



**Village of El Portal
Special Assessment
Date: 9/14/21
Meeting Start: 6:22 PM
Meeting End: 6:48 PM
Meeting Length: 00:26:56**

Mayor Omarr C. Nickerson: How's everybody doing? Welcome to the solid waste special assessment meeting. It's being called to order on Tuesday, September 14th at 6:22 PM.

[gavel sound]

We'll have a moment of silent meditation followed by the Pledge of Allegiance.

[pause 00:00:32]

All: I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mayor Omarr C. Nickerson: Thank you very much, Madam Clerk, may I please have a roll call?

Village Clerk Yenise Jacobi: Roll call, Mayor Nickerson.

Mayor Omarr C. Nickerson: Here.

Village Clerk Yenise Jacobi: Vice mayor Urbom.

Vice Mayor Anders Urbom: Present.

Village Clerk Yenise Jacobi: Councilperson Pirela.

Councilman Luis Pirela: Here.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward.

Councilwoman Dr. Anna E. Lightfoot-Ward: Here.

Village Clerk Yenise Jacobi: Councilperson Martin?

Councilperson Darian Martin: Present.

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Village Clerk Yenise Jacobi: Also present, for the record, Yenise Jacobi, village clerk, Christia Alou, village manager, interim village attorney, Joseph Geller, and CFO, Chris Wallace.

Mayor Omarr C. Nickerson: Thank you very much, Madam Clerk, I appreciate that. Moving to approval of the agenda. Guys, we only have one agenda item, and this is the final adoption of the resolution for the non-ad valorem. Do I have approval of the agenda, a motion to approve the agenda? Moved by Councilperson Lightfoot-Ward, do I have a second?

Councilman Luis Pirela: I'll second.

Mayor Omarr C. Nickerson: Second by Councilperson Pirela. All in favor say aye.

Council Members: Aye.

Mayor Omarr C. Nickerson: All opposed say nay. Hearing none, moving on to Good and Welfare. This is the time right now if anybody wants to come up and say anything at all about this current agenda, this agenda right here, the non-ad valorem final adoption, now is your time to do so. Come up and say your name and address for the record and you'll have three minutes.

Seeing none, moving right along down to resolutions and ordinances. We're doing resolution 2021/'23. Attorney Geller, if you want to read that into the room.

Attorney Joseph Geller: Yes, Mayor. The resolution of the Mayor and Village Council of the Village El Portal in Miami-Dade County, Florida, adopting the rate for solid waste and the recycling services in the Village of El Portal as indicated in attachment A. Imposing solid waste and recycling assessment for property located within the village of El Portal for the fiscal year beginning October 1st, 2021.

Approving the rate of assessment for the budget for the fiscal year 2021. Fixing the time and date for final adoption of the assessment, and directing the Village Manager to forward a copy of this resolution to the Miami-Dade County property appraiser's office providing for the incorporation of recitals, providing for an effective date.

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Mayor Omarr C. Nickerson: Thank you very much, Attorney Geller. This is a procedural thing, you guys, we have to do when we do the budget, the special assessment based on the solid waste. If you look at attachment A, you can see the numbers there. With that being said, are there any questions or comments for Attorney Geller or CFO Wallace?

Councilwoman Dr. Anna E. Lightfoot-Ward: I have a question. It's only addressed to the actual, I can't see it anywhere, I'm trying to find out, was this number-- On here again, huh? Was this a number that was last year? I've looked everywhere, I'm probably not looking in the right place, but I've looked everywhere to see where the document compares to what we had last year. [crosstalk]

Councilman Luis Pirela: I'm sorry. Last year it was \$400. That's in our property tax bill.

Councilwoman Dr. Anna E. Lightfoot-Ward: \$400? This one is what, \$100?

Councilman Luis Pirela: \$35 more.

Councilwoman Dr. Anna E. Lightfoot-Ward: \$35,000?

Councilman Luis Pirela: No, the unit is \$35 more per property.

Councilwoman Dr. Anna E. Lightfoot-Ward: Then I need to consider that information because I heard it was higher. The first comment was it was higher than it is now.

Councilman Luis Pirela: No, right now, it's \$435 what's going to be.

Councilwoman Dr. Anna E. Lightfoot-Ward: It will be \$3,990,000 some odd. For who's made this resolution, that's the three million dollars, right? All I want to know is what the difference is between the last year's number that we adopted last year, the difference between that and what we're adopting this year.

Vice Mayor Anders Urbom: The \$3,900,000 is the total budget, but this resolution is the solid waste specifically, just the solid waste. That's what Councilperson Pirela is saying is the solid waste-

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Councilwoman Dr. Anna E. Lightfoot-Ward: Is going up.

