

OSCEOLA COUNTY, FLORIDA

**INITIAL SOLID WASTE SERVICE
ASSESSMENT RESOLUTION**

ADOPTED JUNE 10, 2019

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RESOLUTION NO. 19-075R

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE; DESCRIBING THE SOLID WASTE SERVICE TO BE PROVIDED BY THE COUNTY; DETERMINING THAT CERTAIN REAL PROPERTY WILL BE SPECIALLY BENEFITTED BY THE SOLID WASTE SERVICE; DETERMINING THE SOLID WASTE COST TO BE ASSESSED; DESCRIBING THE PROPERTY TO BE LOCATED WITHIN THE CURBSIDE COLLECTION AREA AND THE DROP-OFF SERVICE AREA; ESTABLISHING THE METHOD OF ASSESSING THE SOLID WASTE COST AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITTED THEREBY; ESTABLISHING ESTIMATED ASSESSMENT RATES FOR THE CURBSIDE COLLECTION AREA AND DROP-OFF SERVICE AREA FOR THE UPCOMING FISCAL YEAR; DIRECTING THE SPECIAL ASSESSMENT COORDINATOR TO PREPARE A PRELIMINARY ASSESSMENT ROLL BASED UPON THE METHODOLOGY SET FORTH HEREIN; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENT AND THE METHOD OF COLLECTION; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; REPEALING PRIOR ASSESSMENT RESOLUTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, AS FOLLOWS:

ARTICLE I

DEFINITIONS AND CONSTRUCTION

SECTION 1.01. DEFINITIONS. As used in this Resolution, the following words and terms shall have the following meanings, unless the context clearly otherwise requires:

"Assessable Property" means Tax Parcels in the Curbside Collection Area and the Drop-Off Service Area on which Residential Service Units are located.

"Assessment Roll" means the non-ad valorem assessment roll for the Solid Waste Service Assessment.

"Billing Cost" means, for each Residential Service Unit, its pro rata share of the amount charged by the Tax Collector for collection of the Solid Waste Service Assessment and the cost incurred by the County to prepare and manage the Assessment Roll.

"Biomedical Waste" means any solid or liquid waste that may present a threat of infection to humans. The term includes, but is not limited to, nonliquid human tissue and body parts; laboratory and veterinary waste that contains human-disease-causing agents; discarded disposable sharps; human blood and human blood products and body fluids; and other materials that in the opinion of the Department of Health represent a significant risk of infection to persons outside the generating facility. The term does not include human remains that are disposed of by persons licensed under Chapter 497, Florida Statutes.

"Board" means the Board of County Commissioners of Osceola County, Florida.

"Buenaventura Lakes Special Service Area" means the portion of Buenaventura Lakes depicted in Appendix A of Ordinance No. 10-43.

"Building" means any structure, whether temporary or permanent, built for support, shelter or enclosure of Persons, chattel, or property of any kind. This term shall include Mobile Homes, Manufactured Homes or any vehicles serving in any way the function of a Building.

"Bulky Waste" means items that require special handling and management (e.g., large household goods and furniture). "Bulky Waste" must be usual to housekeeping and previously used by the customer at the Dwelling Unit for which Solid Waste Service is provided. The term "Bulky Waste" excludes Exempt Waste and White Goods.

"Collection Agreement" means Residential Waste Collection and Recycling Agreement between the County and the Contractor.

"Compactor" means any container which has a compaction mechanism(s), whether or stationary or mobile, all inclusive.

"Construction and Demolition Debris" means discarded materials generally considered to be not water soluble and non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure, including such debris from construction of structures at a site remote from the construction or demolition project site. The term includes rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land development operations for a construction project; clean cardboard, paper, plastic, wood, and metal scraps from a construction project; except as provided in Section 403.707(9)(j), Florida Statutes, yard trash and unpainted, non-treated wood scraps from sources other than construction or demolition projects; scrap from manufacturing facilities that is the type of material generally used in construction

projects and that would meet the definition of construction and demolition debris if it were generated as part of a construction or demolition project, including debris from the construction of manufactured homes and scrap shingles, wallboard, siding concrete, and similar materials from industrial or commercial facilities and de minimis amounts of other non-hazardous wastes that are generated at construction or demolition projects, provided such amounts are consistent with best management practices of the construction and demolition industries. Mixing of construction and demolition debris with other types of Solid Waste will cause it to be classified as other than construction and demolition debris.

