

**CITY COUNCIL AGENDA  
WORK SESSION MEETING  
Monday, January 13, 2020  
6:00 PM  
CITY HALL**

**CALL TO ORDER / ROLL CALL**

**ORDER OF BUSINESS**

- 1. Residential Solid Waste Service Request for Proposals.**
- 2. Delegation of Authority to City Manager.**
- 3. Expenditure Approval for Budgeted Items.**
- 4. Order of Business and Rules and Procedures for Public Meetings.**

**ADJOURNMENT**

**PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. This record is not provided by the City of Oviedo.**

**ALL SERVICES, PROGRAMS AND ACTIVITIES OF THE CITY OF OVIEDO ARE OFFERED AND SOLICITED WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, RELIGION, DISABILITY OR FAMILY STATUS. FOR INFORMATION REGARDING THE CITY'S TITLE VI NONDISCRIMINATION POLICY, PLAN AND PROCEDURES PLEASE VISIT [WWW.CITYOFOVIEDO.NET](http://WWW.CITYOFOVIEDO.NET).**

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT 407-971-5500 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.**

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** January 13, 2020  
**SUBJECT: Residential Solid Waste Services Request For Proposals**

**Introduction:** This is a request for City Council to provide direction regarding the Residential Solid Waste Request for Proposals (RFP).

**Discussion:** Republic Services is in the final year of a twelve (12) year contract to collect garbage and recycling under their franchise. Republic Services was the lowest bidder of the competitively bid franchisee awarded under Resolution No. 1858-08 at a rate of \$18.31 per month for single family waste collection services in 2008. This original contract provided each single-family residential unit with a cart for weekly garbage service and unlimited recycling program in a two-bin collection system and yard trash collection.

The term of the original contract was seven (7) years. Pursuant to the contract, Republic Services offered a proposal in their fifth year to provide an “All-In-One” semi-automated recycling improvement instead of a potential scheduled rate adjustment increase. The proposal was for a semi-automated recycling improvement that was more efficient than the manual two (2) bin recycling collection which allowed Republic Services to reduce the residential collection rate down to \$17.66 per month for each single-family unit. This advantageous program and rate took effect in November, 2013. The “All-In-One” (single stream) collection improvement also improved Oviedo’s already high recycling collection of 400 pounds per year to 600 pounds per single family.

Due to the recycling efficiencies and other economic factors, Republic Services’ rate was not increased for a period of four (4) years, from November, 2013 until October 1, 2017. On September 18, 2017, City Council approved a rate increase effective October 1, 2017, to \$17.77 per month per single family unit; an increase of \$0.11 per month.

On September 16, 2019, Republic Services requested another rate adjustment pursuant to their contractual franchise agreement. The rate adjustment, known as a Refuse Rate Index (RRI), included changes to specific items within the unit service prices attached as Exhibit “C” to their contract for the cost of fuels, disposal, insurance and other inflation which can reasonably change over the contractual term. Republic Services’ requested RRI adjustment proposed a rate of \$18.40 per month per single family unit. City Council approved the RRI increase of \$0.63 per month under Resolution 3829-19 on October 7, 2019. The new service rate was effective November 1, 2019.

The City currently has 12,213 residential solid waste accounts. In addition to the Republic monthly rate of \$18.40 the City also charges a \$1.23 Franchise Fee and a \$0.80 Handling fee for a total monthly bill of \$20.43 per household. The current total City solid waste fee, including specific Republic rate components is as follows:

	<b>Current Rate</b>
Cart/Bin Fee	\$1.32
Fuel - Diesel	\$1.67
Fuel – N. Gas	\$0.50
Disposal	\$3.37
Collection with insurance	\$11.54
<b>Subtotal</b>	<b>\$18.40</b>
City Franchise Fee	\$1.83
City Handling Fee	\$0.80
<b>Total</b>	<b>\$20.43</b>

The City’s current residential solid waste service includes:

- Once a week residential refuse pick-up via 96-gallon cart
- Once a week yard waste pick-up via 96-gallon cart or appropriately bundled and/or bagged vegetative clippings
- Once a week single stream recycling for both fiber and container eligible items via a 96-gallon cart
- Bulk waste collection upon notification and scheduling (2 times per month)
- Republic pays disposal fees
- Free Services
  - \$14,000 Event Sponsorship
  - Eight (8) Community Events (provide trash bins and/or roll-offs)
  - Eight (8) Community Clean-ups (provide trash bins and/or roll-offs)
  - City Facilities Dumpster Service
  - Public Works Roll-off Service
  - Fire and Police Medical Waste Service

With the imminent termination of Republic’s current contract on September 30, 2020, the City needs to initiate an RFP process to secure a new residential solid waste service contract. The prospect of a new contract provides the opportunity to discuss the current residential solid waste service level and the individual components that are included. It also provides an opportunity to discuss alternative services and service levels, particularly recycling that has seen major shifts in the market.

