

Draft 8/1/94

RESOLUTION NO. 94- 145

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA (i) MAKING FINDINGS, (ii) ESTABLISHING THE METHODS TO BE USED TO DETERMINE THE COLLECTION RATE AND THE RECYCLE RATE THAT ARE TO BE USED TO DETERMINE THE AMOUNTS OF THE RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENTS AND THE AMOUNTS OF THE RESIDENTIAL SOLID WASTE RECYCLE ASSESSMENTS THAT ARE LEVIED PURSUANT TO ST. JOHNS COUNTY ORDINANCE #94-7, AND (iii) ESTABLISHING THE INITIAL MAXIMUM COLLECTION RATE AND THE INITIAL MAXIMUM RECYCLE RATE THAT MAY BE USED FOR SUCH PURPOSES.

(Capitalized terms herein shall have the same meaning as the Capitalized terms in St. Johns County Ordinance #94-7.)

Whereas, St. Johns County Ordinance 94-7 (the "Ordinance") levied Collection Assessments and Recycle Assessments upon all Non-Exempt Residential Property located within the MSBU created by the Ordinance; and

Whereas, the Ordinance provided that the amounts of the Collection Assessment and the amounts of the Recycle Assessment are to be determined by multiplying the number of residences, dwelling units, and habitats, whether occupied or not, located upon Non-Exempt Residential Property in the MSBU on the preceding January 1 by a collection rate and a recycle rate respectively and that the collection rate and the recycle rate are to be established from time to time by resolutions of the Board and are not to exceed the respective then current maximum collection rate and the then current maximum recycle rate that will be established by Board resolution; and

Whereas, the methods of establishing the actual collection rate and recycle rate to be used to determine the amounts of the Collection Assessment and Recycle Assessments during any given year(s) are to be established by resolution(s) of the Board and such methods are to be consistent with the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

Section 1. The Board of County Commissioners of St. Johns County, Florida hereby ascertains, determines, and declares that:

(A) the Collection Assessments and Recycle Assessments to be imposed based upon the methodology and rates authorized, established and/or adopted hereunder are fairly and reasonably apportioned to reflect each affected property owner's share of the cost for the provision and/or availability of a consistent and uniform level of solid waste collection and recycling services throughout the MSBU.

(B) some of the benefits to be provided to Non-Exempt Residential Property by the Collection Assessments and Recycle Assessments to be imposed based upon the rates authorized and adopted pursuant to the Ordinance include by way of example and not limitation, the availability and use of services and facilities by owners and occupants of Non-Exempt Residential Property to properly and safely collect, handle and/or recycle

solid waste and recyclable materials generated on such property, a potential increase in value to Non-Exempt Residential Property, better service to owners and tenants of such properties, and the enhancement of environmentally responsible use and enjoyment of Non-Exempt Residential Property.

Section 2. The methodology attached hereto as Exhibit A is hereby established as the method to be use to determine the collection rate and the recycle rate that are to be used to determine the amounts of the St. Johns County Ordinance #94-7 Collection Assessments and Recycle Assessments for 1994 and for all future years unless subsequently modified by Board resolution(s).

Section 3. The initial collection rate to be used to compute the Collection Assessment shall not exceed \$95.00 per Non-Exempt Residential Property unit within the MSBU. (Such rate constitutes the "maximum collection rate") See Exhibit A for the definition of "unit".

Section 4. The initial recycle rate to be used to compute the Recycle Assessment shall not exceed \$30.00 per Non-Exempt Residential Property unit within the MSBU. (Such rate constitutes the "maximum recycle rate".) See Exhibit A for the definition of "unit".

