

RESOLUTION NO. R-25-149

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING THE RATES, FEES AND CHARGES FOR SOLID WASTE DISPOSAL SERVICES FURNISHED OR TO BE FURNISHED BY MANATEE COUNTY; RESTATING DEFINITIONS; REVISING LANDFILL TIPPING FEES AND CHARGES; OUTLINING PROVISIONS FOR CHARGE ACCOUNTS; REVISING MISCELLANEOUS PROVISIONS; PROVIDING FOR NONCODIFICATION; PROVIDING DIRECTIONS FOR AUTOMATIC RATE ADJUSTMENTS; REPEALING AND REPLACING PRIOR RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING EFFECTIVE DATES.

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 disposal; and

WHEREAS, pursuant to Chapter 2-16, Manatee County Code of Ordinances, as amended, Manatee County solid waste service includes the landfill and any other landfill site or property for disposal of solid waste; 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 disposal of solid waste and other waste; and

WHEREAS, on September 9, 2008, the Board of County Commissioners of Manatee County adopted Resolution No. R-08-200, which established revised rates, fees and charges for solid waste disposal services at the landfill or solid waste disposal facility; and

WHEREAS, on September 15, 2015, the Board of County Commissioners of Manatee County adopted Resolution No. R-15-55, which established revised rates, fees and charges for solid waste disposal services at the landfill or solid waste disposal facility; and

WHEREAS, county staff has recommended changes to certain fees and charges for solid waste disposal services at the landfill or solid waste facility; and

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

WHEREAS, pursuant to Chapter 2-16, Manatee County Code of Ordinances, 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 adopt new fees and charges for solid waste disposal services; and

WHEREAS, a notice of public hearing to consider Resolution No. R-25-149 was duly published in a newspaper of general circulation in Manatee County; and

WHEREAS, on September 2, 2025, the Board of County Commissioners held a public hearing to consider Resolution No. R-25-149; 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 establish revised fees and charges for solid waste disposal services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Definitions.

(a) Unless the context requires a different meaning, the definitions contained in Section 403.703, Florida Statutes, and Chapter 2-16, Manatee County Code of Ordinances, as amended, shall apply to the terms used in this resolution.

(b) As used in this resolution, the term non-standard waste shall mean any type of waste not identified in subsection 2(a), 2(b), or 2(c) of this resolution which is permitted for disposal at the County's landfill or solid waste facility.

Section 2. Landfill tipping fees and charges.

(a) The tipping fees for disposal of solid waste, including yard trash and white goods, and other standard waste at the landfill or solid waste facility are as follows:

- | | | |
|-----|---|-------------------|
| (1) | Municipal Solid Waste | \$46.00/ton |
| (2) | Yard Waste | \$44.00/ton |
| (3) | White Goods | \$44.00/ton |
| (4) | Non-modified automobiles without trailers | \$5.00/automobile |
| (5) | All other vehicles..... | \$46.00/ton |
| (6) | Minimum fee for loads of 1,000 pounds or less | \$23.00 |

(b) The tipping fees for disposal of construction and demolition debris at the County's landfill or solid waste facility are as follows:

- | | | |
|-----|---|-------------|
| (1) | All vehicles | \$65.00/ton |
| (2) | Minimum fee for loads of 1,000 pounds or less | \$32.50 |

(c) The tipping fees for disposal of waste tires at the County's landfill or solid waste facility are as follows:

- | | | |
|-----|---|----------|
| (1) | All vehicles..... | \$165.00 |
| (2) | Minimum fee for loads of 1,000 pounds or less | \$82.50 |

(d) The tipping fees for disposal of ash residue, sludge, contaminated soil, asbestos, dredge, and other non-standard waste at the County's landfill or solid waste facility are as follows:

(1) All Vehicles\$68.00/ton

(2) Minimum fee for loads of 1,000 pounds or less\$34.00

(e) The tipping fees listed in subsections 2(a), 2(b), 2(c), and 2(d) above shall be double for mixed loads or loads that are improperly covered to prevent load loss during transportation.

