC. OF FLORIDA FOR: (1) THE COLLECTION AND DISPOSAL OF SOLID WASTE (EXCLUDING CONSTRUCTION AND DEMOLITION DEBRIS) WITHIN PLANTATION AND (2) THE COLLECTION AND PROVISION OF SERVICES WITH RESPECT TO CERTAIN RECOVERED MATERIALS GENERATED BY RESIDENTIAL SITES WITHIN PLANTATION AS PERMITTED BY THE TERMS OF THE CURRENT FRANCHISE; APPROVING MODIFICATIONS TO THE FRANCHISE AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AMENDMENT TO FRANCHISE AGREEMENT; AMENDING THE CODE OF ORDINANCES TO PROPERLY REFERENCE SUCH FRANCHISE EXTENSION SO AS TO INDICATE THAT THE EXCLUSIVE FRANCHISE AGREEMENT WILL EXPIRE ON SEPTEMBER 30, 2016; MAKING OTHER PROVISIONS APPROPRIATE TO IMPLEMENT THE FOREGOING; PROVIDING RECITALS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A Report and Recommendation dated March 18, 2015 to Mayor and Members of City Council, from Daniel Keefe, Interim Chief Administrative Officer, Edward Consaul, Public Works Director, Priscilla Richards, Strategic Operations Administrator, and Donald J. Lunny, Jr., City Attorney, follows:

SUBJECT: (1) First Reading of Ordinance approving draft Second Amendment for Waste Management Franchise Agreement for one-year extension to September 30, 2016 (2) Kitchen size blue bags and (3) status of solid waste franchise after September 30, 2016.

REQUEST: (1) Approve Ordinance to extend the exclusive franchise agreement between the City and Waste Management, Inc. of Florida to expire on September 30, 2016.
(2) Approve Second Amendment to City of Plantation Franchise Agreement for Collection and Disposal of Solid Waste with Waste Management, Inc., of Florida to amend the agreement. (See Exhibit "1")
(3) Approve hiring a consultant to assist staff in the preparation of a competitive procurement for solid waste collection services (exclusive franchise) commencing October 1, 2016.

ANALYSIS: #1. Exclusive Solid Waste Collection Franchise

As the Council is aware, Broward County's Solid Waste Disposal Program has undergone significant changes in the recent past. On July 2, 2013, the decades old Interlocal Agreement for the Resource Recovery District expired, and the "fallout" from this major change is still being felt. First, each City was able to take advantage of County-procured disposal services (through Interlocal Agreements that "piggybacked" on County-procured disposal contractual services) or was able to undertake direct contracts with providers. In this regard, Plantation employed a combination of County-procured services through Interlocal Agreements and direct contracts. Second, while disposal rates dropped as a result of moving away from the Resource Recovery District unified disposal system, litigation ensued between the Solid Waste District City Members and Broward County concerning how the assets and liabilities of the System were to be addressed. Among other things, this litigation included issues concerning each party's continuing liability for environmental expenses related to the System's assets. In accordance with well-publicized press reports, consideration of a Settlement is scheduled for consideration by all governments participating in the litigation in the second quarter of this Calendar year. Third, and hopefully last, Waste Management has sold its ownership of the South Incinerator Operator (Wheelabrator) to Energy Partners, and is now seeking to close the North Incinerator. Press reports disclose that arrangements are being evaluated to keep the North Incinerator open, but the City does not know what these arrangements may ultimately entail, or whether they will be successful.

Plantation's Collection Franchise remained in effect until September 30, 2013, and was subject to one (1) two-year extension privilege, unless either party earlier terminated. In view of the fallout from this major change to the County Solid Waste Program, Plantation decided on March 20, 2013 to exercise its extension privilege and the Franchise was extended to September of 2015, and subsequently, Ordinance No. 2482 was adopted on May 14, 2014, the Council directed Staff to negotiate a one-year extension of the Solid Waste Collection Franchise, which will start on October 1, 2015 and end on September 30, 2016. It is hoped that by September 30, 2016, all of the economic repercussions of County change will be settled out so that a longer term collection franchise can be made with more certainty in the future business climate within which the City and collection company will operate.

Administration has negotiated with Waste Management to provide the following as additional consideration of granting the requested extension:

1. Provide a capital contribution for equipment purchase in the amount of \$235,000 for City use.
2. Develop an on-line, electronic survey for use by residents and businesses to evaluate and comment on Waste Management's annual performance in addition to the annual telephonic survey.