PASSED AND ADOPTED this 9th day of August,

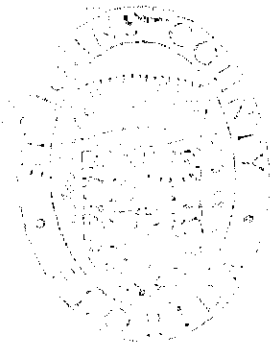
1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Allan Roberts
Chair - Allan Roberts

ATTEST: CARL "BUD" MARKEL, CLERK

By: Juanne Carter
Deputy Clerk



Draft 7/28/94

EXHIBIT A

METHODOLOGY TO BE USED TO DETERMINE THE COLLECTION RATE AND THE RECYCLE RATE THAT ARE TO BE USED TO DETERMINE THE AMOUNTS OF THE RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENTS AND THE AMOUNTS OF THE RESIDENTIAL SOLID WASTE RECYCLE ASSESSMENTS THAT ARE LEVIED PURSUANT TO ST. JOHNS COUNTY ORDINANCE 94-7.

Capitalized terms, unless otherwise defined herein, shall have the same meanings as the capitalized terms in St. Johns County Ordinance #94-7.

The following methodology is intended to allocate to each unit of Non Exempt Residential Property located within the MSBU its fair share of the County's cost of providing, operating and/or maintaining Residential Solid Waste collection services and facilities and Residential Solid Waste Recycling Services and facilities that are used by or available to such unit in a manner that is consistent with the "Whereas" provisions and the purpose of St. Johns County Ordinance #94-7. A "unit" consists of a residence, dwelling unit, or habitat, whether occupied or not, that is located upon Non-Exempt Residential Property on the preceding January 1.

Unimproved property uses will not be assessed. Improved property uses will be classified into at least two general categories: (i) Non-Exempt Residential Property, hereinafter referred to as Residential Property or Residential

and (ii) Commercial Property (including governmental), hereinafter referred to as Non-Residential Property or Non-Residential, based upon the Florida department of revenue's ("DOR") property use codes and the St. Johns County property appraiser's building use codes. The 100 department of revenue property use codes in the property appraiser files (Rule 12D-8.008, FAC) will be used to categorize property with a single use. Where a single parcel of property is used for more than one purpose, the County property appraiser's building use code will also be used to assign each building use to a category.

The methodology assumes that improved Residential Property uses will be assessed for Residential Solid Waste collection services and Residential Solid Waste Recycling Services and that improved Non-Residential Property uses will pay for Solid Waste collection services and Solid Waste Recycling Services directly to the service provider or through tipping fees.

The full costs of providing and/or making available Residential Solid Waste collection services and Residential Solid Waste Recycling Services will be determined. The full cost includes the fee negotiated with the haulers to provide services and any administrative costs (including, but not limited to, the discounts allowed by the tax bill collection method). The full cost of providing Residential Solid Waste collection services and Residential Solid Waste Recycling Services will be divided by the

number of Residential units to which Residential Solid Waste collection services and Residential Solid Waste Recycle Services are made available and/or provided to determine the respective unadjusted cost per unit or unadjusted rate. The respective unadjusted cost per unit or unadjusted rate will then be reduced to account for interest and other non assessment revenues available to fund the Residential Solid Waste collection services and the Residential Solid Waste Recycling Services and such reduced rates shall constitute the respective collection rate and recycle rate.

For each parcel in the Residential category, the actual number of Residential units located on the parcel will be multiplied by the collection rate to compute the parcel's Collection Assessment and by the recycle rate to compute the parcel's Recycle Assessment.

For agricultural parcels which contain Residential buildings, the parcel's Collection Assessment and Recycling Assessment will be based on the actual number of Non Exempt Residential Property units located on the parcel multiplied by the collection rate to compute the parcel's Collection Assessment and by the recycle rate to compute the parcel's Recycle Assessment.

For other mixed use parcels which contain Residential and Non-Residential buildings, the parcel will be categorized as to the type of collection services and the type of Recycle

Services provided or made available and a determination will be made by the County as to whether the costs of providing or making available such Residential Solid Waste collection and recycle benefits will be recovered by appropriate assessments or by direct billing by the hauler.