Vice Mayor Anders Urbom: - is \$35 per household.

Councilwoman Dr. Anna E. Lightfoot-Ward: Yes, I noticed it when I got my taxes, but I'm going [inaudible 00:05:01] that's why we went from \$180 from 25 years ago to, I think, \$250 over the last five years, to, what is that number?

Councilman Luis Pirela: \$435.

Councilwoman Dr. Anna E. Lightfoot-Ward: To \$435.

Vice Mayor Anders Urbom: Real estate for landfills is getting expensive.

Councilwoman Dr. Anna E. Lightfoot-Ward: Listen, man, you can't do nothing about it [inaudible 00:05:21]. You can't do anything about that, but we need to be conscientious that we are an aging population, not what we were. We were old, now we're an aging population and we can't do anything about what people do with their houses. We're starting from the start looking at ways of trying to understand that there are a lot of people here that's fallen on hard times and we've said things are not going to be good this year. The main household is trying to pay their tax bill. You've got a comment in the audience.

Olga Gonzales: Can I proceed?

Councilwoman Dr. Anna E. Lightfoot-Ward: Yes, wait for him.

Mayor Omarr C. Nickerson: We're going to open up to you guys in a second.

Councilwoman Dr. Anna E. Lightfoot-Ward: Somebody can tell me what that was.

CFO Wallace: I'll try to answer it. Last year, the assessment per household was \$400. This year, the assessment per household is \$435. It is part of your tax bill, but it's not determined by the value of your home. It's determined by the cost of the service. Last year, the village did bid out the service, so you have a contract. The contract calls for, as they all do usually, a cost of living increase for fuel, for CPI for labor mostly, and also for an estimate of the

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increase in the tipping fees of the county charges for garbage, so garbage doesn't tend to get cheaper because of the disposal costs, but it is up.

Now, last year, we estimated because we had not gotten the bids back by the time the assessment had to be done. We thought we were being generous and could lower it, but as it turns out, you actually didn't generate enough money from the assessment to pay for what the ultimate cost of that solid waste contract turned out to be. This year, even though it was \$400, it probably should have been more like what it is now, \$430. This was based upon the bid that was done last year.

Councilwoman Dr. Anna E. Lightfoot-Ward: That's the kind of response I was looking for because solid waste management is a contractual service. How long is that contract?

Attorney Joseph Geller: Three.

Councilman Luis Pirela: We were out of contracts, we were due for like five years until the time they said we need to do the contract again, and they went into a bidding process and we got the cheapest one, which is Coastal Services now.

Councilwoman Dr. Anna E. Lightfoot-Ward: We knew the increment would be this high every year, what is it, 10%, 20% every year? Talk to me because it's going to be a matter of record. I don't want somebody to come back in the middle of the year and start complaining about the garbage fees and whatnot. I don't want that. I want it to be on the record this year, right now, why it is, so I'm asking a very basic question if you understand.

CFO Wallace: I understand it. I believe I understand it. The increase from last year to this year in the assessment, keeping in mind that we did not bill as much in the assessment process last year as the bids came back in, so we basically undercharged people on the assessment. Part of this is just catching up from last year for not charging as much, and then the second part is you had increases by contract for fuel, for CPI, for labor essentially.

Those two weren't that much, but I think most of it's just the component of catching up from what you didn't charge in the current year from last year's assessment process. Now, looking forward, which I think was part of your question as well, the things that will increase your

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costs from year to year are the CPI, that generally is a small number, but if you've been reading the papers, you'll see that inflation's pretty high.

Councilwoman Dr. Anna E. Lightfoot-Ward: This will cover CPI, obviously.

CFO Wallace: Fuel. You're going to see that jump because it just has. Then the tipping fee from the county, which you won't know that until September of any year, but it never goes down. I wouldn't say never, it actually has gone down in recent memory, but not for long. It's just expensive to dispose of solid waste anymore. Recycling has also become expensive for everybody because there is no market for plastics, particularly.

There's still a market for metals and cardboard, but everything else is just a waste stream that's generally going to wind up in the landfill anymore, so it's just expensive. You used to get money back for recycling, those days have long gone. You pay for recycling, there's no income that comes back from recycling. I'm not going to hold you out with any hope or anyone here in the audience or at home that your garbage bill is going to go down anytime soon. The best you can hope is that inflation keeps it lower.

Councilwoman Dr. Anna E. Lightfoot-Ward: How long is the contract? The only option is does the contract pass?

Village Manager Christia E. Alou: The contract is for five years with two extensions for five years each.

