



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3154, Version: 1

Subject:

Resolutions RE: Adoption of Solid Waste Special Assessments, Fees and Charges and Ratification, Confirmation and Certification of the Solid Waste Special Assessment Rolls.

Fiscal Impact:

The Fiscal Impact of the Resolutions attached are as follows:

Solid Waste Disposal Assessment	\$ 24,467,360
Solid Waste Collection and Recycling Assessment	\$ 20,809,206
Solid Waste Impact Fee	\$ 6,824,470
Schedule of Special Rates and Gate Charges	\$ 5,807,369

Dept/Office:

Solid Waste Management Department

Requested Action:

It is requested that the Board of County Commissioners adopt: (1) the Annual Solid Waste Disposal Special Assessment Rate Resolution (no change); (2) the Annual Solid Waste Collection and Recycling Special Assessment Rate Resolution and Special Rates and Charges for Improved Non-Residential Property and Compensation Rates that may be charged by the Collector (increase of 3%); (3) the Solid Waste Impact Fee Rate Resolution (no change); (4) the Schedule of Special Rates and Gate Charges (two rate increases); (5) Ratify, Confirm and Certify the Annual Disposal, Collection and Recycling Special Assessment Rolls to the Brevard County Tax Collector.

Summary Explanation and Background:

Chapter 94, Brevard County Code of Ordinances (Chapter 94) requires on or before the fifteenth day of September of each year the Board shall hold a public hearing and adopt the special assessment rate resolutions for Solid Waste Disposal, and Collection and Recycling and ratify and confirm such rolls to the Brevard County Tax Collector. A Public hearing is also required for Service Fees and Impact Fees. In addition, Chapter 94 requires that a notice of the Public Hearing be published in a newspaper at least twice, with the first publication being at least 20 days prior to the public hearing. The following summarizes and explains each requested action:

(1) Annual Solid Waste Disposal Special Assessment Rate Resolution

In the Department's proposed FY 21/22 Budget, the Solid Waste Disposal Special Assessment (Disposal Assessments) reflect no increase to Assessment rates. The FY 21/22 Disposal Special Assessment rate for residential customers is \$57.00 and \$164.51 per billing unit for commercial customers. The Disposal Assessments are assessed against all improved properties within the County and are used to fund the operation and capital requirements of the County's Disposal Facilities. During the next several years, the Department will be constructing additional Class I disposal cells at the Central Disposal Facility located at Cocoa and constructing a Class III disposal cell at the US192 property. Staff is reviewing these additional Capital Improvement Program costs and associated timelines. The preliminary reviews have indicated that by FY 2022/23 Solid Waste Disposal Assessment would need to be increased for the additional capital cost that will be incurred.

(2) Annual Solid Waste Collection and Recycling Special Assessment Rate Resolution and Special Rates and Charges for Improved Non-Residential Property

The Solid Waste Collection and Recycling Special Assessment (Collection and Recycling Special Assessment) for FY 2021/22 reflect an increase of 3%. This will increase a residential billing unit to \$200.11 from the current year of \$194.28. The increase is based on the County's Collector contract that provides collection rates shall be adjusted annually to reflect the changes in the Consumer Price Index-Garbage & Trash (CPI-G&T) or an annual increase no greater than 3%. The CPI-G&T for the term reflect an increase of 4.69%. The increase in rate will be paid to the Contractor for the services provided to residential improved properties within the unincorporated areas of the County.

The Department FY 2021/22 Budget proposes an increase in the Special Rates and Charges for Improved Non-Residential Property by 3%. The proposed increase is based on the County's Collector contract that provides the rates charged to non-residential properties in the unincorporated areas of the County, increase annually by CPI-G&T or no greater than 3%. The CPI-G&T for the term increased by 4.69%. The 3% increase will be charged to non-residential properties by the Collector.

(3) Schedule of Special Rates and Gate Charges

The FY 2021/22 Budget proposes increases to two waste debris rates in the Schedule of Special Rates and Gate Charges. The first proposed increase is for the construction and demolition debris to \$31.16 (\$9.44 per cubic yard) per ton from \$23.66 per ton (\$7.17 per cubic yard). This increase of 31.7% and is based the cost-per-ton charge for Class III waste accepted by the landfill through Gate Charges. Gate Charges are collected from users of the landfill that are not included in the Special Assessment program. The last time this rate was adjusted was in the early 1990s. If a CPI-G&T inflation factor were applied to the rate adopted annually, the rate effective January 1, 2021 would be \$64.63. The proposed rate is consistent with the information provided to the Board during the January 12, 2021 meeting, reflecting the cost-per-ton to landfill Class III waste at the US192 Project. This was the least costly alternative when compared to the other options considered. Fees collected through Gate Charges are utilized by the Department to fund countywide operating and capital needs of the disposal facility.

The second proposed increase to the Schedule of Special Rates and Gate Charges is an

increase in commercial yard waste and pallets from \$23.66 per ton to \$40.00 per ton. This 69.06% increase in rate compensates for increased contracting costs for the processing, transportation and disposal of vegetative waste, and makes the rate equal to that of land clearing vegetative debris. As described above, the proposed rate is lower than if an inflation escalation were applied, since the \$23.66 was initially adopted.

For the maintenance and capital requirements needed of the County's Solid Waste Disposal facilities, the proposed Resolution, if approved, includes an annual inflation indexed using the CPI -G&T for the immediately preceding twelve-month period of March to February of each year. Each October, after notice to the County's customers, Special Rates and Gate Charges will increase based on CPI-G&T. These charges will be used to fund the operational and capital needs of the Solid Waste Disposal facilities.

(4) Solid Waste Impact Fee Rate Resolution

The Department's FY 2021/22 Budget proposes no increase to the Solid Waste Impact Fees. Impact Fees are collected on all new improved property within Brevard County. These Fees are used for the County's disposal facility for capital improvements as a direct result of new improved property.

(5) Ratify, Confirm and Certify the Annual Disposal, Collection and Recycling Special Assessment Rolls to the Brevard County Tax Collector

Chapter 94, Brevard County Code of Ordinances and Section 197.3632, Florida Statutes provides that on or before the 15th day of September of each year the Board of County Commissioners, shall certify the Disposal Assessment Roll, and the Collection and Recycling Assessment Roll to the Brevard County Tax Collector. Assessments collected pursuant to Section 197.3632, Florida Statutes shall be included in the combined notice for ad valorem taxes and shall be subject to all collection provisions of ad valorem taxes.

Clerk to the Board Instructions:

Please sign and attest three (3) copies of each resolution and return two (2) originals of each to the Department.