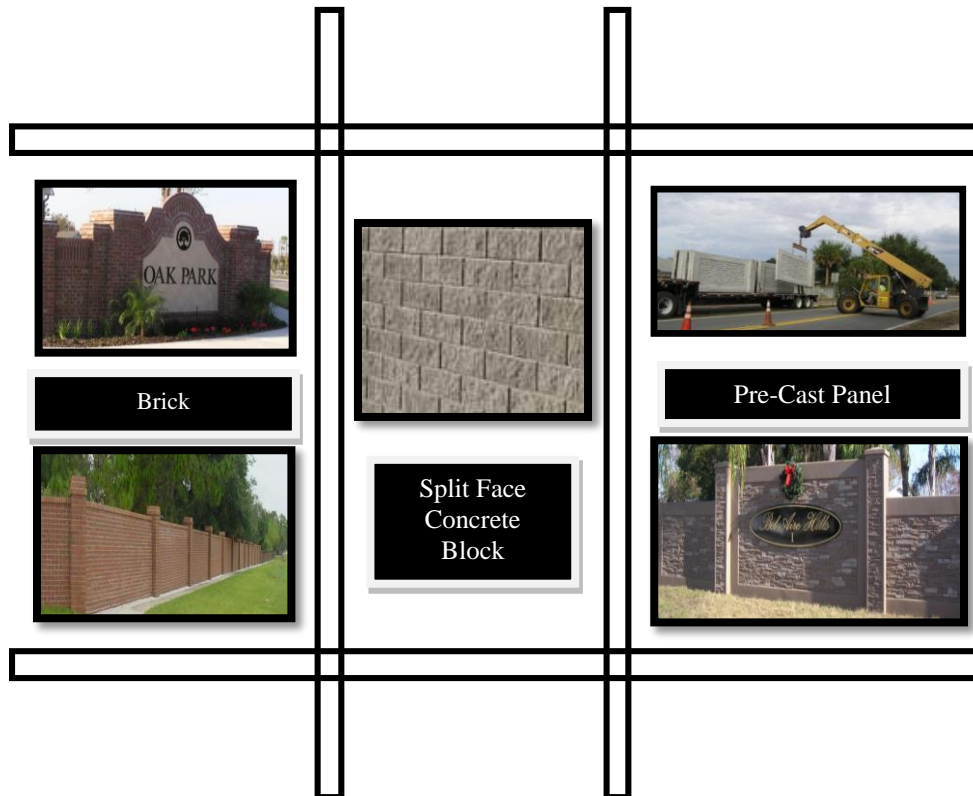


**MUNICIPAL SERVICES BENEFIT UNIT  
PROGRAM**

# Neighborhood Wall Replacement



## Application Packet

**APRIL 2019**

### Quality Customer Service

**Monday through Friday: 8:00 AM to 5:00 PM**

**Location:** County Services Building, 3<sup>rd</sup> Floor - Room 3301  
1101 East First Street, Sanford, Florida 32771-1468

**Telephone: (407) 665-7178**

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## INTRODUCTION

The following information is offered to help applicants understand the process of establishing an MSBU and the resulting roles and responsibilities once an MSBU is established.

For additional information regarding the municipal services and community improvements available through the MSBU Program, active MSBUs, and various customer services available online, please visit the MSBU Program [website](http://www.seminolecountyfl.gov/msbu):

<http://www.seminolecountyfl.gov/msbu>

**The MSBU Program staff is looking forward to working with your community.**

**Please let us know how and when we can be of service!**



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## General Information

### MSBU Program and Non-Ad Valorem Assessments

The **MSBU Program of Seminole County** provides financial management of the assessment districts established by the Seminole County Board of County Commissioners for funding various municipal services within unincorporated Seminole County. The municipal services funded by assessment in Seminole County include ongoing public services such as the management of residential solid waste (collection & disposal services), street lighting, aquatic weed control, and certain one-time improvements such as lake restoration, road restoration, stormwater control systems (drainage systems and retention pond renovations), sidewalk repair, subdivision wall replacement, and water utility service lines and/or wastewater conveyance systems as required to connect to the Seminole County utility system.

The assessment-funded public services authorized by the Board of County Commissioners are provided by a service provider that may be an operating Department, Division, Program or other entity as set forth by the Board of County Commissioners. The assessments that are levied by the Board of County Commissioners are collected by the County Tax Collector via property tax bills as indicated in Florida Statutes [Chapter 197](#).

