

RESOLUTION 19-78

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, ESTABLISHING AND IMPOSING A NON-AD VALOREM ASSESSMENT FOR COLLECTION, DISPOSAL, RECYCLING AND MANAGEMENT OF SOLID WASTE; DESCRIBING THE METHOD OF ASSESSING SOLID WASTE COSTS AGAINST RESIDENTIAL PROPERTY AND COMMERCIAL PROPERTY LOCATED WITHIN THE ALACHUA COUNTY MUNICIPAL SERVICE BENEFIT UNIT WHICH SERVES THE UNINCORPORATED AND INCORPORATED AREAS OF ALACHUA COUNTY; ESTABLISHING AN INTERIM ASSESSMENT FOR PARCELS RECEIVING A CERTIFICATE OF OCCUPANCY ON OR AFTER OCTOBER 1, 2019; ADOPTING THE SOLID WASTE ASSESSMENT ROLL FOR COLLECTION, DISPOSAL, RECYCLING AND MANAGEMENT OF SOLID WASTE; PROVIDING FOR CERTIFICATION OF THE ROLL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Alachua County, Florida (the "Board"), finds that proper collection, disposal, recycling, and management of solid and hazardous waste is necessary for the health, safety, and welfare of the citizens of Alachua County, Florida; and,

WHEREAS, the Board finds that having and developing additional property to allow for expansion of facilities to process solid waste and recyclable materials collected curbside is a special benefit to properties in the Universal Area; and,

WHEREAS, Chapter 75 of the Alachua County Code authorizes the imposition of a Solid Waste Assessment against Improved Property throughout the Unit, and,

WHEREAS, the imposition of a Solid Waste Assessment is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Improved Property located within the Unit; and,

WHEREAS, the Board desires to impose a Solid Waste Assessment against Improved Property within the Unit using the Uniform Assessment Collection Act for the Fiscal Year beginning October 1, 2019; and

WHEREAS, Chapter 75 of the Alachua County Code provides that the Board annually impose the non-ad valorem assessment by resolution; and,

WHEREAS, on July 9, 2019, the Board adopted Resolution 19-63, the Initial Assessment Resolution; and,

WHEREAS, in accordance with the Uniform Assessment Collection Act and Chapter 75 of the Alachua County Code, notice of the Solid Waste Assessment was sent to the owners of Assessed Property; and,

WHEREAS, in accordance with the provisions of the Uniform Assessment Collection Act, notice was given by newspaper publication, and Proof of Publication is attached hereto as Exhibit A; and,

WHEREAS, a public hearing was held on September 10, 2019, and comments and objections of all interested persons have been heard and considered by the Board as required by Chapter 75, of the Alachua County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of Chapter 75 of the Alachua County Code, Resolution 19-63, Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS. This resolution constitutes the Final Assessment Resolution as defined in Chapter 75 of the Alachua County Code. All

capitalized words and terms shall have the meanings set forth in Chapter 75 of the Alachua County Code and Resolution 19-63.

SECTION 3. CONFIRMATION OF THE INITIAL ASSESSMENT RESOLUTION.

The Initial Assessment Resolution is hereby confirmed.

SECTION 4. SOLID WASTE ASSESSMENTS.

(A) The parcels of Assessed Property described in the Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of the solid waste services, facilities, and programs described in the Initial Resolution, in the amount of the Solid Waste Assessment set forth in the Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and is incorporated herein by reference. It is hereby ascertained, determined and declared that each parcel of Assessed Property within the Unit will be specially benefited by the County's provision of Curbside Collection Service, Rural Collection Center Service and Solid Waste Management Services in an amount not less than the Solid Waste Assessment for such Tax Parcel, computed in the manner set forth in the Initial Assessment Resolution. Adoption of this Final Assessment Resolution constitutes a legislative determination that all parcels assessed derive a special benefit, as set forth in the Ordinance and the Initial Assessment Resolution, from the solid waste services, facilities, and programs to be provided and a legislative determination that the Solid Waste Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Initial Assessment Resolution.

(B) There is hereby levied and imposed for the period of October 1, 2019, through September 30, 2020, a non-ad valorem assessment against all Assessed Property described in the Assessment Roll pursuant to the Cost Apportionment and the Parcel

Apportionment in the amounts determined in the Solid Waste Assessment Rate Schedule, as set forth in Exhibit B attached hereto. The approval of the Solid Waste Assessment Rate Schedule by the adoption of this Final Assessment Resolution determines the amount of the Solid Waste Assessment.

(C) The Solid Waste Assessments specified in the Solid Waste Assessment Rate Schedule are hereby established to fund the specified Solid Waste Cost determined to be assessed in the Fiscal Year commencing October 1, 2019.

(D) It is hereby ascertained, determined and declared the foregoing method of determining the Solid Waste Assessments is a fair and reasonable method of apportioning the Solid Waste Cost and the assessment collection cost among parcels of Assessed Property located within the Unit.

(E) Solid Waste Assessments shall constitute a lien upon Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

SECTION 5. INTERIM ASSESSMENTS For Residential Property in the Universal Area and Non-Universal Area which are improved and for which a Certificate of Occupancy is issued on or after October 1, 2019, an interim assessment for collection, disposal, and recycling of solid waste shall be collected by the Director of the Office of Codes Enforcement, or his or her designee, prior to the issuance of a Certificate of Occupancy. The amount of the interim assessment for the Fiscal Year beginning October 1, 2019, and ending September 30, 2020, shall be as set forth in Exhibit C attached hereto.