(f) The tipping fees listed in subsections 2(a), 2(b), 2(c), and 2(d) above shall be triple for out-of-County waste. To ensure compliance with County waste origin requirements, customers may be required to provide the address or location where the waste was generated. Commercial haulers may be subject to manifest reviews or random audits. The County reserves the right to inspect loads, verify origin through vehicle or company tracking, and require self-certification at the scale house.

(g) The tipping fees for disposal at the County's landfill or solid waste facility shall be waived for the Authorized Collectors disposing of solid waste and/or yard trash collected pursuant to the community service requirements provided in the Franchise Agreements for Unincorporated Manatee County Collection Service Area 1 and Collection Service Area 2.

Section 3. Charge accounts.

(a) A minimum deposit of \$200.00 or a deposit equal to two (2) months tipping fee, whichever amount is greater, is required on any landfill charge account. A security bond will be accepted in lieu of cash deposits exceeding \$2,000.00 for landfill charge accounts. Failure to pay bills in a timely manner may result in an increased deposit.

(b) Unpaid charge accounts will incur a delinquency (late payment) fee of 2% of the current bill.

(c) Charge account privileges will be terminated if payment is not made within thirty (30) days following the billing date and the deposit will be applied to the outstanding balance. Customers whose charge account privileges have been terminated must prepay cash for all transactions.

(d) Any charge account with no activity for twelve (12) consecutive months will be closed and the deposit will be refunded.

(e) No charge account will be established for any customer with an outstanding past due balance on any County public utilities or solid waste account, including, but not limited to, water, reclaimed water, wastewater, and solid waste services.

(f) All charge account deposits shall accrue interest. The interest rate will be the regular savings rate of the County's depository effective on October 1 of each

year and will remain at that rate throughout the fiscal year. Accrued interest will be credited once a year to the customer's account.

Section 4. Miscellaneous.

- (a) The fee for replacement of an unattended scale proximity card is \$25.00
- (b) Certified Weight Charge is \$5.00
- (c) Transaction ticket corrections..... \$2.00 per ticket
- (d) All unpaid IOUs will be billed to the customer.

Section 5. Directions regarding noncodification.

This resolution shall not be codified in the Manatee County Code of Ordinances.

Section 6. Automatic rate adjustments.

(a) Annual Price Index Rate Adjustment. The County shall automatically adjust and increase the rates, fees, and charges as identified in Section 2 entitled "Landfill tipping fees and charges".

(1) Adjustment Schedule. Rate Indexing shall not be employed more than once in any fiscal year and the Indexed Rates shall be automatically implemented by the Utility effective October 1st of the year in which the price index factor was determined. Nothing herein shall preclude the County from making additional changes to the Applicable Rates in any year through the adoption of a Board resolution.

(2) Price Index Factor. A price index adjustment factor expressed on a percentage basis as determined annually (hereinafter referred to as "Price Index Factor") shall be applied to the All Rates. The Price Index Factor to be applied by the County shall be equal to the percentage change in the U.S. Bureau of Labor Statistics Garbage and trash collection Index (Series ID CUSR0000SEHG02 Garbage and trash collection in U.S. city average, all urban consumers, seasonally adjusted or its equivalent if changed) when comparing i) the average twelve month index factor ended June of the current fiscal year immediately prior to the fiscal year that the Rate Index is to be applied and ii) the average twelve month index factor ended June of the prior fiscal year (the "Effective Price Index"). By way of example, the Effective Price Index for Fiscal Year 2027 which would be implemented on October 1, 2026, would be calculated as the percentage change in the average index calculated for the twelve months ended June 2026 to the average index calculated for the twelve months ended June 2025. The Price Index Factor shall not be less than zero percent (0%).