"Contract Administrator" means the County's Director of Public Works, such Person's designee, or any other person designated by the County Manager to administer and monitor the provisions of the Collection Agreement.

"Contractor" means Advanced Disposal Services Solid Waste Southeast, Inc.

"Cart" means a commercially-produced container meeting the specifications set forth in Appendix B that is made with heavy-duty hard plastic or other impervious material, hot-stamped or stenciled with the County logo, with an enclosed bottom and sides, mounted on 2 wheels, equipped with a tight-fitting hinged lid, having a capacity of approximately 96-gallons, 65-gallons or 35-gallons, and used for the automated or semi-automated Solid Waste Service for Household Waste or Program Recyclables.

"County" means Osceola County, a charter county and political subdivision of the State of Florida.

"County Manager" means the chief executive officer of the County.

"Curbside" means a ground level location that is, in the following order of priority: (A) within 3 feet of the curb of any road, street or alley that abuts the property on which a Residential Service Unit is located and which is accessible by fire and emergency vehicles and to which the Contractor has a right of access; (B) if there is no curb, within 6 feet of the paved surface of any road, street or alley that abuts the property on which a Residential Service Unit is located and which is accessible by fire and emergency vehicles and to which the Contractor has a right of access; (C) within 6 feet of the closest accessible public right-of-way; or (D) any other location agreed to by the Customer and Contractor that will provide a safe and efficient location to the Contractor's crew and vehicle. If an appropriate location cannot be agreed upon, the Contract Administrator shall designate the location for collection.

"Curbside Collection Area" means the portion of the County in which Curbside Collection Service will be provided, as designated in Section 2.01 hereof.

"Curbside Collection Cost" means, for each Residential Service Unit located in the Curbside Collection Area, the cost incurred by the County to provide Curbside Collection Service.

"Curbside Collection Service" means (A) the removal and disposal of Residential Waste, and (B) the removal and recycling of Program Recyclables, from the Curbside of Residential Service Units located in the Curbside Collection Area.

"Customer Service Cost" means, for each Residential Service Unit, its pro rata share of the cost incurred by the County to provide customer service to the owners and occupants of property receiving Curbside Collection Service and Drop-Off Service.

"Customer's Contractor Generated Waste" means Rubbish, Bulky Waste, or any combination thereof, generated by builders, building contractors, privately-employed tree trimmers and tree surgeons, landscape services and lawn or yard maintenance services and nurseries.

"Drop-Off Service" means the provision of drop-off facilities to which the owner or occupant of Residential Service Units located in the Drop-Off Service Area can deliver Residential Waste and Program Recyclables.

"Drop-Off Service Area" means the portion of the County in which Drop-Off Service will be provided, as designated in Section 2.02 hereof.

"Drop-Off Service Cost" means, for each Residential Service Unit located in the Drop-Off Service Area, its pro rata share of the cost incurred by the County to provide Drop-Off Service, including transportation and disposal or recycling cost for Residential Waste and Program Recyclables delivered to the Kenansville Drop-Off Facility; provided however, that if, for any Fiscal Year, the Drop-Off Service Cost exceeds the Curbside Collection Cost and the Board elects to fund the difference from a lawfully available revenue source other than the proceeds of Solid Waste Service Assessment, the Drop-Off Service Cost shall be equal to the Curbside Collection Cost.

"Dumpster" means a portable non-absorbent water-resistant container equipped with a water-resistant lid or cover that is used to store not less than two and not more than ten cubic yards of Solid Waste and is designed to be emptied by mechanical means that is approved for use by the Contract Administrator.

"Duplex" means a Building that contains two Dwelling Units.

"Dwelling Unit" means a Building, or a portion thereof, lawfully used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only.

"Early Payment Discount" means the maximum discount allowed by law for early payment of the Solid Waste Service Assessment.

"Excluded Dwelling Unit" means any Dwelling Unit (Single-Family Residence, Mobile Home, Duplex, Triplex or Townhome) not located (A) within a Special Service Area served by a Dumpster or Compactor or (B) within a Mobile Home/RV Park.

