



**Interoffice Memorandum**

**Received: July 7, 2022 @ 2:20pm**

**Publish: July 24**

**Deadline: July 19**

July 8, 2022

TO: Katie Smith, Deputy Clerk, Clerk of the Board  
Comptroller's Office

THRU: Cheryl Gillespie, Agenda Development

FROM: Ed Torres, M.S., P.E., LEED AP, Director  
Utilities Department



Contact: David Gregory, Manager  
Solid Waste Division – 407-254-9622

RE: Request for Public Hearing – August 9, 2022  
To adopt a revised fee structure for solid waste disposal at Orange County  
disposal facilities.

Applicant: N/A

Location: District: All

Estimated time required for public hearing: 5 minutes

Hearing controversial? Yes; fees will increase.

Advertising requirements: Publish once in the legal classified  
section of the Orlando Sentinel.

Advertising timeframes: Place ad 10 days prior to August 9, 2022.  
Advertise one time only on or before Sunday,  
July 24, 2022

Applicant/Abutters to be notified: N/A

Hearing required by Fla. Statute # or code: Section 125.66, Florida Statutes; Section 32-  
16, Orange County Code

Spanish Contact Person: Para más información, por favor llame al  
Departamento de Servicios Públicos del  
Condado de Orange y pida hablar con un  
representante en español. El número de  
teléfono es 407-836-6601.



## Interoffice Memorandum

Request for Public Hearing – August 9, 2022 BCC Public Hearing  
July 8, 2022  
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Materials being submitted as backup for public hearing request:

1. Notice of Public Hearing
2. Solid Waste Disposal Fee Schedule Resolution

### SPECIAL INSTRUCTIONS TO CLERK (IF ANY):

1. Please contact David Gregory at 407-254-9622 to have the legal notice proofed and approved prior to publication.
2. Please return three (3) executed copies of the resolution to Nicole Robinson, Utilities Department.
3. In the notice of public hearing, the contact information should be as follows:  
Orange County Utilities Solid Waste Division  
407-836-6601  
Email: Solid.Waste@ocfl.net

- c: Byron Brooks, A.I.C.P., County Administrator  
Chris Testerman, Deputy County Administrator  
Ed Torres, M.S., P.E., LEED AP, Director, Utilities Department  
Teresa Remudo, P.E., Deputy Director, Utilities Department  
Andres Salcedo, P.E., Deputy Director, Utilities Department  
Marc Cannata, P.E., Deputy Director, Utilities Department  
Tim Armstrong, Assistant Director, Utilities Department  
David Gregory, Manager, Utilities Solid Waste Division  
Glenn Kramer, Manager, Utilities Fiscal & Operational Support Division  
Marchelle Allen, Section Manager, Utilities Solid Waste Division



## Interoffice Memorandum

July 8, 2022

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**FROM:** Ed Torres, M.S., P.E., LEED AP, Director  
Utilities Department

A handwritten signature in blue ink, appearing to be "Ed Torres", written over the "FROM:" line.

**SUBJECT: BCC AGENDA ITEM – Public Hearing  
August 9, 2022 BCC Meeting  
Solid Waste System Tipping Fees  
Contact Person: David Gregory, Manager  
Solid Waste Division  
407-254-9622**

As discussed in the Utilities Department Budget Work Session presentation, staff is recommending an adjustment to the Orange County Solid Waste disposal rates, or tipping fees, at the Orange County Landfill and transfer stations.

The Solid Waste System ("System") has experienced significant cost increases in recent years. Operating expenses have increased due to rising costs in personal services, maintenance of equipment, maintenance of open landfill cells, and capital outlay for landfill equipment.

In addition to funding ongoing operations, the tipping fees must also provide sufficient revenue to set aside funds to construct future landfill cells and to close the currently active cells. Cell construction prices have increased dramatically over the past decade; Cell 10 was completed in 2010 with a construction cost of \$375,646/acre and for the first phase of Cell 11 the cost increased to \$849,960/acre, based on the bid in 2019.

The current tipping fee does not provide sufficient revenue for the cost increases the System is facing. Therefore, staff recommends implementing a 4% increase in tipping fees for Fiscal Year 2022-23 to take effect on October 1, 2022 to meet the upcoming financial requirements of the system.

Orange County Attorney's Office staff has reviewed the resolution and finds it acceptable as to form and content. The revised Solid Waste System Charge Schedule will be presented in the public hearing on August 9, 2022.

**Action Requested:** Approval of a Resolution Regarding Solid Waste Disposal; Adopting a Revised Fee Schedule for Solid Waste Disposal at County Disposal Facilities; Revising Certain Solid Waste Disposal Fees; Providing for Severability; and Providing for an Effective Date.