(3) Determination of Indexed Rates: The Applicable Rates shall be adjusted annually according to Section 6(a)(1) above, entitled Adjustment Schedule, by an amount equal to the Price Index Factor as determined in the current fiscal year. The application of the Annual Price Index Adjustment will begin on October 1, 2026. The Indexed Rates shall be rounded to the nearest cent.

Section 7. Repealing and Replacing Prior Conflicting Resolutions.

Effective October 1, 2025, all conflicting resolutions and parts of resolutions in conflict with the provisions of this resolution are hereby repealed, rescinded, superseded and replaced by this resolution to the extent of such conflict and Resolution R-15-55 is hereby repealed, rescinded, superseded and replaced in its entirety by this resolution.

Section 8. Severability.

If any provision, portion or section of this resolution is found to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity or enforceability of the remaining provisions, portions, or sections of this resolution, which shall remain in full force and effect.

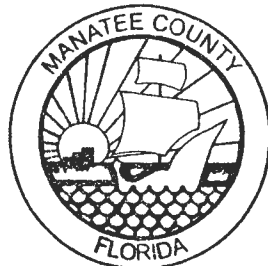
Section 9. Effective Date of Resolution.

This resolution shall take effect immediately upon adoption.

Section 10. Effective Date of Rates, Fees and Charges.

The rates, fees, and charges established pursuant to this resolution shall become effective on October 1, 2025, and shall apply to all applicable services occurring on or after that date.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting on the 2nd day of September 2025.



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

By: [Signature]
Chairperson

**ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

By: [Signature]
Deputy Clerk

MANATEE COUNTY GOVERNMENT

STATE OF FLORIDA

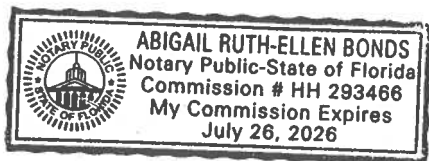
COUNTY OF MANATEE

Before the undersigned authority personally appeared Quantana Acevedo, who on oath says that she is a County Employee of Manatee County Government, Manatee County, Florida; that the attached copy of advertisement, being a public notice in the matters of Notice of Resolution R-25-149 for the Manatee County Board of County Commissioners Regular Meeting on September 2, 2025, in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on August 20, 2025.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

By: Quantana Acevedo
Quantana Acevedo
Planning and Zoning Tech III

Sworn to and subscribed before me this 20th day of August 2025, by Quantana Acevedo, who is personally known to me or who has produced (type of identification) as identification.



Abigail Bonds
(Signature of Notary Public)

Abigail Bonds
(Print Name of Notary Public)

Notary Public
(Title)

My Commission Expires: July 26, 2026

Commission Number: HH 293466

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66 of Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing in the Manatee County Government Administration Building Honorable Patricia M. Glass Chambers, First Floor, on September 2, 2025, at 9:00 a.m., or soon thereafter, to consider, act upon, enact or reject the following Resolution:

RESOLUTION NO. R-25-149

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING THE RATES, FEES AND CHARGES FOR SOLID WASTE DISPOSAL SERVICES FURNISHED OR TO BE FURNISHED BY MANATEE COUNTY; RESTATING DEFINITIONS; REVISING LANDFILL TIPPING FEES AND CHARGES; OUTLINING PROVISIONS FOR CHARGE ACCOUNTS; REVISING MISCELLANEOUS PROVISIONS; PROVIDING FOR NONCODIFICATION; PROVIDING DIRECTIONS FOR AUTOMATIC RATE ADJUSTMENTS; REPEALING AND REPLACING PRIOR RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING EFFECTIVE DATES.

Interested parties may appear and be heard at the meeting with respect to the proposed Resolution and related Ordinance. Pursuant to Section 286.0105 of Florida Statutes, if any person decides to appeal any decision made by the Board with respect to any matter to be considered at the meeting or hearing, he or she will need a record of the proceedings and for such purpose, she or he may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

The proposed Resolution and related Ordinance are available for public inspection at the offices of the Manatee County Natural Resources Department, 1501 Dam Road, Bradenton, FL 34212, during regular business hours. A reasonable charge may be made for the provision of copies.