Councilwoman Dr. Anna E. Lightfoot-Ward: Revocable on what terms?

Village Manager Christia E. Alou: On performance issues.

Councilwoman Dr. Anna E. Lightfoot-Ward: Do you have a revocable clause on the contract?

Village Manager Christia E. Alou: I don't have the contract on me at present, but yes, there are conditions on the contract performance being one of the main clauses of revocability, but there are some issues within the contract that would allow for that, but to date, they have been very responsive and we don't have any issues with the solid waste service.

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Councilwoman Dr. Anna E. Lightfoot-Ward: Thank you for that so that the public will know that there was a contract, a contract in itself that will be in place now, from what I'm understanding, for the first year with two options of five years. That makes the contract 11 years they'll be in our city unless otherwise indicated because, whatever because looks like. Everybody understand that? Because that's the kind of comments I'm getting is, "What do you mean having this building this high?"

I'm going, "Hey, hold on, I just got on the board, I'll tell you when I get there." Now you've explained it to me, it needs to be addressed when we're giving up these tidbits about what we're doing in the city. It helps people know that, yes, this is coming, it's not going away, it will affect you and we did what we could, the best bid. That's what I'm hearing, right? The best bid.

Village Manager Christia E. Alou: Absolutely, it was the best bid. We only had two responses for our RFP. Costal Waste was the lowest one, and so we went with the lowest and they had a good reputation and provided good services in other municipalities that we chose them. As I stated, to date, they've been very responsive. We had growing pains when we had to do the transition of service, but we're all on track now.

I think everything is fine for now, but remember, those two opportunities for extension, they don't have to be exercised, it's just in case we are in a situation where we want to extend it, we have those options, but if we want to look at it again in three years or four years about doing another RFP, we certainly are able to do that.

Councilwoman Dr. Anna E. Lightfoot-Ward: That's very good news that we don't have to do the extensions if their service is not to our satisfaction.

Village Manager Christia E. Alou: Absolutely.

Councilwoman Dr. Anna E. Lightfoot-Ward: All right, thank you and I appreciate it. I throw the question back at you.

Mayor Omarr C. Nickerson: Thank you very much, Councilperson Lightfoot-Ward. Any other questions or comments for the attorney, the CFO from counsel?

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Vice Mayor Anders Urbom: My only question was just to have assurances that this does not affect the term notice. This is simply a matter of procedure essentially at this point, this resolution.

CFO Wallace: I believe, with the air conditioner sometimes it's hard to hear, but the term notice included this amount so people were noticed of this amount, of the date, place, and time of the hearing. I don't know if anyone's here just because of that or for subsequent meetings. That notice, you can lower the rate but you can't raise it. This is part of that process.

Mayor Omarr C. Nickerson: I'm going to open up to the audience right now. If you have any questions or comments, come up to the podium, and please, say your name and address for the record and you can ask anybody any questions or comments.

[silence]

Olga Gonzales: Good afternoon, everyone, my name is Olga Gonzales. I am a property owner at 8700 North East 2nd Avenue, which is a duplex zoned commercial. As far as the sanitation bill is concerned, \$35 is almost 9% increase, so I wanted to find out what is the CPI from last year to this year? I'm also very surprised to know that does not include bulk service whatsoever. It's just straight garbage, which to me, is very strange. I own properties in other areas and I've never heard that bulk is not included.

Councilman Luis Pirela: It is included on the service. It's every three quarters of the year, so it's four times a year.

Olga Gonzales: If the gardener does my grass, he cannot leave it in the curbside?

Councilman Luis Pirela: No, he cannot.

Olga Gonzales: So it's every three months.

Councilman Luis Pirela: It's every three months. The end of September, and then the next one will be in December.

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Councilwoman Dr. Anna E. Lightfoot-Ward: Believe it or not, the yard stuff is garbage, it makes great flower for the landfill. It's that other stuff that shouldn't be put in there as garbage. The yard stuff is great for the landfill. That's what I do, but I use my leaves as a-

Councilman Luis Pirela: Compost.

Councilwoman Dr. Anna E. Lightfoot-Ward: - compost for my trees and my flowers.

Olga Gonzales: They told me that my gardener could not leave.

Councilman Luis Pirela: Large branches and stuff like that, no because that'll be considered as a bulk pickup and I guess that has to be done.

Olga Gonzales: Yes, but if he cuts the grass and he puts it in a bag, he cannot leave it out there.

Councilwoman Dr. Anna E. Lightfoot-Ward: No, he can't. Put it in the garbage. It's garbage.

Councilman Luis Pirela: Garbage Can.

Olga Gonzales: In the container.