"Exempt Waste" means (A) Solid Waste from commercial or industrial facilities; (B) Program Recyclables from commercial or industrial facilities; (C) Construction and Demolition Debris, except for small quantities of Construction and Demolition Debris that will fit in a Cart and not interfere with normal collection service; (D) land clearing debris; (E) farming waste; (F) boats; (G) Customer's Contractor Generated Waste; (H) automotive waste including, automobiles, large automobile parts (e.g., fenders or engines, lead-acid batteries and tires; (I) Hazardous Waste, Biomedical Waste, or radioactive waste; (j) dead animals; and (k) other material that is not Landfill Acceptable Waste.

"Fiscal Year" means that period commencing October 1st of each year and continuing through the next succeeding September 30th, or such other period as may be prescribed by law as the fiscal year for the County.

"Garbage" means all putrescent waste which generally includes, but is not limited to, kitchen and table food waste, animal, vegetative, food or any organic waste that is attendant with, or results from the storage, preparation, cooking or handling of food material.

"Hazardous Waste" means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed. The term does not include human remains that are disposed of by Persons licensed under chapter 497, Florida Statutes.

"Household Waste" means Garbage and/or Rubbish.

"JED Facility" means the solid waste disposal facility owned and operated by Omni Waste of Osceola County, LLC, or its successor, that is located approximately five miles south of Holopaw, in Osceola County, Florida.

"Kenansville Drop-Off Facility" means the solid waste disposal facility located at 1130 S. Canoe Creek Road, Kenansville, FL 34739.

"Landfill Acceptable Waste" means Solid Waste that may be disposed of lawfully in the JED Facility under the Omni Agreement and applicable law. The term "Landfill Acceptable Waste" does not include Hazardous Waste, Biomedical Waste or radioactive waste.

"Manufactured Home" means a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act.

"Mobile Home" means trailers, campers and recreational vehicles that contain a single Dwelling Unit.

"Mobile Home/RV Park" means property lawfully used as a rental park for mobile homes.

"Omni Agreement" means the agreement between Osceola County and Omni Waste of Osceola County, LLC approved by the County on December 12, 2012.

"Program Recyclables" means the Recyclable Materials designated by the County from time to time to be segregated from other materials in the waste stream.

"Property Appraiser" means the Osceola County Property Appraiser.

"Recyclable Materials" means those materials which are capable of being recycled and which would otherwise be processed or disposed of as Solid Waste.

"Residential Waste" means Household Waste, Yard Waste, Bulky Waste or White Goods

"Residential Service Unit" means either a Single-Family Residence, a Mobile Home, Manufactured Home, or a Dwelling Unit in a Duplex, Triplex, Quadruplex or Townhome (whether or not such Dwelling Unit is a "condominium unit" created under Chapter 718, Florida Statutes) that is located within the Curbside Collection Area or Drop-Off Service Area and is not an Excluded Dwelling Unit.

"Rubbish" means all refuse, accumulation of paper, excelsior, rags, wooden or paper boxes and containers, sweep-ups and all other accumulations of a nature other than Garbage, which are usual to housekeeping; also, any bottles, cans or other containers not containing Garbage.

"Single-Family Residence" means a Building that contains a single Dwelling Unit.

"Sludge" means a solid waste pollution control residual which is generated by any industrial or domestic wastewater treatment plant, water supply treatment plant, air pollution control facility, septic tank, grease trap, portable toilet or related operation, or any other such waste having similar characteristics. Sludge may be a solid, liquid, or semisolid waste but does not include the treated effluent from a wastewater treatment plant.

"Solid Waste" means Sludge that is not regulated under the federal Clean Water Act or Clean Air Act, as well as Sludge from a waste treatment works, water supply treatment plant, or air pollution control facility; or Garbage, Rubbish, refuse, special waste, or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. The term "Solid Waste" does not include: Program Recyclables; nuclear source or byproduct materials regulated under Chapter 404, Florida Statutes, or under the Federal Atomic Energy Act of 1954 as amended; suspended or dissolved materials in domestic sewage effluent or irrigation return flows, or other regulated point source discharges; regulated air emissions; and fluids or wastes associated with natural gas or crude oil exploration or production.

"Solid Waste Code" means Chapter 19 of the Osceola County Code of Ordinances, as amended.

"Solid Waste Service" means Curbside Collection Service or Drop-Off Service.