Assessment funding is used in lieu of ad valorem taxation for funding certain essential municipal services that yield a localized special benefit. By establishing an assessment district [MSBU], the cost of providing the municipal service is paid by the owners of property deriving special benefit from the service. These assessments are called “non-ad valorem” assessment as they are assigned according to benefit units – and not according to the value of the property. An assessment district as established in Seminole County is commonly referred to as an “MSBU” (Municipal Services Benefit Unit).

For any given MSBU, the cost to provide the municipal service is allocated and assessed to the specially benefitted properties on an equitable cost sharing basis. The assessment amount per property is determined by the cost to provide and/or maintain the municipal service, the selected benefit unit base, the number of benefiting properties, and the benefit unit(s) allocated to each participating property.

There are two types of assessments associated with Seminole County MSBUs – capital assessment and variable rate assessment. A capital assessment is levied for municipal services, such as construction services, for which the service cost is identified as a one-time expenditure. The levy of a capital assessment may include provisions for the assessment to be paid in installments over a period of years. Capital assessments are levied on a one-time basis and may be paid in full at any time after levy or repaid in annual installments collected by the County Tax Collector via the property tax bill. If paid in installment, financing fees are included in the installment billing. Full payment is accepted at any time without early payment penalty.

Variable rate assessments are associated with ongoing services, such as residential solid waste collection and disposal services, as the cost for services are ongoing and may vary year to year. Variable rate assessments are levied annually with advanced notification mailed to the owners of assessed property. Many variable rate MSBUs are created with provisions that limit or control rate adjustments.

The MSBU Program functions according to regulations set forth in [Florida Statutes](#), directives in the [Seminole County Administrative Code](#), and MSBU Program operating procedures. Consistent with the referenced regulations, [Ordinance and/or Resolution](#) documents are developed to establish and govern each MSBU. In compliance with County Administrative Code, the operating policies and practices of the MSBU Program are further defined within the Resource Management Department.

### Application Criteria & Process Overview

Creating a capital improvement MSBU for neighborhood wall replacement is a funding option available to established communities located in unincorporated Seminole County. These municipal services meet

public purpose criteria by providing noise reduction, light abatement, enhanced community safety, and boundary identification. All properties specially benefitted by the assessment-funded public services will share equitably in paying the cost of the public service and will be included in the assessment boundary of the respective MSBU. Applications to create an MSBU will be considered given the following criteria is met:

Preliminary requirements for all assessment-funded services:

- The proposed services meet the MSBU Program guidelines for public property and/or serves acceptable public purpose; and
- The property to be specially benefitted is located within unincorporated Seminole County. [Note: Boundaries may be extended if special agreements are established with other local government entities.]; and
- The proposed assessment boundary contains a minimum of two assessable properties; and
- The Pre-Application Survey of Interest is signed by the owners of at least 35% of the properties within the proposed assessment boundary.
- The Petition to Create an MSBU must be supported by majority of the owners of specially benefitted property [55% for street lighting; 65% all other service types].

Secondary Requirements for Wall Replacement services:

- Existence of a damaged, destroyed, and/or deteriorating community wall<sup>1</sup>;
- Community has no means to levy/enforce private assessment for wall reconstruction;
- Construction easement (such as right-of-entry), leasehold agreement for life-span of MSBU (i.e. creation of MSBU through repayment period) and/or other public dedication deemed essential by the County Attorney must be available for all locations where infrastructure will be accessed, renovated and/or constructed. Confirmation of authority to provide easement of required dedication is required at time of application. Documentation contingent on project completion is due prior to MSBU creation. Obtainment of the required documents is an applicant responsibility, however, the County will assist with preparing the required easements. Inability to obtain required easement/dedication could result in termination of project.
- Reconstruction material is limited to brick, concrete block, or precast concrete;
- Applicant [1] (a) will provide sealed design/engineering plans suitable for public bid/procurement or (b) substantiate ability to fund preliminary engineering, or [2] requests precast concrete panels that do not require design/engineering

<sup>1</sup>**Wall versus Fence:** A community wall is defined as a permanent upright structure constructed of concrete block, brick or precast concrete used to prevent entrance, provide sound barrier, light abatement, and/or to mark a subdivision or community boundary. A community fence is defined as a barrier or enclosure usually made of posts and wire or wood that is used to define subdivision/community boundaries. Replacement of fencing structures, and the upgrading from fence to wall structures are both excluded from consideration under the MSBU Program section of the County Administrative Code.