Councilwoman Dr. Anna E. Lightfoot-Ward: Yes.

Councilman Luis Pirela: Yes.

Olga Gonzales: Again, most municipalities or cities pick it up once a week.

Councilman Luis Pirela: I remember before, it was whatever you had in the can plus you can leave one bag because they had-

Vice Mayor Anders Urbom: A man.

Mayor Omarr C. Nickerson: - a man behind the truck, but now with the new services, there's no-

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Councilwoman Dr. Anna E. Lightfoot-Ward: No man, it's mechanical.

Councilman Luis Pirela: - man, helper, it's just the driver picking up, so there's no more additional bags for them to pick up or anything like that.

Olga Gonzales: So it's only four times of a year for the bulk.

Councilman Luis Pirela: For the bulk pickup, yes.

Councilwoman Dr. Anna E. Lightfoot-Ward: If I'm not mistaken, she can come to village hall because it's usually out and about, to see the schedule. I wouldn't live without it. I need to know when the bulk pickup is coming because it's time to get rid of some stuff. Basically, if you've got appliances and stuff like that, I guarantee you, it won't take long for the purveyors of that material to be gone before that bulk pickup come. Am I right, Village manager?

Village Manager Christia E. Alou: Sure.

Councilwoman Dr. Anna E. Lightfoot-Ward: If you've got some appliances or heavy stuff like that, that stuff will not be there because that's value to the reclamators, that's value. This with the yard and everything, no, El Portal leads the county in terms of its cleanliness in its cities. We lead it. We lead that. Am I saying the right word? We're top-notch when it comes to making sure we got a clean city, we don't have garbage out.

Olga Gonzales: To me, bulk is once a week, and that's why.

Councilwoman Dr. Anna E. Lightfoot-Ward: Oh, no, we stopped that years ago.

Vice Mayor Anders Urbom: We never have it.

Olga Gonzales: Oh, okay. The fact that it went from \$400 to \$435, which is almost 9% is normal?

CFO Wallace: I don't know what normal is going to be with solid waste but keep in mind something I said earlier, which was the current year which ends in September 30th, we've

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undercharged you because we didn't know what the new rates would be when the contracts were being bid out, that came in after this assessment process was done last year. Unfortunately, we thought we were going to be covered by estimating high, and then we could lower it, but unfortunately, the bids came in higher because they just did.

Your previous hauler didn't want to continue the contract, so you were forced to bid it out. You probably had a good rate before and they probably wouldn't do it. I don't know what the reasons were for them not wanting to continue here, but I can tell you waste management that has done that with a number of cities because of the commingling of commercial and residential waste streams.

That's their business decision to do, but that's where you were put as a city. The city did the right thing in preparing bids and taking proposals in from the community. There's a number of haulers. You got two responses from two good companies. If you didn't like the price with four times a year bulk pickup, you definitely aren't going to like the price with 52 times a year bulk pickup.

It is a function of the services you get and you don't really have a large economy of scale in a village like El Portal, where you have fewer than a thousand accounts by far. You got competitive bids, so you know it's a decent price from a decent company. The price is what it is. Going forward, the three factors that will increase your solid waste costs or fuel costs, they are indexed. That's just a pass-through of whatever the cost is for diesel fuel.

The second one is CPI, I suspect that next year, the CPI will be higher than it was as it was calculated this year just because inflation seems to be on a tear and maybe it'll mitigate as time goes on, but I think you should plan for the worst with that. The last unknown, which, unfortunately, we never get in time to really plan for is what the county charges for disposal costs at their landfills. There you go.

Is 9% normal? I've seen it worse, I've seen it less. I hope that it's less, but those aren't things within your control. Just like going out to buy a steak or filling up your own gas of your car, it's not going to get cheaper, it's just a question of how much it's going to escalate.

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Olga Gonzales: We're committed to that contract for five years, four years now because year has already passed.

Councilwoman Dr. Anna E. Lightfoot-Ward: That's a good point.

CFO Wallace: That's right, but I don't think you have any reason to believe that if you rebid it, you'd get a cheaper contract. That's where you are now, you've got the cheapest contract that was bid. For the size of your community, I don't think it's what you would consider to be an extraordinary cost for the level of service that you have. What we do know is, you bid it out in an open market competition, you selected the best, cheapest hauler.

Both haulers were good haulers, they have good reputations in a tough market. The contract terms are similar to what you find in virtually every city's contract terms that they do it, and if you did it yourself, you would be exposed to fuel prices, you would be exposed to CPI for labor, and you would be exposed to the contract cost to dispose off the landfill. Obviously, you're not of the size where you really can do it yourself anyway.

