



Interoffice Memorandum

Received on July 16, 2021 9:06 a.m. Publish: August 15, 2021
Deadline: August 10, 2021

July 9, 2021

TO: Katie Smith, Manager Deputy Clerk Comptroller Clerk'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

RE: Request for Public Hearing - September 9, 2021
To adopt Solid Waste MSBU rate resolution and to consider exemptions from full solid waste collection service.

Applicant:	N/A
Location:	District: All
Estimated time required for public hearing:	5 minutes
Hearing controversial?	No; could have a few comments from public on appeals and mandatory program
Advertising requirements:	Publish once in the legal classified section of the Orlando Sentinel
Advertising timeframes:	Place ad 20 days prior to September 9, 2021, not more than 30 days prior.
Applicant/Abutters to be notified:	N/A
Hearing required by Fla. Statute # or code:	F.S. 197.3632
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 - September 9, 2021 BCC Budget Hearing
July 9, 2021
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Materials being submitted as backup for public hearing request:

1. Notice of Public Hearing/Sample
2. Mandatory Refuse Rate Resolution
3. Copy of Tentative Rate Approval by BCC, June 8, 2021
4. Mandatory Collection Appeals Service Year 2022 (will be distributed by the Department one (1) week prior to the public hearing).

SPECIAL INSTRUCTIONS TO CLERK (IF ANY):

1. Please contact Marchelle Allen at 407-836-6673 to have the legal notice proofed and approved prior to publication.
2. Please return three (3) executed copies of the resolution to Luci Rowe, 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
E-mail: Solid.Waste@ocfl.net

- c: Byron W. Brooks, County Administrator
Christopher R. Testerman, AICP, Deputy County Administrator
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
Lila I. McHenry, Senior Assistant County Attorney, County Attorney's Office
David Gregory, Manager, Utilities Solid Waste Division
Glenn Kramer, Manager, Utilities Fiscal & Operational Support Division
Marchelle Allen, Section Manager, Utilities Solid Waste Division

ORANGE COUNTY NOTICE OF PUBLIC HEARING

The Orange County Board of County Commissioners will conduct a public hearing on **September 9, 2021, at 5:01 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: RESOLUTION OF THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING THE CALENDAR YEAR 2022 SPECIAL ASSESSMENT AT \$250.00 FOR RESIDENTIAL FULL SOLID WASTE AND RECYCLING COLLECTION, WITHIN UNINCORPORATED ORANGE COUNTY, PURSUANT TO CHAPTER 32 OF THE ORANGE COUNTY CODE. THE SPECIAL ASSESSMENT SHALL APPEAR ON THE PROPERTY TAX BILL AND SHALL BE COLLECTED IN THE SAME MANNER AS AD VALOREM TAXES, AS AUTHORIZED BY STATE LAW.

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 HAVE ANY QUESTIONS REGARDING THIS NOTICE OF PUBLIC HEARING, CONTACT THE ORANGE COUNTY UTILITIES SOLID WASTE DIVISION, 407-836-6601, E-mail: 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.

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: **August , 2021**; The Orlando Sentinel, Legal Classified
Certify: Mandatory Refuse Rate Resolution and exemptions from full solid waste and recycling collection service

ks

c: All Board Members' Offices [email]
County Attorney's Office, BCC [Vermotta Jackson email]
Ed Torres, Director, Utilities Department, BCC [email]
David Gregory, Manager, Solid Waste Division, BCC [email]
Mike Seif, Orange TV, BCC [email]
Deputy Clerk
Chris Schmidt, Development Services Analyst, BCC [email]

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

ESTABLISHING THE CALENDAR YEAR 2022 SPECIAL ASSESSMENT AT \$250.00 FOR RESIDENTIAL FULL SOLID WASTE AND RECYCLING COLLECTION, PURSUANT TO CHAPTER 32 OF THE ORANGE COUNTY CODE

Resolution No. _____

WHEREAS, Section 32-160(j)(1), Orange County Code, addresses full solid waste and recycling collection service (full service) and requires that all persons owning property entitled to full service shall be obligated to pay a charge established by the Board for such full service; and

WHEREAS, Section 32-160(j)(1), Orange County Code, requires that the assessments necessary to fund the program shall be established by resolution of the Board of County Commissioners after public hearing with public notice in the same manner as for County ordinances; and

WHEREAS, a copy of this resolution has been published in accordance with state law, prior to this September 9, 2021 hearing; and

WHEREAS, the Board of County Commissioners on June 8, 2021 tentatively set the amount for the residential mandatory solid waste and recycling collection service special assessment for calendar year 2022 at \$250.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF ORANGE COUNTY:

Section 1. The calendar year 2022 Special Assessment for the mandatory residential full service program is hereby established at \$250.00 (the "Special Assessment"). The Special Assessment is necessary to fund the cost of providing solid waste collection and recycling service to approximately 230,009 residences in 2022 at an annual estimated cost of \$57,502,250.

34 Section 2. The Special Assessment shall continue to be imposed upon any parcel of land
within unincorporated Orange County on which is located: a mobile home park not exceeding
36 four (4) dwelling units, mobile home subdivisions, single-family residences, and multi-family
residences not exceeding four (4) dwelling units under one common roof. Each dwelling unit in
38 a multi-family residence shall constitute a separate benefit unit.

Section 3. The Special Assessment shall continue through calendar year 2022 in all
40 respects as described in Orange County Resolution 85-SW-06, as amended, and Chapter 32 of
the Orange County Code, as amended, providing for the procedure by which solid waste and
42 recycling shall be collected and disposed of in Orange County. The Special Assessment shall
appear on the property tax bill and shall be collected in the same manner as ad valorem taxes, as
44 authorized by state law.

