

Board of County Commissioners

Agenda Request

Date of Meeting: June 21, 2010

Date Submitted: June 15, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Heather J. Encinosa, County Attorney
Timothy Barden, Assistant County Administrator
Cleve Fleming, Public Works Director

Subject: Request Board Approval of the Initial Assessment Resolution for Solid Waste Management and Disposal

Statement of Issue:

This agenda item requests Board approval of the Initial Assessment Resolution for Solid Waste Management and Disposal. The Initial Assessment Resolution for Solid Waste Management and Disposal sets the preliminary assessment rate, establishes the public hearing in accordance with Section 197.3632, Florida Statutes, and provides for the required statutory notice of said hearing.

Background:

On May 3, 2010, the Board adopted the Master Assessment Ordinance, which establishes the process for imposition of service and capital assessments.

On May 6, 2010, the Board held the first workshop on the proposed solid waste program, and on May 17, 2010, the Board ratified the first solid waste workshop and elected to proceed with the assessment program.

The County's solid waste engineer, Jones Edmunds & Associates, developed the proposed assessment rate of \$112 per dwelling unit.

Analysis:

The Initial Assessment Resolution for Solid Waste Management and Disposal sets the preliminary assessment rate, establishes the public hearing in accordance with Section 197.3632, Florida Statutes, and provides for the required statutory notice of said hearing.

This Resolution will establish the maximum assessment rates for the fiscal year beginning on October 1, 2010. At the public hearing the Board can decrease these rates (or set no assessment at all), but not increase them.

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In sum, this resolution provides for the following:

- (1) Sections 1 and 2 recite the authority for this resolution and certain definitions.
- (2) Section 3 contains certain legislative findings concerning special benefit and fair and reasonable apportionment, which are the legal standards for a valid special assessment.
- (3) Section 4 provides for the imposition of the solid waste assessment in both the unincorporated areas and the incorporated areas of the County since solid waste disposal responsibilities are legislatively preempted to the County; municipalities are not allowed to provide solid waste disposal facilities.
- (4) Section 5 establishes the initial Solid Waste Cost and sets forth the proposed apportionment method for that cost. The proposed apportionment method is to allocate the Solid Waste Cost among all parcels of Residential Property within the County based upon the number of Dwelling Units located on each parcel. The initial assessment rate is \$112.00 per dwelling unit.
- (5) Section 6 calls for the preparation of the initial Solid Waste Assessment Roll.
- (6) Section 7 establishes the public hearing for the final consideration of the Solid Waste Assessment, which will be on August 16, 2010.
- (7) Sections 8 and 9 provides for the statutorily required notice by publication and first class mail.
- (8) Section 10 establishes the effective date.

Options:

1. Adopt the Initial Assessment Resolution for Solid Waste Management and Disposal Services.
2. Do not adopt the Initial Assessment Resolution for Solid Waste Management and Disposal Services.
3. Board Direction.

Recommendation:

Option #1

Attachments:

1. Initial Assessment Resolution for Solid Waste Management and Disposal Services

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