I hate telling you anything other than the truth, which is garbage is expensive, sanitary landfills are expensive to maintain. They fill up and when they do fill up, you're going to be looking at training your garbage to some distant locale. Recycle as much as you can and be smart about what you recycle. Those costs, like I said before, recycling costs, net of any revenues that we don't even get revenues anymore from recycling, the cost of recycling has become fairly expensive.

There's nothing in the solid waste equation, other than reducing the level of service that you're going to be able to save money on, I just don't know of anything that you can do to that.

Olga Gonzales: That contract includes recycling, I would imagine.

Village Manager Christia E. Alou: No, it does not. We have a county inter-local agreement that provides the recycling. You may think that because the service provider is the same, recycling. It's Coastal that provides our recycling but they have a contract with the county, and we have an inter-local agreement with the county for the recycling.

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Olga Gonzales: Okay, thank you.

Vice Mayor Anders Urbom: Just a part of your question. This is certainly not an official answer, but I just went on US Bureau of Labor Statistics. Just done a general spreadsheet nationally, it looks like year over year, CPI could be as high as like 5%. Then in Miami-Dade County, it's going to be exaggerated because of the existing income to cost of living deficit that exists. Out of that 9%, it's not anything official but I just went to take a quick look. It's possible that out of that 9%, more than half of it is probably CPI, and then remaining, as he was saying, would be fuel costs.

Olga Gonzales: Okay, thank you.

Mayor Omarr C. Nickerson : Thank you. Is there anybody else for any questions or comments from the audience about this item, this resolution? No? Seeing none, moving back to the council. Council, before I ask for a motion in a second, any of you with last questions or comments about this resolution? Do I have a motion to approve resolution 2021/'23, final adoption of non-ad valorem?

Vice Mayor Anders Urbom: I'll move it.

Mayor Omarr C. Nickerson : Move by Vice Mayor Urbom, do I have a second?

Councilman Luis Pirela: I'll second it.

Mayor Omarr C. Nickerson : Second by Councilperson Pirela. Madam Clerk, may I please have a roll call, please.

Village Clerk Yenise Jacobi: Roll call, Councilperson Martin?

Councilperson Darian Martin: Yes.

Village Clerk Yenise Jacobi: Councilperson Lightfoot-Ward?

Councilwoman Dr. Anna E. Lightfoot-Ward: Yes.

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Village Clerk Yenise Jacobi: Councilperson Pirela?

Councilman Luis Pirela: Yes.

Village Clerk Yenise Jacobi: Vice Mayor Urbom?

Vice Mayor Anders Urbom: Yes.

Village Clerk Yenise Jacobi: Mayor Nickerson?

Mayor Omarr C. Nickerson: : Yes.

Village Clerk Yenise Jacobi: Motion passes five to none.

Mayor Omarr C. Nickerson: : Thank you very much. Moving on to Good and Welfare before we ask for adjournment. Anybody have any other comments? You can come up and say your name and address for the record before I ask for a motion to adjourn. Anybody from the audience, any other comments? Okay, seeing none, before I ask for adjournment, I just want to point out and give my condolences of Manager Alou.

I didn't even ask for your permission to do this, but Manager Alou, not even a couple of weeks ago lost her stepfather, who was close to her like a biological father. Today, she called me rather emotional a little bit earlier and said that she lost her cousin out of nowhere. Just wanted to say, to lose people, your family back to back like that that were important to you, it just goes out to you.

I know we're here for a special assessment, then we have Planning and Zoning, which is we have a lot to cover in that. Once we get to Administration and Finance though, we have one agenda item which is just a distribution of the attorney RFQ, and then we have the public affairs, which we're going to talk about things in public affairs.

Depending on how you feel, I would think that maybe after Planning and Zoning, which we have a lot of stuff in Planning and Zoning, but after Planning and Zoning, if you feel like you want to get on out of here, I don't think that anybody would object for tonight given the circumstances. She would go home because her daughter is also going through the same

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thing that she's going through. I just wanted to point that out. Thank you very much. That being said, do I have a motion to adjourn the meeting?

Vice Mayor Anders Urbom: I move to adjourn the meeting.

Mayor Omarr C. Nickerson: : Motion moved by Vice Mayor Urbom, do I have a second?

Councilperson Darian Martin: I'll second.

Mayor Omarr C. Nickerson: : Second by Councilperson Martin. All in favor say aye.

Council Members: Aye.

Mayor Omarr C. Nickerson: : All opposed say nay. Hearing none, the solid waste special assessment meeting for Tuesday, September 14th, 2021 is adjourned at 6:48 PM.

[gavel sound]

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