3. Change the rate charged for clubhouse facilities located in owner-occupied residential complexes from a commercial rate to a multi-family rate.
4. Waste Management will limit any CPI increases for collection or disposal to a maximum of 2% effective October 1, 2015. In the event adjustments are less than 2%, a rate deduction will occur effective October 1, 2015.
5. The Amendment to the Franchise Agreement contains provisions that the result of the discussion between the incinerator operators and owners and County concerns the potential closure of the North Incinerator will not delay the collection of the solid waste in Plantation, or result in the contractor having to seek extended collection hours or fuel surcharges.

Rate Reductions: Effective October 1, 2015 the City will be able to pass on savings to single-family residents, multi-family complexes and businesses realized from reduced disposal costs. This assumes that the Resource Recovery District litigation will be settled on terms favorable to the City and that the County discussions concerning the North Incinerator do not affect Plantation's disposal costs.

ESTIMATED TOTAL REDUCTION \$1.1M annually.

Rate reductions (which includes franchise fees) will be as follows:

Residential

Blue Bags

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|------------------------|------------|
| Current blue bag cost | \$ 1.69 |
| Adjusted blue bag cost | \$ 1.36 |
| REDUCTION | .33 |

Blue Bag Boxes

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|--------------------------|----------------|
| Current price box of 20 | \$ 33.80 |
| Adjusted price box of 20 | \$ 27.18 |
| REDUCTION | \$ 6.62 |

Blue Bag Homes Availability Fee

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|--|----------------|
| Monthly Availability Fee | \$ 7.04 |
| Availability Fee (billed to residents) | \$ 6.63 |
| (City has not passed on CPI increase for past three years) | |
| REDUCTION | \$ 4.92 |

Toter Cart Homes

| | |
|------------------------------|----------------|
| Current cart home price | \$ 29.70 |
| Adjusted cart home price | \$ 23.92 |
| REDUCTION (per month) | \$ 5.78 |
| Annual Savings | \$ 69.36 |

Commercial

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|--------------------------------------|----------------|
| Current commercial rate per yard | \$ 17.67 |
| Adjusted commercial rate per yard | \$ 16.43 |
| REDUCTION | \$ 1.24 |
| Annual Savings (4 yd., 2 times/week) | \$515.40 |

Multi-Family

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|--------------------------------------|----------------|
| Current multi-family rate per yard | \$ 13.93 |
| Adjusted multi0family rate per yard | \$ 12.62 |
| REDUCTION | \$ 1.31 |
| Annual Savings (4 yd., 2 times/week) | \$565.64 |

RECOMMENDATION: Approve Ordinance to the Franchise Agreement for a one-year extension and a companion amendment to the Code of Ordinances to reflect the Franchise expiration in September 30, 2016.

ANALYSIS: #2 Second Amendment to the Franchise Agreement

1. Extend the Exclusive Solid Waste Collection Franchise Agreement with Waste Management one year until September 30, 2016.
2. Collection at owner occupied residential clubhouses/community centers shall be considered residential service.
3. If authorized by City Council, smaller plastic liner (13 gallon size) may be purchased by residents at their option.
4. Effective October 1, 2015 telephonic survey shall be supplemented with an electronic survey.
5. Contractor will assume maintenance and repair for the compactor and receiver box located at the Public Works facility at Central Park.
6. Exhibit A "City of Plantation Rates" will be replaced with a new Exhibit A once the new CPI rates are finalized in July 2015.
7. Contractor shall provide City with \$235,000 as a contribution towards the purchase of capital equipment used in solid waste and recycling efforts.
8. Contractor agrees that the sale of Wheelabrator and/or the closure of the North Broward Waste to Energy plant shall in no way be a cause for any rate adjustment or make any change to service dates or hours of its operations in the City.
9. City consents to the subcontracting of certain bulk collection service responsibilities.
10. The agreement provides that the Second Amendment to the Franchise Agreement can be renegotiated in the event the litigation concerning the Resource Recovery District is not conducted in terms favorable to the City as in the event the Interlocal Agreement on Solid Waste Disposal Agreement's disposal rates are changed.

Waste Management has reviewed and approved the final draft of the Second Amendment.

RECOMMENDATION: The Administration recommends that the draft Agreement be approved at First Reading. If the Council desires any additional provisions, please let us know so that they can be considered by Council at Second Reading.

ANALYSIS #3

Kitchen Blue Bags

Several residents have requested a smaller size blue bag. Waste Management has obtained a price for a 17-gallon blue bag with drawstrings from Waste Zero, the supplier. (The regular blue bags are 30-gallon size). The cost would be \$1 per

bag which would be \$20 per roll. The bags would be packed in the same manner as the current roll of blue bags and would be available by October 1, 015. Waste Management is in discussions with Publix regarding shelf space for the new bags.

