1	ORDINANCE NO. 160166		
2 3 4 5 6 7 8 9	An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville, Florida to be included in the non-ad valorem assessment for the municipal service benefit unit created by Alachua County for certain solid waste management services for the fiscal years 2016-2017 and 2017 - 2018; providing conditions for the consent; providing that the consent is for the two-year period; providing a severability clause; providing a repealing clause; and providing an immediate effective date.		
11	WHEREAS, pursuant to the procedures set forth in Section 197.3632, Florida Statutes,		
12	Alachua County may use the uniform method of collecting non-ad valorem assessments		
13	throughout the County to fund a portion of the cost of solid waste management in the		
14	incorporated and unincorporated areas of the County; and		
15	WHEREAS, pursuant to Section 125.01(1)(q), Florida Statutes, the County is authorized		
16	to establish a municipal service benefit unit for any part or all of the unincorporated area of the		
17	county for the purpose of providing for solid waste services and the municipal service benefit		
18	unit can be extended to include a municipality with the consent of the governing body of the		
19	municipality; and		
20	WHEREAS, by Chapter 75, Article IV, of the Alachua County Code of Ordinances		
21	allows the County to create a municipal services benefit unit for solid waste management and the		
22	County has done so; and		
23	WHEREAS, the City of Gainesville desires to provide consent for the entire corporate		
24	limits of the City to be included in the non-ad valorem assessment for the provision of certain		
25	solid waste management services that benefit the residents of the City; and		
26	WHEREAS, at least 10 days' notice prior to adoption has been given once by		
27	publication in a newspaper of general circulation notifying the public of this proposed ordinance		

and of a Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville;

2 and

WHEREAS, a Public Hearing was held pursuant to the published notice described at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. Subject to the conditions provided in this ordinance, the City Commission of the City of Gainesville, as the City's governing body, consents to the inclusion of the City in a non-ad valorem special assessment for the municipal service benefit unit as stated in lawfully adopted Alachua County Resolutions. This consent is given only as to an assessment to fund the Waste Alternatives Program; the Environmental Protection Department's Hazardous Waste Program; an approximate, not to exceed, amount of 36% of the Rural Collection Centers Program; and the Solid Waste Facilities Cost; and does not apply to assessments to fund the collection, disposal or recycling costs other than specifically provided herein. "Solid Waste Facilities Cost," as defined in Alachua County Resolution No. 15-63, means the estimated cost of providing, maintaining, operating, and monitoring the Solid Waste Management Facilities known as "closed landfills" (including the Northeast, the Northeast Auxiliary, the Southeast and the Northwest closed landfills) and the property intended for future Solid Waste Management Facilities known as Balu Forest.

Section 2. This consent is granted subject to the following conditions: 1) the total assessment in both the incorporated and unincorporated areas of the county does not exceed the maximum amount to be collected from the assessment which is printed on the first class notice distributed by Alachua County; 2) all residences in the mandatory collection area of the

- 1 unincorporated area and incorporated areas of the county are assessed equally; 3) all non-
- 2 residential property in the unincorporated area and incorporated areas of the county are assessed
- 3 an amount based on factors other than their location in an incorporated or unincorporated area;
- 4 and 4) that the benefit of the programs provided for by this assessment equals or exceeds the
- 5 amount assessed.
- 6 Section 3. This consent is granted only for the assessments billed for services rendered
- from October 1, 2016 to September 30, 2017 and from October 1, 2017 to September 30, 2018
- 8 and, further provided the County first adopts Resolutions, when appropriate, authorizing the
- 9 collection of non-ad valorem assessments for solid waste services for Fiscal Years 2016 2017
- 10 and 2017 2018.
- Section 4. If any word, phrase, clause, paragraph, section or provision of this ordinance
- or the application hereof to any person or circumstance is held invalid or unconstitutional, such
- finding shall not affect the other provisions or applications of the ordinance which can be given
- effect without the invalid or unconstitutional provisions or application, and to this end the
- provisions of this ordinance are declared severable.
- Section 5. All ordinances or parts of ordinances, in conflict herewith are to the extent of
- such conflict hereby repealed.

19

Section 6. This ordinance shall take effect immediately upon adoption.

1	PASSED AND ADOPTED this 15th day of September, 2016.		
2 3 4 5 6 7 8		LAUREN POE MAYOR	
9 10			
11	Attest:	Approved as to form and legality:	
12 13 14 15	11/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1	Sicollo M Shalley	
16	KURT M. LANNON	NICOLLE M. SHALLEY	
17 18 19	CLERK OF THE COMMISSION	CITY ATTORNEY	
20 21	This ordinance passed on first reading this 1st day of September, 2016.		
22	This ordinance passed on second reading this 15th day of September, 2016.		