

RESOLUTION 2001 - 189

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA, WAIVING THE 1% RESIDENTIAL SOLID WASTE FRANCHISE FEE ON GROSS REVENUE GENERATED IN ADDITION TO THAT PAID BY COUNTY WIDE NON AD VALOREM ASSESSMENT.

WHEREAS, the residents of St. Johns County receive a primary solid waste collection for a one day week Collection of household solid waste, recycling, and yard waste through a non-ad valorem assessment authorized by the Board of County Commissioners; and

WHEREAS, the St. Johns County Board of County Commissioners granted an exclusive solid waste collection franchise to Browning Ferris Inc. (BFI) operating in the southern portion of the County and Seaboard Sanitation operating in the northern portion of the County for the collection, transport and disposal of household solid waste, recycling, and yard waste; and

WHEREAS, the exclusive waste franchise contractors are obligated by the St. Johns County Solid Waste Ordinance 99-27 for the collection and remittance to the County of a 1% residential franchise fee on all gross revenues collected within their designated franchised area; and

WHEREAS, said 1% provides in part for County Administrations support for said obligations within the franchise holders agreement; and

WHEREAS, some residents of St. Johns County have contacted with the exclusive waste haulers for an additional and/or second solid waste collection days as well as the special requirements for their service; and

WHEREAS, those residents established through a negotiated contractual arrangement the cost for an additional and/or second collection which did not include a 1% residential franchise fee; and

WHEREAS, the Ponte Vedra Municipal Service District requested consideration by the County to waive the 1% franchise fee generated from the gross revenue established from the contracted amount for the additional and/or second collection for the remaining period of their existing contract not to exceed July 1, 2003; and

WHEREAS, in order to be fair and equitable to all St. Johns County residents who independently contract for the additional and/or second waste collection, that all who receive this additional service be considered as part of the Ponte Vedra request; and

WHEREAS, the St. Johns County Solid Waste Ordinance 99-27 allows for the amending of the franchise fee by Resolution of the Board during a public hearing; and

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

Section 1. The above recitals are hereby incorporated by the reference as findings of fact and conclusions of law.

Section 2. The County waives the 1% franchise fee for all second collection under the existing solid waste contract for all solid waste collection in addition to that paid for by County wide non ad valorem assessment.

Section 3. Nothing in this Resolution shall be construed to imply the removal or waiving of any other franchise fees within St. Johns County.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY**

By: *Marc Jacalone*
Marc. A. Jacalone, Chairman

ATTEST: Cheryl Strickland, Clerk

By: *Patricia DeGrande*
Deputy Clerk