The City’s consultant, MSW Consulting, has researched the solid waste market and will present its findings at the work session. They will also review alternative service methods. Following MSW’s presentation, City Council is requested to discuss the following service provision variables and provide direction for preparation of the RFP. Pertinent service provisions include:

Residential Refuse:

- Collection frequency (weekly or alternative)
- Mechanical arm (current service) versus manual load
- Container – standard cart versus bear resistant
- Bear Resistant Containers – Mandatory or voluntary

Commercial Refuse:

- Continue Non-exclusive contracts with multiple providers
- Exclusive service contract with single provider (combine with residential service)

Recycling:

- Single (current service) versus dual stream
- Pick-up frequency (weekly or alternative)
- Collection container(s) (dual stream will require multiple containers)
- Mechanical arm (current service) versus manual load
- Recyclables content (what materials are recycled)

A combination of these variables will constitute the service levels of the upcoming RFP. Staff needs direction from City Council to determine what service to request in the RFP; a status quo, maintain existing service re-advertisement or one that requests an alternative service method.

The current anticipated schedule for the new residential solid waste contract is as follows:

- |                          |                    |
|--------------------------|--------------------|
| • Advertise/RFP released | late January 2020  |
| • Proposals due          | late February 2020 |
| • Evaluate proposals     | March 2020         |
| • Award contract         | May 2020           |
| • Contract begins        | October 1, 2020    |

**Recommendation:** It is recommended that City Council provide direction regarding the types of services to request in the upcoming Residential Solid Waste Request for Proposals (RFP).

Prepared by: Bobby Wyatt, Public Works Director

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members

**FROM:** Bryan Cobb, City Manager

**DATE:** January 13, 2020

**SUBJECT: Delegation of Authority to City Manager**

**Introduction:** This is a request for City Council to provide direction regarding proposed revisions to the Delegation of Authority to City Manager Standard Operating Procedure (SOP).

**Discussion:** At its December 2, 2019 meeting, City Council gave consensus to have a work session to discuss proposed revisions to the Delegation of Authority to City Manager SOP. City Council's primary discussion topic was to delegate to the City Manager the authority to execute Development Agreements and Orders approved by the City Council. Section 3.05(a)(6) of the City's Charter states following:

**Sec. 3.05. – Mayor; deputy mayor; duties.**

(a) The mayor shall have the following duties, but shall not exercise administrative powers of the city:

(6) To execute ordinances, resolutions, contracts, agreements, and other instruments of the city.

Section 4.01(4)(n) of the City's Charter states the following:

**Sec. 4.01. – City manager-Appointment, qualification, and compensation; responsibilities.**

(4) Powers and duties. The city manager shall be responsible to the city council for the proper administration of all affairs of the city coming under his or her jurisdiction, and to that end the city manager shall:

n. When authorized so to do by the city council, perform such other duties as may be required of the city manager by motion, direction, ordinance, or resolution of the city council.

The Delegation of Authority to City Manager SOP lists the duties that City Council has authorized the City Manager to perform. A copy of the adopted SOP is provided in Attachment 1. Staff had been working on proposed revisions to the SOP to update it to reflect revisions to the City's Purchasing SOP and add other documents to the City Manager's execution authority. The proposed revisions are summarized below and provided in Attachment 2.

1. Revised the City Manager's purchasing authority to reflect the current City Purchasing SOP.

2. Added the following to the list of items that the City Manager has the authority to approve and execute:

- a. Notices of Commencement for construction agreements.
- b. Youth League Facility Use Agreements (i.e. Babe Ruth, Little League, and Florida Kraze Krush).
- c. Execute Grant Agreements with other government agencies.
- d. City Special Event Applications and Alcohol Permit Applications.
- e. Building Permit Applications for City Facilities and Properties.
- f. Development Order/Permit Applications for City Facilities and Properties.
- g. Execute Development Agreements/Orders/Permits.
- h. Execute Golf Course Management Agreements.

A copy of the proposed revisions is provided in Attachment 2. Additions are shown in blue underline. Deletions are shown in red strikethrough.

**Budget Impact:** There is no budgetary impact arising from a discussion of proposed revisions to the Delegation of Authority to City Manager SOP.

**Strategic Impact:** Reinforce the High-Performance Government by improved process management.

**Recommendation:** Staff seeks City Council's direction regarding proposed revisions to the Delegation of Authority to City Manager SOP.

- Attachments:
1. Adopted Delegation of Authority to City Manager SOP
  2. Proposed Revisions to the Delegation of Authority to City Manager SOP

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members  
**FROM:** Bryan Cobb, City Manager  
**DATE:** January 13, 2020  
**SUBJECT: Expenditure Approval for Budgeted Items**

**Introduction:** This is a request for City Council to provide direction regarding budgeted appropriations.

**Discussion:** At its December 2, 2019 meeting, City Council gave consensus to have a work session to discuss the approval process for budgeted appropriations. Following completion of the budget process and City Council approval of the final Budget, Staff is required to bring back individual procurements which fall outside the City Manager’s purchasing authority for approval.

City Council discussed the development of an appropriation process that would approve the expenditure of funds for budgeted items so that staff would not be required to seek a second City Council approval for the expenditure of funds as long as the cost does not exceed the budget appropriation. The Assistant City Attorney stated that this could be done by harmonizing the Budget Guidelines with the Purchasing policy and proposed the following amended excerpt from the Purchasing Standard Operating Procedure (SOP) for discussion. Additions are shown in blue underline. Deletions are shown in red strike-through.