RECOMMENDATION: Approve the addition of kitchen size blue bags as an option for residents.

Mr. Keefe provided the following presentation.

- There is an ordinance to extend the Exclusive Franchise Agreement that will expire on September 30, 2016. That extends it for one year. Council gave direction to staff in May to negotiate a one-year extension and that is what they have done and are presenting.
- To approve the Second Amendment to the City of Plantation Franchise Agreement for collection and disposal of solid waste with Waste Management that agreement is Exhibit 1 on the staff report.
- Smaller kitchen size blue bag are up for consideration.
- Staff is recommending that we go out for bid after this extension in 2016 is completed. In order to do so, we recommend hiring a consultant to help draft the RFP to go out for bid. We have provided a timeline of what that effort is going to take. It is a very complex endeavor and it is believed that a lot of lead time is needed in order to accomplish this if that is something the Council wishes to do.
- The renewal for the year is to look at some rate reductions. In total, the rate reductions for residents and commercial property would be about \$1.1 million.
- We would be able to negotiate a collection of owner occupied residential clubhouses and community centers to be considered residential services rather than commercial. That would be a savings for those properties. If authorized by Council, we could use a smaller plastic liner or kitchen size bag, which would be about 13 gallons; the cost would be \$1. The larger bag is about 30 gallons. We have been doing annual telephonic surveys and will continue to do so but also supplement it with an electronic survey so people could go online. Usually 800 to 900 calls are made and that is considered scientifically accurate but online would allow anyone to do so.
- The contract will assume maintenance and repair for the compactor and receiver boxes located at the Public Works facilities at Central Park.
- Exhibit A shows rates that will be replaced once the new cpi rates are finalized. We negotiated a built in 2% cpi increase because we usually do not do the cpi until July. The maximum would be 2% and if it is lower, the rates would be lowered effective October 1, 2015.
- The contractor will provide the City with \$235,000 as a contribution towards the purchase of capital equipment.
- The contractor agrees that the sale of Wheelabrator and the closure of North Broward Waste Energy Plant shall no way cause for any rate adjustment or any changes to service days or hours of its operations in the City and the City consents to the subcontracting of certain bulk collection service responsibilities. This Agreement provides that the second Agreement to the Franchise Agreement can be re-negotiated in the event the litigation concerning the resource recovery district is not conducted in terms favorable to the City as in the event in the Interlocal Agreement on Solid Waste Disposable Agreement Disposal Rates are changed.
- There is a lot of uncertainty with what is happening with solid waste in Broward County. The City was to receive some payment back from the sale of Wheelabrator property and that is still before the County Commission.
- It is believed that there is a staff meeting on April 1, 2015 and on April 7 or 8, 2015 it will go back to the County Commission. With that uncertainty, that is why we are recommending and hope that

Council will approve the one-year extension and then the recommendation would be to go out for bid after that.

Attorney Bill Laystrom was present on behalf of Waste Management along with Tony Spadacia (sic) and Luigi Pace (sic). They are extremely proud to be your solid waste and recycling hauler for this contract as well as the one-year extension contract. Staff has been very diligent on a number of items but they feel this is in the best interests of their company as well as for the City. The County Commission meeting is going to be held on April 7, 2015. That item will then come back to the Cities depending on what they do at the April 7, 2015 meeting. The only disagreement they have as being the hauler for all of these years is that they like doing business with the City of Plantation and think they do a great job. They requested that Item #3, which is hiring a consultant, be deferred for 30 to 45 days to perhaps the first meeting of May to allow them an opportunity to put together their best foot forward to show why they think they should be the hauler after September 2016. They will provide a comparison of costs for all of the services shown, backing out things that are different, so prices can be compared to cities that are of equal size and for cities that have gone out to bid and RFP and perhaps save \$50,000 worth of consulting costs. The City is getting significant reductions this time. He believes there will be some additional reductions as disposal prices continue to reduce themselves. As staff has said, this has been an interesting last two or three years on disposal and he thinks that market will settle probably in the next year and a half to three years. There is still a lot going on with the County but all of the cities will be up for renewal on their disposal agreements and that will be a time to consider whether to extend those agreements or not. He stated that he would be happy to answer any questions regarding the Wheelabrator sale or the closure of the North Plant. The South Plant will remain open. The HHW facility will still remain although the County wants you to think about their services as an alternative. There will be no delay in service, they take all of the garbage to that facility already and it will remain open; it has plenty of capacity.