**All Districts.**

## ORANGE COUNTY NOTICE OF PUBLIC HEARING

**IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE  
ORANGE COUNTY SOLID WASTE DIVISION, 407-836-6601,  
Email: [Solid.Waste@ocfl.net](mailto:Solid.Waste@ocfl.net)**

**PARA MÁS INFORMACIÓN, POR FAVOR LLAME AL DEPARTAMENTO DE SERVICIOS PÚBLICOS DEL CONDADO DE ORANGE Y PIDA HABLAR CON UN REPRESENTANTE EN ESPAÑOL. EL NÚMERO DE TELÉFONO ES 407-836-6601.**

The Orange County Board of County Commissioners will conduct a public hearing on **August 9, 2022, at 2 p.m.**, or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida. You are invited to attend and be heard regarding a proposed resolution as follows:

Consideration: A RESOLUTION REGARDING SOLID WASTE DISPOSAL; ADOPTING A REVISED FEE SCHEDULE FOR SOLID WASTE DISPOSAL AT COUNTY DISPOSAL FACILITIES; REVISING CERTAIN SOLID WASTE DISPOSAL FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

You may examine the notice and the proposed resolution at the office of the Comptroller Clerk of the Board of County Commissioners, 201 South Rosalind Avenue, Fourth Floor; Orlando, Florida; between 8 a.m. and 5 p.m., Monday through Friday.

**If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.**

**If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5631 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al 407-836-3111.**

Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners  
Orange County, Florida

Publish: **July 24, 2022**; the Orlando Sentinel Public Record

Certify: Resolution pertaining to revised fee structure for solid waste disposal

ch/ks

c: All Board Members' Offices [email]  
County Attorney's Office, BCC [Katherine Latorre email]  
Chris Testerman, AICP, Deputy County Administrator, BCC [email]  
Ed Torres, M.S., P.E., LEED AP, Utilities, BCC [email]  
Teresa Remudo-Fries, P.E. Utilities, BCC [email]  
David Gregory, Manager, Utilities Solid Waste Division, BCC [email]  
Cheryl Gillespie, Agenda Development, BCC [email]  
Mike Seif, Orange TV, BCC [email]  
Assistant Deputy Clerk [email]

# RESOLUTION

*of the*

## ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

*regarding*

### **SOLID WASTE DISPOSAL; ADOPTING A REVISED FEE SCHEDULE FOR SOLID WASTE DISPOSAL AT COUNTY DISPOSAL FACILITIES; REVISING CERTAIN SOLID WASTE DISPOSAL FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Resolution No. \_\_\_\_\_

**WHEREAS**, the Board of County Commissioners of Orange County (the "Board") is authorized to establish, operate, and maintain a waste collection and disposal system within Orange County (the "System") pursuant to its powers as a charter county, Florida law, and Section 32-16, Orange County Code; and

**WHEREAS**, the Board is also authorized to prescribe, fix, establish and collect fees, rentals, or other charges for the facilities and services furnished by such waste collection and disposal system, or any part thereof; and

**WHEREAS**, the Board last adopted a revised fee schedule for solid waste disposal at County disposal facilities on September 14, 2021, pursuant to Resolution 2021-M-38; and

**WHEREAS**, the Board finds it necessary to revise the fee schedule in order to enable the System to better fund its cost requirements; and

**WHEREAS**, the Board authorized, scheduled, and publicized a notice of public hearing to consider the adoption of the revised fee schedule in accordance with Section 32-16, Orange County Code:

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:**

**Section 1. Revised Fee Schedule.** The Board of County Commissioners hereby adopts the revised fee schedule attached to and incorporated in this Resolution

as Exhibit "A". The attached schedule supersedes and this Resolution hereby repeals the presently existing fee schedule as adopted on September 14, 2021. Resolution 2021-M-38 is superseded and repealed when this Resolution becomes effective.

**Section 2. Severability of Provisions.** If any provision of this Resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of the Resolution are declared severable.

**Section 3. Effective Date.** This Resolution shall take effect on October 1, 2022.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

## EXHIBIT "A"

### SOLID WASTE SYSTEM CHARGE SCHEDULE<sup>1</sup>

All vehicle types pay the prevailing fee for the applicable category for covered loads. Any mixed loads will be charged for the higher fee category.

Uncovered loads are charged at 2 times the rate for covered loads of the applicable fee category.

Class III and/or yard waste materials delivered to a transfer station will be charged the Class I Solid Waste rate.

Minimum charge for all vehicles is \$6.00.

<u>Fee Category</u>	<u>Fee Per Ton Effective October 1, 2022</u>
1. Class I Solid Waste (Putrescible garbage)	\$38.60
2. Class III Solid Waste (Construction and demolition debris)	\$29.30
4. Yard Waste	\$33.30
5. Dewatered Wastewater Treatment Sludge	Accepted by agreement only
6. Asbestos	\$127.00
7. Waste Tires	\$170.00

#### **FOOTNOTE**

<sup>1</sup>For those customers under written contract, the contract shall prevail if, and to the extent, there is any inconsistency between the provisions of the charge schedule and the provisions of the contract.