**III. PROCUREMENT PROCEDURE**

1. Purchasing Thresholds: The following purchasing thresholds are hereby established:

<i>Value of Purchase</i>	<i>Quotes Needed</i>	<i>Approval Authority</i>
\$01 to \$5000.00	One written quote	Purchasing Agent
\$5000.01 to \$10,000.00	Three written quotes	Finance Director or Designee
\$10,000.01 to \$50,000.00	Three written quotes	City Manager
\$50,001 and above	Formal Solicitation	City Council or City Manager
Construction-\$25,000 and above	Formal Solicitation	City Council or City Manager

The above thresholds apply to all purchases of goods or services including professional services such as surveying, appraisals, etc. Items that are listed in Section State of Florida Statute 287.057, Florida Statutes, such as legal services, health services, training services and or services provided by other governmental agencies are exempt from the quote or bid process.

The City Council has the right to award all contracts except as otherwise provided in the City Code and ordinances of the City. However, the City Council has the right to delegate that authority to award contracts for supplies, services, or construction to other City city officials.

The City Manager shall have such purchasing authority as set forth in the City Charter and these Policies and Procedures. All City employees with purchasing authority act under delegation from the City Manager. All other procurement activities shall be under the authority of the City Council. Notwithstanding any dollar thresholds set forth herein, the City Manager shall have authority to approve procurements of any amount that have been otherwise procured in accordance with these Policies and Procedures within the budgeted amount for a program, project or activity which procurement authority shall extend to change orders that, in the aggregate, do not exceed the budgeted amount for the program, project or activity the intent of the foregoing being that the City Manager shall have full authority to implement budgeted programs, projects and activities and need only obtain purchasing authority for a program, project or activity if the budgeted amount is exceeded. This Policy shall be controlling with regard to each and every budget approved by the City Council unless and until this Policy is revised or rescinded by the City Council.

(3). Informal Bids: f.

**Piggyback Contracts:** Deviation from the requirement for quotes, bids or RFP/RFQs can occur if the goods or services are available on State Contract, Florida Sheriff's Bids, GSA Contracts, or through other governmental entities' bids or RFP/RFQs that are entered as a result of a competitive process but such procurements require the approval of the City Manager or City Council based on the dollar value of the purchase and adequate legal review. The piggyback agreement must be reviewed by the Purchasing Agent and City Attorney. All piggyback agreements for services must be approved by City Council and executed by both the Mayor and vendor. Notwithstanding the foregoing; procurements that are subject to the provisions of the Consultants' Competitive Negotiation Act (Section 287.057, Florida Statutes) shall not be eligible for the piggyback contract process.

**Budget Impact:** There is no budgetary impact arising from a discussion of a proposed expenditure approval for budgeted items:

**Strategic Impact:** Reinforce the High-Performance Government by improved process management.

**Recommendation:** Staff seeks City Council's direction regarding the proposed expenditure approval for budgeted items.

Attachments:     1. Purchasing Policy  
                      2. Budget Guidelines

**AGENDA  
MEMORANDUM**

**TO:** Honorable Mayor and City Council Members

**FROM:** Bryan Cobb, City Manager

**DATE:** January 13, 2020

**SUBJECT: Order of Business and Rules and Procedures for Public Meetings**

**Introduction:** This is a request for City Council to provide direction regarding proposed revisions to the Order of Business and Rules and Procedures for Public Meetings Standard Operating Procedure (SOP).

**Discussion:** At its December 2, 2019 meeting, City Council gave consensus to have a work session discuss proposed revisions to the Order of Business and Rules and Procedures for Public Meetings SOP. Before the December 2nd meeting, Staff provided the Council with suggested revisions to the SOP for consideration. They are summarized below and further explained in Attachment 1:

- (1) Changing Mayor to Chairman/Presiding Officer throughout the entire document.
- (2) Editing how an item is removed from the Consent Agenda.
- (3) Modifying the discussion item portion of the agenda.
- (4) Allowing the public to speak at a work session meeting.
- (5) Changing the release dates of the agenda to the public and City Council.
- (6) Adds language suggesting that presenters are discouraged from reading words verbatim from previously submitted presentations.
- (7) Removes the requirement that Councilmembers notify the rest of the Council of their actions before any public commitment to an event, idea or formal plan of action.

The proposed revisions are provided in Attachment 2. Additions are shown in blue underline. Deletions are shown in red strikethrough. A copy of the adopted SOP is provided in Attachment 3.

**Budget Impact:** There is no budgetary impact arising from a discussion of the proposed Order of Business and Rules and Procedures for Public Meetings.

**Strategic Impact:** Reinforce High-Performance Government by improved process management.

**Recommendation:** Staff seeks City Council's direction regarding proposed revisions to the Order of Business and Rules and Procedures for Public Meetings SOP.

Attachments: 1. Email to Council Dated December 1, 2019

2. Proposed Revisions to the Order of Business and Rules and Procedures for Public Meetings  
SOP

Prepared by: Patrick Kelly, Assistant City Manager