SECTION 6. ADOPTION AND CERTIFICATION OF ROLL. The Board hereby adopts the Assessment Roll for collection, disposal, recycling, and management of Solid Waste for the

County's Fiscal Year 2019-2020, in accordance with the rates set forth in this resolution and authorizes staff to present the Assessment Roll to the Chair for certification to the Tax Collector, for collection on the ad valorem tax roll. If the Assessment Roll is changed by the Property Appraiser after this certification is completed, a revised Assessment Roll certification to the Tax Collector shall be completed by October 15, 2019.

SECTION 7. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein, (including, but not limited to, the method of apportionment, the rate of assessment, the Assessment Roll and the levy and lien of the Solid Waste Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Final Assessment Resolution.

SECTION 8. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session, this 10th day of September, A.D., 2019.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____
Charles Chestnut, IV, Chair
Board of County Commissioners

ATTEST:

J. K. "Jess" Irby, Esq., Clerk

(SEAL)

APPROVED AS TO FORM

Alachua County Attorney

LIST OF EXHIBITS

- Exhibit A: Proof of Publication
- Exhibit B: Solid Waste Assessment Rate Schedule
- Exhibit C: Interim Assessment Schedule

**Exhibit A
(To Be Provided)**

Exhibit B

ESTIMATED SOLID WASTE ASSESSMENT RATE SCHEDULE

SECTION B-1. DETERMINATION OF CURBSIDE COLLECTION ASSESSED COSTS. The estimated Curbside Collection Cost to be assessed for the Fiscal Year commencing October 1, 2019, is \$4,731,263.77.

SECTION B-2. ESTIMATED CURBSIDE COLLECTION ASSESSMENTS. The estimated Curbside Collection Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Curbside Collection Cost for the Fiscal Year commencing October 1, 2019, are hereby established as follows for the purpose of this Final Assessment Resolution:

Cart Size and Rate			
Mini can	35 gallon	64 gallon	96 gallon
\$ 119.30	\$ 137.59	\$ 191.75	\$ 283.50

SECTION B-3. DETERMINATION OF RURAL COLLECTION CENTER ASSESSED COSTS. The estimated Rural Collection Center Cost to be assessed for the Fiscal Year commencing October 1, 2019, is \$852,639.70.

SECTION B-4. ESTIMATED RURAL COLLECTION CENTER ASSESSMENTS. The estimated Rural Collection Center Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Rural Collection Center Cost for the Fiscal Year commencing October 1, 2019, are hereby established as follows for the purpose of this Final Assessment Resolution:

Unit	Rate
Dwelling Unit	\$ 67.10

SECTION B-5. DETERMINATION OF SOLID WASTE MANAGEMENT ASSESSED COSTS. The estimated Solid Waste Management Cost to be assessed for the Fiscal Year commencing October 1, 2019, is \$2,354,436.52.

SECTION B-6. ESTIMATED SOLID WASTE MANAGEMENT ASSESSMENTS. The estimated Solid Waste Management Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Solid Waste Management Cost for the Fiscal Year commencing

October 1, 2019, are hereby established as follows for the purpose of this Final Assessment Resolution:

Unit Type	Waste Generation Tons per Year	Residentially Collected Residential Rates/Unit, Universal & Municipal	Commercially Collected Residential Rates/Unit	Residentially Collected Residential Rates/Unit, Non-Universal	Commercial Rates/Unit
Dwelling Unit	N/A	\$ 16.47			
Dwelling Unit	N/A		\$ 15.92		
Dwelling Unit	N/A			\$ 11.21	
Parcel	< 5				\$ 12.99
	5 - 9.9				\$ 39.49
	10 - 19.9				\$ 79.24
	20 - 29.9				\$ 132.24
	30 - 39.9				\$ 185.24
	40 - 49.9				\$ 238.24
	50 - 74.9				\$ 330.99
	75 - 99.9				\$ 463.49
	100 - 149.9				\$ 662.25
	150 - 199.9				\$ 927.25
	200 - 499.9				\$ 1,854.76
	500 - 999.9				\$ 3,974.80
	1,000 - 1,899.9				\$ 7,684.85
	1,900 - above				\$ 17,025.00

Exhibit C

INTERIM ASSESSMENT

UNIVERSAL REFUSE COLLECTION CHARGES ON ISSUANCE OF CERTIFICATE OF OCCUPANCY

2018

October 1 to October 31	\$ 191.75
November 1 to November 30	\$ 175.77
December 1 to December 31	\$ 159.79

2019

January 1 to January 31	\$ 143.81
February 1 to February 28	\$ 127.83
March 1 to March 31	\$ 111.85
April 1 to April 30	\$ 95.88
May 1 to May 31	\$ 79.90

THE FOLLOWING FEES ARE FOR SERVICES THROUGH SEPTEMBER 30, 2021

June 1 to June 30	\$ 255.67
July 1 to July 31	\$ 239.69
August 1 to August 31	\$ 223.71
September 1 to September 30	\$ 207.73

INTERIM ASSESSMENT

RURAL COLLECTION CENTER CHARGES ON ISSUANCE OF CERTIFICATES OF OCCUPANCY

2018

October 1 to October 31	\$ 67.10
November 1 to November 30	\$ 61.51
December 1 to December 31	\$ 55.92

2019

January 1 to January 31	\$ 50.33
February 1 to February 28	\$ 44.73
March 1 to March 31	\$ 39.14
April 1 to April 30	\$ 33.55
May 1 to May 31	\$ 27.96

THE FOLLOWING FEES ARE FOR SERVICES THROUGH SEPTEMBER 30, 2021

June 1 to June 30	\$ 89.47
July 1 to July 31	\$ 83.88
August 1 to August 31	\$ 78.28
September 1 to September 30	\$ 72.69