Americans with Disabilities: The Manatee County Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), should contact Carmine DeMilio at (941) 792-8784 Ext. 8203 or carmine.demilio@mymanatee.org.

Date Published: August 20, 2025



September 2, 2025 - Regular Meeting

Subject

Adoption of Resolution R-25-149, amending and restating the rates, fees and charges for Solid Waste Disposal Services furnished or to be furnished by Manatee County and revising the Landfill Tipping Fees and Charges, Chris Collins, Deputy Director of Utilities

Category

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Chris Collins, Deputy Director of Utilities, ext. 5275

Action Requested

Adoption of Resolution R 25-149.

Enabling/Regulating Authority

N/A

Applicable Advisory Board

N/A

Background Discussion

The Board of County Commissioners last revised landfill tipping fees in 2015 through Resolution R-15-55. In 2025, Manatee County worked with its solid waste consultant to perform a rate study of landfill tipping fees and related charges to ensure alignment with current market rates in the region and to support the continued effective operation of the County's solid waste disposal facilities.

Resolution R-25-149 updates and restates these rates, incorporates annual price index adjustments beginning October 1, 2026, and replaces prior resolutions in their entirety.

Attorney Review

Formal Written Review (Opinion memo must be attached) Monahan

Instructions to Board Records Emailed 9/3/2025

Please send copy to Chris Collins at chris.collins@mymanatee.org

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A



OFFICE OF THE COUNTY ATTORNEY

COUNTY ATTORNEY

Pamela J. D'Agostino

DEPUTY COUNTY ATTORNEY

Christopher M. De Carlo

CHIEF ASSISTANT COUNTY ATTORNEY

Sarah A. Schenk*

ASSISTANT COUNTY ATTORNEYS

Douglas E. Polk

Camilo A. Soto

Whittni M. Hodges

Deanne C. Fields

Katherine H. Welch

Rebecca E. Waterman

Angelina L. Stratton

Jared M. Monahan

MEMORANDUM

DATE: August 13, 2025

TO: Christian Collins, Deputy Director, Utilities Department

THROUGH: Pamela J. D'Agostino, County Attorney *Approved by PJD 8/13/2025*

FROM: Jared M. Monahan, Assistant County Attorney *Approved by JMM 8/13/2025*

RE: **Landfill Tipping Rate Resolution; RLS No. FY24/25-0504**

Issue Presented:

In this Request for Legal Services (RLS) you asked the County Attorney's Office (CAO) to review a draft resolution regarding updated landfill tipping rates.

Brief Answer:

Attached is a redlined copy of the Resolution which contains my comments and recommended changes. Provided the legal concerns and issues identified herein and attached are addressed consistently with my advice, I have no objection from a legal standpoint to this matter being presented to the Board for review and consideration.

*Florida Bar Board Certified in City, County and Local Government Law

Recommendation:

Staff should examine and address all the comments and issues identified in the attached redlined copy of the Resolution. Further, staff should clean up the formatting and make the document professional and worthy of presentation to the Board.

Conclusion:

Provided the clarifications identified in the attached are addressed consistently with my advice, I have no objection from a legal standpoint to this Resolution being presented to the Board for review and consideration. Except as otherwise indicated, I have not reviewed or revised the Resolution for thoroughness, accuracy, typographical errors, or ADA accessibility. I express no opinion as to the business judgment of changing the Landfill Tipping Rates.

This completes my response to your RLS. Please contact me if you have any questions or if I can be of further assistance.

Attachments:

Landfill Tipping Rate Resolution

Copies with attachments to:

Courtney DePol, Deputy County Administrator, County Administration

Patrick Shea, Director, Utilities Department

Sue Dunn, Compliance Coordinator, Utilities Department

Pam DeWalt-Stump, Senior Administrative Specialist, Utilities Department