

ORDINANCE 22 – 23

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA; AMENDING SECTION 30-34 (a)(1) OF THE CITY OF ALACHUA CODE OF ORDINANCES RELATING TO RESIDENTIAL SOLID WASTE SERVICE CHARGES; AMENDING THE SERVICE CHARGE FOR SINGLE FAMILY HOUSING UNITS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alachua provides for in Chapter 30 of its Code of Ordinances the collection of residential solid waste; and

WHEREAS, it is necessary to amend the fees for such services from time to time; and

WHEREAS, the City Commission, by adoption of City Code of Ordinances Section 30-33 (b) confirmed the election to provide for the total collection and disposal of all residential refuse, yard trash and recyclable materials in the City by exclusive contract with a qualified provider of such service; and,

WHEREAS, the owner of each residence in the City is required by City Ordinance section 30-33 (a) and 30-34 (a) to use the solid waste collection service furnished by the City and the occupant or owner of each of each single housing unit is required to pay the service charges connected with such service.

WHEREAS, Waste Pro of Florida, Inc., a Florida Corporation, (Waste Pro) has provided residential solid waste collection and disposal services to City residents pursuant to the existing exclusive contract, as amended, with the City since 2009; and,

WHEREAS, the existing contract, has been, based in the high level of services delivered by Waste Pro and pursuant to the terms of the contract, extended through September 30, 2022; and,

WHEREAS, The current contract, as amended, provides for an extension of the contract for an additional four year term based upon successful negotiation of rates between the City and Waste Pro; and,

WHEREAS, The last change in the uniform City service charge for the collection of residential refuse from each single-family housing unit was established by ordinance 17-06 on 12-16-06 and remains as \$18.60 per month; and,

WHEREAS, The City Public Services Director is designated as the Supervisor of WastePro Contract performance. The current and past City Public Services Directors have coordinated and otherwise worked closely with WastePro to implement new systems, the cost being absorbed by WastePro, such as WastePro automated cart collection and loading, single stream recycling and dual access online integrated complaint monitoring. All performance is closely managed to yield few citizen or staff complaints and any such complaints are timely processed and resolved; and,

WHEREAS, the City Staff has recognized the costs of providing residential solid waste collection services have increased since the last service charge adjustment in 2016. Current negotiation of rates to be paid to WastePro required looking at the facts presented in the Consumer Price Index Summary; a WastePro Schedule Representing Cost Increases; the County disposal fee increase from \$52 to \$57 per ton and, a 2022 sample of awarded Bids in Florida, post Covid; and,

WHEREAS , The City Commission after reviewing and accepting the totality of circumstances including the CPI (especially fuel costs), overall volatility of markets and tipping fee increase and bids awarded in the marketplace post Covid, finds and concludes that bids solicited to meet City contract requirements in the current market would be or exceed \$30.00 to the contractor plus a necessary \$2.52 to the City in order to support customer billing, record keeping, bad debt losses and other administrative support. The \$23.08 negotiated and agreed rate to WastePro plus \$2.52 administrative cost paid the City yields and requires a new service fee to each residential customer of \$25.60 and,

WHEREAS, the City of Alachua Commission finds the amendment of Section 30-34 of the City of Alachua Code of Ordinances to be in the public interest; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA;

The foregoing recitals are found to be true, confirmed, affirmed and adopted as if repeated in their entirety and set forth herein.

Section 1. Amendment to Section 30-34 (a)(1) Code of Ordinances

- (a) In order to cover the costs of inspecting, collecting, handling, hauling and deposit disposal of refuse and garbage, the following service charges shall be paid to the City by the owner or occupant of each single- family housing unit:
- (1) Rates for each single-family residence and each living unit (one pickup per week) shall be as follows:
 - a. Within the City, ~~\$18.60~~ **\$25.60**
 - (2) Rates for special service, in addition to those provided for in subsection (a)(1) of this section, shall be charged at the actual cost for the services performed.
- (b) An annual residential refuse rate review shall be conducted during the first quarter of each calendar year, the findings of which shall be reported to the City Commission and used as a basis for any residential refuse rate adjustments.

Section 2. Inclusion of Code

It is the intention of the City Commission of the City of Alachua, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Alachua, Florida; that the sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate designation to accomplish such intension.

Section 3. Providing for Severability

It is the declared intent of the Alachua City Commission that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such

holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance and the remainder of this ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

Section 4. Repealing All Ordinances in Conflict

All other ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict, hereby repealed.

Section 5. Providing an Effective Date

This ordinance shall be effective October 1, 2022.

PASSED on first reading on the _____ day of August, 2022

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Mike DaRoza, City Manager/City Clerk

Marian B. Rush, City Attorney