

## Merino, Jennifer

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**From:** Kyle Alonso <kyle@grcondolaw.com>  
**Sent:** Friday, October 2, 2020 11:43 AM  
**To:** Cooper, Joy; Simmons, James; Earle, Jeremy; Klopp, Keven  
**Cc:** LaRosa, Eustacio; Merino, Jennifer; Jeannot, Mary Francis; manager@oceanviewparkcondo.com  
**Subject:** RE: FOLLOW UP - RE: Oceanview Park Condominium Association, Inc. - PVT WASTE HAULER  
**Attachments:** Request for Waiver - Sanitation (Private Waste Hauler) (10.02.2020).pdf  
**Importance:** High

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Mayor Cooper, Mr. Simmons, Ms. Merino and Mr. Earle,

Oceanview Park Condominium Association, Inc., hereby requests a waiver from the City's requirement to have the City collect the Association's waste and recycling and to switch to a private waste hauler – Waste Management Inc. of Florida. The Association has been trying to accomplish this switch for months now, to no avail. Despite numerous communications to the City Manager and the Office of the City Attorney, neither office has responded.

Attached to this email please see the Request for Waiver form to be reviewed and signed by the City of Hallandale Beach. We ask that you please help the Association and its members to accomplish this switch to a private waste hauler so that the Association and its members may realize significant cost savings.

Mr. Simmons' email below states that exceptions to the Code are provided only for grandfathered customers, however, the Code does not distinguish the City's ability to provide such exceptions between grandfathered customers and new customers. It is our understanding that Waste Management has entered similar agreements with *new* customers in the City of Hallandale Beach.

The Association seeks the City's cooperation to provide approval for Waste Management to commence services by October 5, 2020. Please advise if the City requires that services commence at a later date so that we may inform Waste Management when equipment may be delivered.

Additionally, should the City not approve the request, the Association requests a written response rejecting the Request for Waiver, as well as, a meeting with all departments and/or a hearing to resolve this matter as quickly as possible.

Sincerely,

Kyle Alonso, Esq.



GURSKY RAGAN, P.A.

141 NE 3<sup>RD</sup> Avenue, Fifth Floor  
Miami, Florida 33132  
Telephone: (786) 369-8879  
Facsimile: (305) 405-7104  
[Kyle@grcondolaw.com](mailto:Kyle@grcondolaw.com)  
[www.grcondolaw.com](http://www.grcondolaw.com)

**REQUEST FOR WAIVER  
(COMMERCIAL SANITATION SERVICES)**

**Pursuant to Division 18, Sec. 32-632 (b)**

Applicant Name: Oceanview Park Condominium Association, Inc.  
Address: 800 Parkview Drive, #125, Hallandale Beach, Florida 33009  
Current Sanitation Provider: City of Hallandale Beach Sanitation Division  
Requested Sanitation Provider: Waste Management Inc. of Florida  
Effective Date: October 5, 2020

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**DOCUMENT**

**Analysis of Request:**

The City of Hallandale Beach has reviewed Oceanview Park Condominium Association's request to waive the requirement for the City to provide sanitation services to Oceanview Park Condominium Association, discontinuation of said services at Oceanview Park Condominium Association, and the desire of Oceanview Park Condominium Association to contract with "private" waste hauler, Waste Management Inc. of Florida, that is licensed to do business in the City of Hallandale Beach.

Oceanview Park Condominium Association has provided information demonstrating that the discontinuation of the City's Sanitation services and the utilization of Waste Management Inc. of Florida at Oceanview Park Condominium will result in a cost savings of approximately \$2,200 per month or \$26,400 per year for the Association and its members. If Oceanview Park Condominium were to utilize sanitation services provided by Waste Management Inc. of Florida, the annual cost would be less than the current costs for identical services currently paid to the City of Hallandale Beach. Additionally, Oceanview Park Condominium would benefit from receiving upgraded equipment, services and the unique ability of Waste Management Inc. of Florida, to accommodate the Association's sanitation needs at a much lower cost.

Division 18. Solid Waste Disposal, Sec. 32-632 (b) in the City's Code of Ordinances states that the requirement for the City sanitation division to provide adequate equipment, personnel and facilities to residents, occupants or owners of premises in the City may be waived if City services are found to be impractical, or for other good and sufficient reasons.

**Sanitation Division Recommendation:**

Upon reviewing the submitted material outlining the economic justifications seeking private waste hauling services, the City of Hallandale Beach has found that the requested waiver of the City's Right of First Refusal as it pertains to sanitation services is justified. The City of Hallandale Beach acknowledges that the current service charges levied by the City's Sanitation Department would represent an impractical action for the Oceanview Park Condominium Association's Board of Directors to implement.

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By this form, the City of Hallandale Beach, Florida grants the request for waiver of the City's Right of First Refusal with regard to waste hauling sanitation services for Oceanview Park Condominium Association, Inc.

APPROVALS: **DRAFTED BY REQUESTOR, NOT A CITY  
DOCUMENT**

\_\_\_\_\_ Date: \_\_\_\_\_  
Sanitation Division Superintendent

\_\_\_\_\_ Date: \_\_\_\_\_  
Director, Department of Public Works

\_\_\_\_\_ Date: \_\_\_\_\_  
City Manager's Office