"Solid Waste Service Assessment" means a special assessment lawfully imposed by the County against Assessable Property to fund all or any portion of the Curbside Collection Cost or Drop-Off Service Cost and the Customer Service Cost, Billing Cost and Early Payment Discount.

"Special Assessment Coordinator" means the County Manager or such person's designee.

"Special Service Area" means the Buenaventura Lakes Special Service Area and any other area containing designated for service with a dumpster or compactor pursuant to section 19-44 hereof.

"Tax Collector" means the Osceola County Tax Collector.

"Tax Parcel" means a parcel of property to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

"Tax Roll" means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

"Uniform Assessment Collection Act" means sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

"White Goods" means discarded refrigerators, ranges, water heaters, freezers, and other similar domestic appliances that were previously used at the Dwelling Unit from which they are collected.

"Yard Waste" means vegetative matter resulting from landscape maintenance at the Dwelling Unit from which it is collected.

SECTION 1.02. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other genders, unless the sense indicates otherwise.

SECTION 1.03. FINDINGS. It is hereby ascertained, determined, and declared that:

(A) Article VIII, Section 1 of the Florida Constitution, Sections 125.01 and 125.66, Florida Statutes, and the Osceola County Charter, grant to the Board all powers of local self-government to perform county functions and to render services for county purposes in a manner not inconsistent with general law, or with special law approved by vote of the electors, and such power may be exercised by the enactment of county ordinances.

(B) The Board may exercise any governmental, corporate, or proprietary power for a public purpose except when expressly prohibited by law.

(C) The Board has adopted Article IV of the Solid Waste Code to (1) provide procedures and standards for the imposition of the annual Solid Waste Service Assessment under the County's general home rule power; (2) authorize a procedure for the funding of Solid Waste Service to property within the County; and (3) legislatively determine the special benefit provided to Assessable Property from the provision of Solid Waste Service by the County.

(D) The County has entered into the Collection Agreement with the Contractor for the furnishing of Curbside Collection Service in the Curbside Collection Area. The County will be responsible for paying Contractor for Curbside Collection Service provided to Residential Service Units located in the Curbside Collection Area and intends to fund the Curbside Collection Cost, Customer Service Cost, Billing Cost and Early Payment Discount by imposing a Solid Waste Service Assessment against Assessable Property in the Curbside Collection Area.

(E) The County provides the Kenansville Drop-Off facilities for Drop-Off Service to Residential Service Units located in the Drop-Off Service Area and intends to fund the Drop-Off Service Cost, Customer Service Cost, Billing Cost and Early Payment Discount by imposing a Solid Waste Service Assessment against Assessable Property in the Drop-Off Service Area.

(F) The imposition of a recurring annual Solid Waste Service Assessment is an alternative, equitable and efficient method to fairly and reasonably apportion and recover the Curbside Collection Cost or Drop-Off Service Cost and the Customer Service Cost, Billing Cost and Early Payment Discount from Assessable Property.

(G) The use of the uniform method of collection authorized by the Uniform Assessment Collection Act provides a mechanism to equitably and efficiently collect the Solid Waste Service Assessment imposed against Assessable Property.

(H) The annual Solid Waste Service Assessment to be imposed pursuant to Article IV of the Solid Waste Code shall constitute a non-ad valorem assessment within the meaning and intent of the Uniform Assessment Collection Act.

SECTION 1.04. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT. It is hereby ascertained and declared that Solid Waste Service provide a special benefit to Assessable Property based upon the following legislative determinations:

(A) Solid Waste Service furnished by the County possess a logical relationship to the use and enjoyment of Assessable Property by providing: (1) Solid Waste Service to the owners

and occupants of Assessable Property to properly, safely, and cost effectively dispose of Residential Waste generated on such property, (2) the enhancement of environmentally responsible use and enjoyment of Assessable Property, and (3) the protection of property values and the health and safety of the owners and occupants of Assessable Property resulting from the availability and delivery of Solid Waste Service.

(B) The provision of comprehensive Solid Waste Service furnished by or through the County to Assessable Property enhances and strengthens the relationship of such service to the use and enjoyment of Assessable Property within the County.

