

RESOLUTION NO. R-16-133

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA AMENDING RESOLUTION NO. R-15-56 RELATING TO RATES, FEES AND CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES; REVISING SPECIAL FEES AND CHARGES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Subsection 125.01(k), Florida Statutes, and Chapter 85-457, Laws of Florida, as amended, authorize and empower the Board of County Commissioners of Manatee County, Florida, to provide for and to regulate waste collection and disposal; and

WHEREAS, Chapter 2-16, Manatee County Code of Ordinances, as amended, provides for the establishment of rates, fees and charges to be paid for collection and disposal of solid waste, recyclable materials and yard trash; and

WHEREAS, on September 22, 2015, the Board of County Commissioners adopted Resolution No. R-15-56, which established revised rates, fees and charges for solid waste collection and disposal services based on the Franchise Agreements for Unincorporated Manatee County; and

WHEREAS, Section 5 of Resolution No. R-15-56 established revised special fees and charges for research and late payments; and

WHEREAS, the Manatee County Utilities Department prepares one bill for customers receiving solid waste collection and disposal service as well as water and wastewater services from the County; and

WHEREAS, on November 18, 2014, the Board of County Commissioners adopted Resolution No. R-14-155, which established revised rates, fees and charges for potable water, reclaimed water and wastewater services furnished by the Manatee County Utilities Department; and

WHEREAS, County staff has recommended revising the late payment fee for solid waste collection and disposal services to be same as the late payment fee established in Section 8(a)(2) of Resolution No.-14-155 for potable water, reclaimed water and wastewater services; and

WHEREAS, the Board of County Commissioners has reviewed the recommended changes and has determined that the revised late payment fee set forth in this resolution is fair and equitable and necessary to fund the proper operation of the solid waste collection and disposal services; and

WHEREAS, pursuant to Chapter 2-16, Manatee County Code, as amended, changes to the rates, fees and charges of the solid waste system require a public hearing by the Board of County Commissioners to establish revised rates, fees and charges for solid waste collection and disposal services; and

WHEREAS, notice of public hearing to consider Resolution No. R-16-133 was duly published in a newspaper of general circulation in Manatee County; and

WHEREAS, on October 11, 2016, the Board of County Commissioners held a public hearing to consider Resolution No. R-16-133; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the county and the customers of the solid waste system to amend Section 5 of Resolution No. R-15-56, relating to late payment fees for solid waste collection and disposal services.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

1. Section 5 of Resolution No. R-15-56, entitled "Special fees and charges" is hereby amended to read as follows:

- (a) Research Actual cost
- (b) Late payment fee (failure to pay current bill by due date) 2% of current bill
minimum amount \$5.00

2. This Resolution and the amended rates, fees and charges established herein shall take effect immediately upon adoption.

BE IT FURTHER RESOLVED that all other provisions of Resolution No. R-15-56 shall remain in full force and effect to the extent not otherwise modified herein.

BE IT FURTHER RESOLVED that the provisions of this Resolution are severable such that invalidity of any one provision shall not operate to invalidate any other provision.

DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 11th day of October, 2016.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: 
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: 



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STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Kerry Moen, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Public Hearing, Manatee County Resolution R-16-133** was published in said newspaper in the issue(s) of **09/29/16**.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this

29 Day of Sept, 2016



SEAL & Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Chapter 2-16, Manatee County Code of Ordinances, as amended, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing on October 11, 2016, beginning at 9:00 a.m., or as soon thereafter as possible, in the Commission Chambers, located on the 1st Floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider and act upon a resolution entitled as follows:

RESOLUTION NO. R-16-133

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. R-15-56 RELATING TO RATES, FEES AND CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES; REVISING SPECIAL FEES AND CHARGES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Copies of the proposed resolution may be inspected by the public during normal business hours at the Manatee County Utilities Department, 4410 66th Street West, Bradenton, Florida 34210. All interested parties may appear at the meeting or public hearing and be heard with respect to the proposed resolution.

The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to, participation in, employment with, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact Kaycee Ellis at (941)742-5800; TDD ONLY (941)742-5802 and wait 60 seconds; FAX (941)745-3790.

According to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the above referenced meeting or public hearing will need a record of the proceedings, and, for such purposes, may need to 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.
09/29/16