



October 18, 2019

H. Paul Brazil, P.E.
Director of Public Works
951 Okeechobee Rd. Suite A
West Palm Beach, FL 33401

RE: Four Seasons Resort Palm Beach
Solid Waste Regulations and Fees

Dear Mr. Brazil:

This letter follows our appearance before the Palm Beach Town Council meeting of October 10, 2019. We brought an issue related to the billing, non-payment and penalty fees for solid waste pick-up services by the Town at the Four Seasons Resort Palm Beach (the Resort).

To summarize the circumstances, the Resort's accounts payable function is processed by a third party. It is referred to as a "scanning center" and is located in El Paso, Texas. We discovered that, in this age of automation, anything other than invoices sent to that address is discarded. Unbeknownst to the Resort, certified letters indicating non-payment of quarterly solid waste invoices of \$10,785.34 each were sent by the Town of Palm Beach for the first three (3) quarters.

The Resort was not aware of the non-payment until it was confirmed by the good work of the Town of Palm Beach Department of Public Works staff on August 20th. It was then that we learned that the matter was about to go to Code Enforcement. Before that happened, the Resort paid the outstanding amount of \$32,356.02 plus the accrued \$16,316.19 penalty immediately.

We are aware that the fault of non-payment is that of the Resort due to unusual circumstances related to staffing changes and the remote payment center in El Paso, Texas. We can assure you and will guarantee that this situation will never happen

again. The Resort has already taken tangible steps and set up reminders for downloading the bill on site, in Palm Beach. We would also like to set up a direct bank withdrawal with the Town of Palm Beach if at all possible. As an example, the invoice generated for Q4, has been already processed by the team and will be on a check run 10.22.2019.

This is the first time in four and a half years, during my employment by the Resort, that I am aware of any delinquency in this account. We always strive to be a good partner and Town of Palm Beach property owner. We believe the Resort is an integral and important part of the Town's attractiveness as a destination for tourists and, most importantly, serving the recreational and entertainment needs of Town of Palm Beach residents.

The following section of the Town of Palm Beach Code of Ordinances related to Solid Waste states the following:

Sec. 102-9. - Appeals.

Any person aggrieved by a regulation of or fee charged pursuant to this chapter shall have the right of appeal to the town council, which shall have the authority to confirm, modify or revoke any such regulation or fee.

(Code 1982, § 8-38; Ord. No. 9-00, § 2, 6-13-00)

We would like to exercise our right to appeal the \$16,316.19 penalty to the Town Council under this section of the Code. In doing so, we beg their forgiveness and pledge that this situation will not happen again.

Thank you for your attention to this matter and for the Town staff's assistance in its resolution.

Respectfully submitted,

 10/18/2019

Zdenka Demus
Director of Finance
Four Seasons Resort Palm Beach