ARTICLE II
SOLID WASTE SERVICE ASSESSMENT

SECTION 2.01. CURBSIDE COLLECTION AREA. The Curbside Collection Area will include that portion of the County designated as "Curbside Collection Area" in Appendix A. The Curbside Collection Area is established to improve the use and enjoyment of property located therein by providing Curbside Collection Service funded from the proceeds of the Solid Waste Service Assessment.

SECTION 2.02. DROP-OFF SERVICE AREA. The Drop-Off Service Area will include that portion of the County designated as "Drop-Off Service Area" in Appendix A. The Drop-Off Service Area is established to improve the use and enjoyment of property located therein by providing Drop-Off Service funded from the proceeds of the Solid Waste Service Assessment.

SECTION 2.03. IMPOSITION OF ASSESSMENT.

(A) The Solid Waste Service Assessment will be imposed for each Fiscal Year (1) against Assessable Property in the Curbside Collection Area to fund the Curbside Collection Cost, Customer Service Cost, Billing Cost and Early Payment Discount; and (2) against Assessable Property in the Drop-Off Service Area to fund the Drop-Off Service Cost, Customer Service Cost, Billing Cost and Early Payment Discount.

(B) The determination of whether a Dwelling Unit (Single-Family Residence, Mobile Home, Duplex, Triplex, Quadruplex or Townhome) is classified as an Excluded Dwelling Unit for any Fiscal Year shall be made as of the date an Annual Assessment Resolution is adopted for such Fiscal Year and shall not be changed during such Fiscal Year.

SECTION 2.04. COMPUTATION OF ASSESSMENT. The annual Solid Waste Service Assessment shall be computed for each Tax Parcel in the manner set forth in this Section.

(A) The Solid Waste Service Assessment for each Residential Service Unit located in the Curbside Collection Area shall be equal to the sum of the Curbside Collection Cost, Customer Service Cost, Billing Cost and Early Payment Discount, as computed in Appendix D. For the Fiscal Year ending September 30, 2020, the proposed Solid Waste Service Assessment for each Residential Dwelling Unit located in the Curbside Collection Area is \$309.15, which is equal to \$25.76 per month.

(B) The Solid Waste Service Assessment for each Residential Service Unit located in the Drop-Off Service Area shall be equal to the sum of the Drop-Off Service Cost, Customer Service Cost, Billing Cost and Early Payment Discount, as computed in Appendix E. It is hereby found and determined that for the Fiscal Year ending September 30, 2020, the Solid Waste Service Assessment for the Drop-Off Service Area is greater than the Solid Waste Service Assessment for the Curbside Collection Area and that the Board has elected to fund the difference from a lawfully available revenue source other than the proceeds of the Solid Waste

Service Assessment. Accordingly, the Drop-Off Service Cost and Customer Service Cost shall be reduced by a subsidy of \$20,665. For the Fiscal Year ending September 30, 2020, the proposed Solid Waste Service Assessment for each Residential Dwelling Unit located in the Drop-Off Service Area is \$309.15, which is equal to \$25.76 per month.

SECTION 2.05. ASSESSMENT ROLL. The Special Assessment Coordinator is hereby directed to prepare the preliminary Assessment Roll in the manner provided in the Article IV of the Solid Waste Code and this Resolution. The Assessment Roll shall be maintained on file in the offices of the Special Assessment Coordinator and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Solid Waste Service Assessment for each Tax Parcel can be determined by use of a computer terminal available to the public.

**ARTICLE III
NOTICE AND PUBLIC HEARING**

SECTION 3.01. PUBLIC HEARING. A public hearing will be held by the Board on Monday, August 5, 2019 at 1:30 p.m. or soon thereafter as it may be heard, at the Osceola County Commission Chambers, Suite 4100, in the Administration Building, 1 Courthouse Square, Kissimmee, Florida at which the Board will consider imposing the Solid Waste Service Assessment and collecting the Solid Waste Service Assessment pursuant to the Uniform Assessment Collection Act.

SECTION 3.02. NOTICE BY PUBLICATION. On or prior to July 13, 2019, the Special Assessment Coordinator shall publish a notice of the public hearing authorized by Section 3.01 hereof, as required by section 19-64 of the Osceola County Code. Such notice shall be substantially in the form attached hereto as Appendix B.

SECTION 3.03. NOTICE BY MAIL. On or prior to July 15, 2019, the Special Assessment Coordinator shall provide first class mailed notice of the public hearing authorized by Section 3.01 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll, as required by section 19-65 of the Osceola County Code. The notice shall be substantially in the form attached hereto as Appendix C.