Mayor Bendekovic clarified that we are not getting rid of the larger bags; we are giving an alternative or an option. We had a discussion on May 14, 2015 regarding kitchen size bags with drawstrings. There will be a selection of two bags.

Steve Bush, resident, was present. During the last few days he has had conversations with several neighbors and with many members of his softball team and other teams. The general consensus is that everyone loves the blue bags except for a few people who hate them. He likes the blue bags and the recycling bags and has found that the people who do not like them tend not to be great recyclers and possibly do not know what they can recycle. Perhaps more education would be good. Several people would like to have the ability to put the blue bags in roller containers as opposed to having to drag the large bag out to the road. He mentioned the cost of the containers and stated that the cost was about \$27 per month. He did not see that on the website and suggested that it might be a good idea to post it somewhere. Everyone likes the idea of the half bag as well.

Freddy Robaina, resident, was present. He appealed the decision of the blue bag. He would gladly pay the price of the garbage container; he has five children. Most people that like the blue bag do not have children because when you have children there is a lot more garbage output. He understands the idea of having a plastic container getting picked up later in the day and that might not look good. He will figure out a way to have his children pick up all of the containers just to keep Plantation looking clean.

Jerry Siskined, resident, was present. He disapproves of the blue bags. He came from Pembroke Pines and they had a plastic receptacle system, which worked very well for a flat fee every month. Using the blue bags on a frequent basis is very inconvenient and expensive. He would strongly hope that at some point that the voters of Plantation get to vote regarding the blue bags.

Mayor Bendekovic advised that the bags are not more expensive. The blue bags do save money because you pay as you throw. The cost is \$210 per year for the blue bag and \$353 per year for the toter cart.

Councilmember Stoner indicated that all of the residents will have their input on the online survey that is going to be offered.

Councilmember Jacobs questioned whether the survey would be advertised on the utility bill.

Mayor Bendekovic stated that it would be in the utility bill. We have to be very careful so everyone will have an ID number because we do not want anyone to be able to vote three and four times.

Mr. Keefe advised that the telephonic survey will take place next month so not everyone will be called; it is done randomly by a company. The electronic survey will probably be ready by November 2015 and that will be advertised in the water bill and on the website. There will be a number that has to be entered in order to do the survey so people cannot do it multiple times. The survey will probably be open for a month or two and the results will be given after that.

Eric Sonovan (sic), resident, was present. He mentioned the rolling carts and noted that the current price of \$29.70 and questioned whether that is per month. He called Waste Management and was told that \$29.70 was for a three-month period.

Mayor Bendekovic advised that it is per month charge; bills are quarterly.

In response to Councilmember Jacobs, Mr. Sonovan indicated that he called the 800 number for Broward County.

Mr. Keefe advised that the charge is \$29.70 per month and it is billed quarterly. Incorrect information must have been given; perhaps the representative was looking at the monthly charge and thought it was a three-month charge.

Mr. Sonovan questioned whether a larger bag has ever been considered and letting residents put out their own trash cans.

Councilmember Jacobs commented that the bags would be too heavy to handle and rolling carts are picked up by a machine.

Mr. Sonovan suggested a rolling cart with the same size bags. He believes that a cart or a trash can has to be picked up the same way. He questioned why we have to extend their contract and why it can't go out to bid immediately.

Councilmember Jacobs indicated that Council decided earlier to do it. He stated that he is happy with the service that Waste Management is providing.

Councilmember Zimmerman requested that Mr. Keefe explain other County things that are happening and the reason why we don't move ahead right away.

Mayor Bendekovic also requested that Mr. Keefe explain the process when you do go out for bid that it takes a year to go out for the RFP.

Mr. Keefe explained that we provided an outline of what timeframe it would take to go out for a bid. It takes a long time to go through the process, to get a consultant, to have the consultant help write the RFP, and to bring it back to the Council. Things that might be included in the RFP might be an alternative bid for totter carts and blue bags. Once the proposals are received they have to be analyzed and brought back to Council for consideration and approval. If we went with a different company than our current franchise holder it would take them some start up time to deliver carts to people who need those and if we continue with the blue bag system they would have to get with the manufacturer to do the blue bags and stock them in the stores. It takes a lot of time. We feel like we need to know soon if the Council wants to do that.