Section 4. The annual rate of compensation paid to the contract haulers for solid waste
46 collection and recycling services provided in calendar year 2022 is set as follows:

48 ZONE 1	\$141.44 PER RESIDENTIAL UNIT
ZONE 2	\$174.95 PER RESIDENTIAL UNIT
ZONE 3	\$152.32 PER RESIDENTIAL UNIT
50 ZONE 4	\$123.54 PER RESIDENTIAL UNIT
ZONE 5	\$125.72 PER RESIDENTIAL UNIT

Section 5. This resolution shall take effect immediately.

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ADOPTED this ____ day of _____, 2021

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
County Mayor

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

By: _____
Deputy Clerk



Interoffice Memorandum

May 24, 2021

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

FROM: Ed Torres, MS, PE, LEED AP, Director
Utilities Department 

**SUBJECT: BCC AGENDA ITEM - Discussion Agenda
June 8, 2021 BCC Meeting
Tentative Mandatory Refuse Collection Program MSBU Rate
Contact Person: David Gregory, Manager
Solid Waste Division
407-254-9622**

Orange County has contracted with waste hauling companies (Haulers) to provide residential solid waste and recyclable materials collection service through the Mandatory Refuse and Recycling Program (Program). Section 32-183 of the Orange County Code requires that the Board set the annual compensation rate to the contract waste hauling companies for collection of solid waste and recyclable material by July 15th of each year. Additionally, in order to include the Municipal Services Benefit Unit (MSBU) assessment for the Program on the Notice of Proposed Taxes, the Board also needs to set the tentative MSBU rate per household. This memo outlines the Program cost components, the Hauler compensation, and the MSBU rate recommendation for Program Year 2022. The final approval of the MSBU rate will occur during the first budget public hearing in September.

The MSBU rate has six main components: Hauler compensation costs, disposal costs, Program administration costs, recycling costs, cart costs, and reserves/rate stabilization component.

Hauler Compensation Component

In accordance with Section 11, Special Terms and Conditions of the Residential Solid Waste and Recyclable Collection Services Term Contract, the Haulers shall receive an annual adjustment in the compensation per household based on changes in the Consumer Price Index and Producer Price Index as explained in Attachment D of the collection contract. The compensation to the contract haulers for calendar year 2022 will be as follows:

Zone 1	\$141.44	per Residential Unit
Zone 2	\$174.95	per Residential Unit
Zone 3	\$152.32	per Residential Unit
Zone 4	\$123.54	per Residential Unit
Zone 5	\$125.72	per Residential Unit

The system average for the 2022 hauler compensation component is \$144.84 per household. This is a \$0.17 or 0.1 percent overall decrease from the 2021 hauler collection component.

Disposal Component

The disposal component of the MSBU represents the cost for disposing of residential solid waste material. The projected system average disposal per household is 1.08 tons of Class I and 0.26 tons per household for yard waste. The average system disposal cost is increased because of projected increases in household tons disposed based on recent sustained trends and a proposed three percent increase in tipping fees. The annual disposal component for 2022 is projected at \$50.90 per household for 2022. This represents a \$3.94 or 8.4 percent increase from the 2021 disposal component.

Program Administration Component

The program administration component represents the cost per household for operation and administration of the Mandatory Refuse and Recycling Program. Administration cost decreases are projected for 2021 partially attributable to more recyclables being accepted, reducing reject hauling costs. For 2022, program administration costs are \$12.56 per household, a decrease of \$4.30 or 25.5 percent from the 2021 cost component.

Recycling Component

The recycling component represents costs associated with processing collected recyclables and the Recycling Quality Improvement Program that provides enhanced education and direct curbside feedback to residents about their setout recyclables. The 2022 recycling component includes continuing the Recycling Quality Improvement Program, increased costs associated with larger quantities of recycling expected to be accepted, and higher costs associated with the new recycling processing contract operating for a full-year compared to nine months in 2021. For 2022, program recycling component costs are \$26.08 per household, an increase of \$11.08 or 73.9 percent from the 2021 cost component.

Cart Component

The cart component represents the cost per household per year for the purchase of new and replacement carts over the term of the contract. For 2022, the cart component calculates to \$12.94 per household, which is a decrease of \$1.16 or 8.2 percent from the 2021 component.

Reserves/Rate Stabilization Component

The rate stabilization/reserves component provides funding for reserves that need to be replenished after the initial \$20 million cart purchase in 2015 and to help smooth out any required future rate increases. For 2022, the reserves/rate stabilization component costs are \$2.68 per household, a decrease of \$4.39 from the 2021 cost component.

MSBU Rate Recommendation

The total cost of the program with the reserves/rate stabilization component for 2022 is \$250 per household an increase of \$5.00 or 2.0 percent from 2021. Staff recommends setting the MSBU rate for 2022 at \$250 per household.

A summary of rate components are shown in the table below.

2022 Tentative Mandatory Refuse Collection Program MSBU Rate Components

Component	Current 2021	Proposed 2022	Variance
Collection	\$145.01	\$144.84	(\$0.17)
Disposal	\$46.96	\$50.90	\$3.94
Administration	\$16.86	\$12.56	(\$4.30)
Recycling	\$15.00	\$26.08	\$11.08
Carts	\$14.10	\$12.94	(\$1.16)
Reserves/Rate Stabilization	\$7.07	\$2.68	(\$4.39)
MSBU Rate per Household	\$245.00	\$250.00	\$5.00

Action Requested:

Approval to establish the haulers compensation rates as listed, set the MSBU rate of \$250 for Program Year 2022, and authorization to include the Tentative Mandatory Refuse Collection Program Rate of \$250 on the 2021 Notice of Proposed Taxes.

All Districts.