**ARTICLE IV
GENERAL PROVISIONS**

SECTION 4.01. METHOD OF COLLECTION. The Solid Waste Service Assessment shall be collected pursuant to the Uniform Assessment Collection Act.

SECTION 4.02. REPEAL OF PRIOR ASSESSMENT RESOLUTIONS. Resolution No. 12-081R is hereby repealed.

SECTION 4.03. CONFLICTS. Any resolution, or part thereof, in conflict with this Resolution, or any part hereof, is hereby repealed to the extent of such conflict.

SECTION 4.04. SEVERABILITY. If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4.05. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 10th day of June, 2019.

OSCEOLA COUNTY, FLORIDA

By: _____
Chair/Vice Chair
Board of County Commissioners

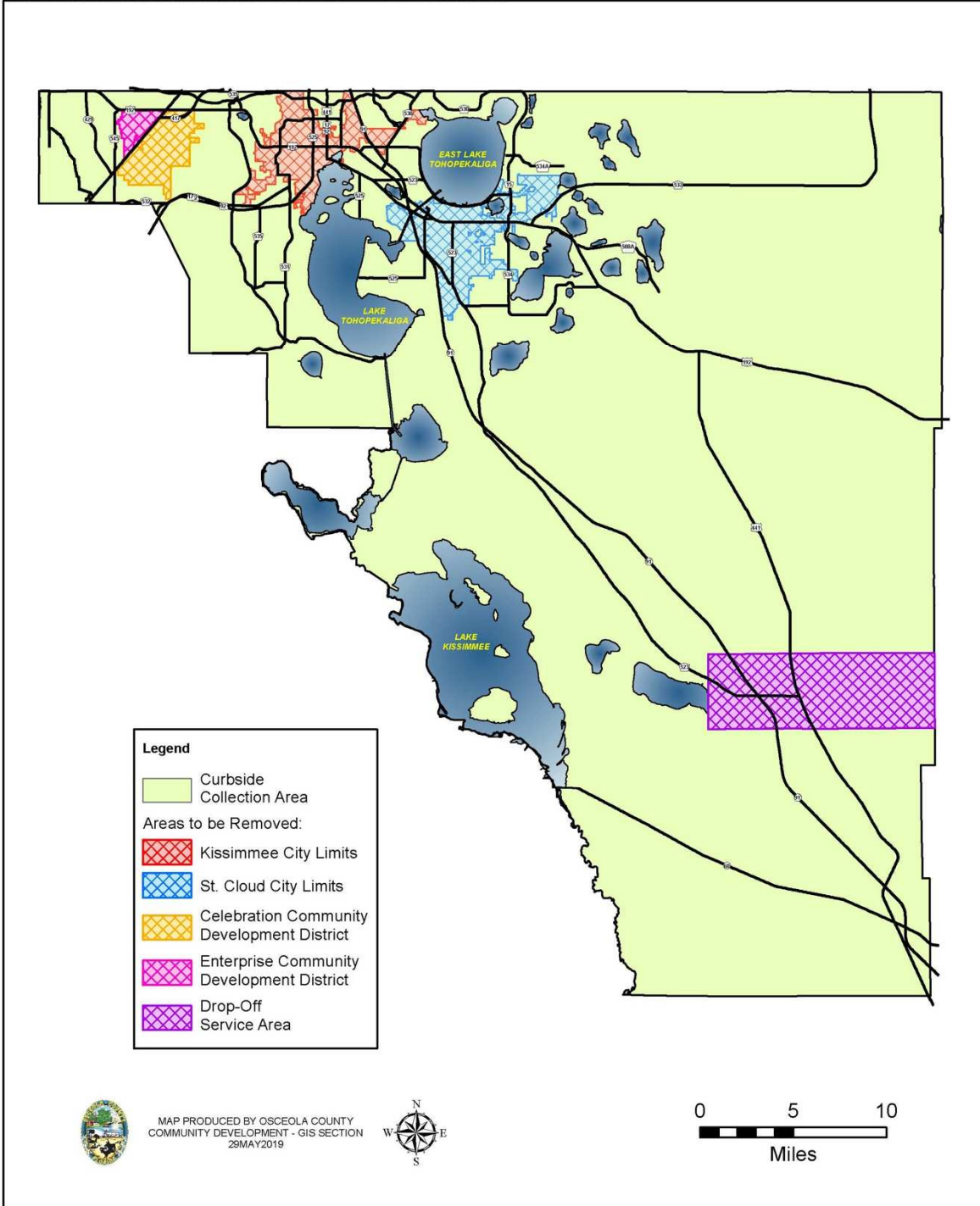
ATTEST:

Clerk/Deputy Clerk to the Board
(SEAL)

APPENDIX A
DEPICTION OF SERVICE AREAS

Solid Waste Service Assessment Area Map

I:\Project\Warehouse\Countywide_Warehouse\SolidWaste\AdvanceDisposal\AdvanceDisposal_ServiceArea.mxd



**APPENDIX B
FORM OF PUBLISHED NOTICE**

**NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION
OF SOLID WASTE SERVICE ASSESSMENT**

TO BE PUBLISHED ON JULY 13, 2019

[insert map from Appendix A]

Notice is hereby given that the Board of County Commissioners of Osceola County, Florida will conduct a public hearing to impose a solid waste service assessment against certain improved residential property located within those portions of the unincorporated area of the County designated as "Curbside Collection Area" and "Drop-Off Service Area" in the map shown above. Assessments in the Curbside Collection Area will fund curbside pick-up of household waste, yard waste, bulky waste, white goods and recyclable materials. Assessments in the Drop-Off Service Area will fund rural drop-off facilities for household waste, yard waste, bulky waste, white goods and recyclable materials. Assessments will not be imposed against dwelling units served by a dumpster or compactor.

The assessment will be computed by multiplying the number of dwelling units on each parcel by the rate of assessment. The proposed fiscal year 2019-2020 assessment is \$309.15, which is equal to \$25.76 per month per dwelling unit. Solid waste and recyclables will be collected once per week.

The assessment breakdown for each residential service unit is as follows:

\$290.69	(contract collectors or drop-off stations and customer service)
6.57	(assessment roll preparation and Tax Collector fees)
<u>11.89</u>	(early payment discount)
\$309.15	

The \$11.89 is the discount that will be received if the tax bill is paid in November. Paying in November would reduce the assessment to \$297.26. Smaller discounts are available if the tax bill is paid in December, January or February.

The solid waste service assessment will be collected on the ad valorem tax bill. Failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in a loss of title. A more specific description of the solid waste service assessment program is set forth in Resolution No. 19-075R, adopted by the Board on June 10, 2019. Copies of Resolution No. 19-075R and the preliminary assessment roll are available for inspection at the Osceola County Special Assessments Office, Suite 2100, in the Administration Building, 1 Courthouse Square, Kissimmee, Florida.

A public hearing will be held by the Osceola County Board of County Commissioners on Monday, August 5, 2019 at 1:30 p.m. or soon thereafter as it may be heard, at the Osceola

County Commission Chambers, Suite 4100, in the Administration Building, 1 Courthouse Square, Kissimmee, Florida for the purpose of receiving public comment on the proposed solid waste service assessment. All affected property owners have a right to appear at the hearing and to file written objections with the Board within twenty days of this notice. If a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should call the Clerk of the Board at (407) 742-2100 at least three days prior to the date of the hearing. Should you have any questions regarding the solid waste services, please contact the Osceola County Solid Waste Department at (407) 742-7765.

**APPENDIX C
FORM OF MAILED NOTICE**

OSCEOLA COUNTY SOLID WASTE DEPARTMENT
750 South Bass Road
Kissimmee, Florida 34746

July 15, 2019

[Property Owner Name]
[Street Address]
[City, State and Zip]

Dear Property Owner:

Notice is hereby given that the Board of County Commissioners of Osceola County, Florida will conduct a public hearing to continue imposing a solid waste service assessment against certain residential property.

Assessments in the Curbside Collection Area will fund curbside pick-up of household waste, yard waste, bulky waste, white goods and recyclable materials. Assessments in the Drop-Off Service Area will fund rural drop-off facilities for household waste, yard waste, bulky waste, white goods and recyclable materials. Assessments will not be imposed against dwelling units served by a dumpster or compactor.