Mr. Lunny advised that the overall environment in which solid waste is disposed has been the subject of a sea of change since July 1, 2012. The 20 something year Interlocal Agreement and Resource Recovery District expired. There has been significant litigation between Broward County and the contract communities over residual liability for landfills, over the value of the assets of that system and all during this time there were alternative disposal arrangements made and now will likely be changed because of the difference in supply being received by the two incinerator sites. The last thing you want to do in a significantly changing business environment is to seek a long term business arrangement and that is why the City's management has suggested short term extensions, the first of which was provided within the confines of the last Franchise Agreement and the second, this amendment, is being sought outside of a Franchise Agreement; it is not an extension that was already provided by that Agreement. It is hoped by the time September 30, 2016 the case will be settled and we will know what the business climate is going forward and whether we have to create reserves for environmental liability or whether the framework being discussed and which is currently confidential turns out. The last thing the City's management wishes to do is to go out to bid now without that certainty being in place.

Steve Bush, resident, stated that just because you use more bags than other people that everyone else has to subsidize everyone's carts.

Jolene Steinfield, resident, was present. She commented that there are some people who do not use the blue bags at all and take their garbage to work and different cities and other cities are paying for Plantation resident's garbage. She has noticed that there are not a lot of bags on her street; however, they still have the right to put out their large trash, which they are not paying for. She suggested that the City collect more revenue using cans to equal things out; she feels things are not equal. Revenue is the issue.

Councilmember Jacobs indicated that everyone pays a monthly fee and that offsets part of the people not using the bags.

Councilmember Levy stated that everyone pays the monthly availability fee and that covers the cost even if you do not use the garbage bags. Relative to the blue bags that you buy, that is up to you. There is a basic cost for garbage.

Ms. Steinfield questioned if it was true that the cost went up for the blue garbage bags and the City was subsidizing them.

Councilmember Levy replied a small amount. The availability fee was actually being subsidized by 40 cents. The cost is \$7 and the City was only billing \$6.63. They are proposing a reduction in all of those fees based on this one year extension and negotiation with the vendor as well as the fact that the County, Wheelabrator and the places where garbage is being dumped have reduced their rate; therefore, that savings should be passed on to the consumer. Because garbage is thought of as a utility it has to be treated very differently. There are certain requirements and unfortunately it works slowly and we have to follow all of that before we go out for

bid and that is why it is a time consuming problem and now it is complicated by a law suit. We would like to stay the course for now until we get all of the facts and do it correctly so no one can come back and say it wasn't done right.

Ms. Steinfield reiterated that not everyone buys the blue bags and that is the issue.

Councilmember Stoner suggested approving the ordinance to extend it through 9-30-16; approving the second amendment; and approving the kitchen size blue bags. She did not want to include #3; she thinks that a valid suggestion for delaying that would be appropriate until we get a picture of the whole thing.

Mayor Bendekovic questioned if a time certain could be done saying that we possibly would be able to go out in May.

Councilmember Stoner indicated that she would include in the motion until May 2015.

Mayor Bendekovic stated that to get a consultant the RFP is going to take a while.

Councilmember Tingom reiterated that approval of the extension with the addition of the kitchen bags and the price reduction would be effective on October 1, 2015 and then we are delaying a consultant for discussion until the first meeting in May of the City Council. He seconded the motion.

Mr. Lunny commented that the first part of the ordinance was being approved.

Mr. Keefe advised that the kitchen size blue bags will take several weeks to get manufactured and ordered; it may be before October 2015.

Motion by Councilmember Stoner, seconded by Councilmember Tingom, to approve the ordinance to extend it through September 30, 2016; to approve the second amendment; and to approve the kitchen size blue bags. We are delaying a consultant for discussion until the first City Council meeting in May 2015. Motion carried on the following roll call vote:

Ayes: Stoner, Tingom, Jacobs, Levy, Zimmerman
Nays: None

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LEGISLATIVE ITEMS – None.

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QUASI-JUDICIAL CONSENT AGENDA - None.

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QUASI-JUDICIAL ITEMS – None.

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COUNCILMEMBERS' COMMENTS

Councilmember Tingom wished everyone a Happy Holiday season.

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Mayor Bendekovic made the following announcements:

- There will be a City Council meeting on March 25, 2015 at 9:00 a.m. She requested that the Councilmembers be here around 8:45 a.m. so new group pictures can be taken. She also requested that everyone wear jackets.
- During the weeks of Passover and Easter the meetings will be held on April 15 and 29, 2015.

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PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS - None.

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SEALED COMPETITIVE SOLICITATIONS – None.

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WORKSHOP – None.

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Meeting adjourned at 8:40 p.m.

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Councilmember Chris Zimmerman, President
City Council

ATTEST:

Susan Slattery
City Clerk

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Minutes was received by the Office of the City Clerk and entered into the Public Record this _____ day of _____, 2015.

Susan Slattery, City Clerk