The assessment will be computed by multiplying the number of dwelling units on each parcel by the rate of assessment. The proposed fiscal year 2019-2020 assessment is \$309.15, which is equal to \$25.76 per month per dwelling unit. Solid waste and recyclables will be collected once per week.

The assessment breakdown for each residential service unit is as follows:

\$290.69	(contract collectors or drop-off stations and customer service)
6.57	(assessment roll preparation and Tax Collector fees)
<u>11.89</u>	(early payment discount)
\$309.15	

The \$11.89 is the discount that will be received if the tax bill is paid in November. Paying in November would reduce the assessment to \$297.26. Smaller discounts are available if the tax bill is paid in December, January or February.

A more specific description of the solid waste service assessment program is set forth in Resolution No. 19-075R, adopted by the Board on June 10, 2019. Copies of Resolution No. 19-075R and the preliminary assessment roll are available for inspection at the Osceola County Special Assessments Office, Suite 2100, in the Administration Building, 1 Courthouse Square, Kissimmee, Florida.

The following information relates to your specific property:

Property Identification Number: *[to come]*

Number of Units: *[to come]*

Annual Solid Waste Assessment: *[to come]*

The solid waste service assessment will be collected on the ad valorem tax bill, as authorized by Section 197.3632(4)(b), Florida Statutes. Failure to pay the levied assessment will cause a tax certificate to be issued against the property, which may result in a loss of title.

A public hearing will be held by the Osceola County Board of County Commissioners on Monday, August 5, 2019 at 1:30 p.m. or soon thereafter as it may be heard, at the Osceola County Commission Chambers, Suite 4100, in the Administration Building, 1 Courthouse Square, Kissimmee, Florida for the purpose of receiving public comment on the proposed solid waste service assessment. All affected property owners have a right to appear at the hearing and to file written objections with the Board within twenty days of this notice. If a person decides to appeal any decision made by the Board with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should call the Clerk of the Board at (407) 742-2100 at least three days prior to the date of the hearing. Should you have any questions regarding the solid waste services, please contact the Osceola County Solid Waste Department at (407) 742-7765.

*** * * * THIS IS NOT A BILL – DO NOT SEND MONEY * * * ***

**APPENDIX D
CURBSIDE COLLECTION AREA ASSESSMENT COMPUTATION**

CURBSIDE COLLECTION COST	Data	Amount
Monthly Rate per Household	\$23.50	
ANNUAL COST PER HOUSEHOLD		\$282.00
CUSTOMER SERVICE COST	Data	Amount
Salaries (direct and allocated)	\$330,798	
Operating	270,280	
Total customer service cost	\$601,078	
Total Number of Households	69,194	
ANNUAL COST PER HOUSEHOLD		\$8.69
BILLING COST	Data	Amount
County's Direct Collection Cost		
Tax Collector Cost	\$430,596	
County Assessment Department Cost	27,131	
Total Billing Cost	\$457,727	
Total Number of Households	69,642	
ANNUAL BILLING COST PER HOUSEHOLD		\$6.57
EARLY PAYMENT DISCOUNT (4% OF TOTAL)		\$11.89
TOTAL ANNUAL ASSESSMENT		<u>\$309.15</u>
MONTHLY COST		<u>\$25.76</u>

**APPENDIX E
DROP-OFF SERVICE AREA ASSESSMENT COMPUTATION**

DROP-OFF AND CUSTOMER SERVICE COST	Data	Amount
Salaries (direct and allocated)	\$90,583	
Operating	60,310	
Total drop-off and customer service cost	<u>\$150,893</u>	
Subsidy	(20,665)	
Net Drop-Off Service Cost	<u>\$130,228</u>	
Total Number of Households	<u>448</u>	
ANNUAL COST PER HOUSEHOLD		\$290.69
BILLING COST	Data	Amount
County's Direct Collection Cost		
Tax Collector Cost	\$430,596	
County Assessment Department Cost	27,131	
Total Billing Cost	<u>\$457,727</u>	
Total Number of Households	<u>69,642</u>	\$6.57
ANNUAL BILLING COST PER HOUSEHOLD		\$11.89
EARLY PAYMENT DISCOUNT (4% OF TOTAL)		
TOTAL ANNUAL ASSESSMENT		<u>\$309.15</u>
MONTHLY COST		<u>\$25.76</u>