Unless otherwise noted in the final scope of services, the work and cost associated with supporting activities, such as irrigation or landscaping relocation, that take place on private property are excluded from the MSBU scope/funding; each owner is independently responsible for these expenses.

Establishing assessment funding for an authorized municipal service is a 5-Step process: (1) Apply, (2) Review, (3) Petition, (4) Create, and (5) Implement. The process begins when an *Application to Create an MSBU* is submitted along with the required application fee and a qualifying Survey of Interest (coordinated by a potential applicant). The application fee is non-refundable. The respective application provides for project specific details about the municipal services requested and related activities with the community.

A detailed review of the Pre-Application Process, the 5-Step MSBU Creation process, and answers to frequently asked questions are provided on the pages that follow. Please refer to the Table of Contents for page numbers for the various contents in this packet.



The *Application to Create an MSBU* for these municipal services is included as the last several pages of this packet.



## Basic Steps to Establish an MSBU

(Each “Step” is explained on the following pages.)

<b>STEP</b>	<b>RESPONSIBILITY</b>
<b>I.      APPLY</b>	<b>Applicant/Property Owner or Community Liaison(s)</b>
<b>II.     REVIEW</b>	<b>MSBU Program Public Works Department</b>
<b>III.    PETITION</b>	<b>MSBU Program Applicant/Community Liaison(s) Property Owners</b>
<b>IV.    CREATE</b>	<b>Board of County Commissioners MSBU Program Public Works Department Community Liaison(s) Property Owners</b>
<b>V.     IMPLEMENT</b>	<b>MSBU Program Purchasing &amp; Contracts Division Public Works Department Contractor/Engineer Applicant/Community Liaison(s) Property Owners Board of County Commissioners <i>(Final Assessment Levy)</i></b>

## Creating an MSBU: Detailed Procedures

Over the next several pages, the basic process of creating an MSBU is explained. Potential applicants are encouraged to read through the entire packet and discuss questions or concerns with the MSBU Program before submitting an application. Answers to frequently asked questions, a glossary of terms and references are provided in this packet as noted in the *Table of Contents*. The basic criteria for qualifying a construction improvement project for MSBU funding is listed in the *Application Criteria & Process Overview* information provided earlier in this packet.

The application process and creation of an MSBU requires considerable involvement of the applicant and/or community liaisons, and the community (property owners). As community support is required for the application to proceed through to the point of MSBU creation and project implementation, potential applicants are advised to evaluate the strength of general interest within their community before submitting an application.

Project cost is a key factor that often influences the outcome of an MSBU application. While a *rough cost estimate* for a proposed project may be available prior to submitting an application, a reliable estimate of *probable cost* is generally not available until after an application is reviewed and the service scope is developed. Construction projects may involve prepayment of preliminary engineering/evaluation expenses; the cost of which may (or may not) be available prior to application. As certain factors are common to most road improvement projects, a matrix chart is provided in this packet for calculating a general estimate for road construction cost (refer to *Table of Contents* for page number). A general cost estimate is not available for stormwater and retention pond projects as these projects have significant variables which require site visit and follow-up evaluation before offering a general cost estimate. The impact and timing of project costs should be considered by the applicant prior to submitting application.

Information about municipal services eligible for assessment-based funding and the MSBU creation process is available to the public and can be presented by the MSBU Program at communitywide meetings after an application is accepted. When a community meeting is scheduled, the applicant is responsible for securing a public meeting site; the MSBU Program will mail meeting announcements to the owners of property most likely to be within the assessment boundary associated with the requested services.

### Inquiry & Pre-Application

When an inquiry for assessment-funded services is received, the MSBU Program reviews the requested service scope to confirm general eligibility for assessment funding. The MSBU Program may consult with the appropriate service entity to assure the requested project scope is within the service parameters available from the service entity.

The pre-application process begins when a potential applicant requests a “*Survey of Interest*” document from the MSBU Program. The Survey of Interest confirmation is a prerequisite to acceptance of an application for County assistance. The potential applicant must substantiate, via the Survey of Interest form, that at least 35% of owners of property within the tentative assessment boundary are interested in giving consideration to seeking creation of an MSBU for funding the proposed public service.

### STEP I. APPLY

The ***Application to Create an MSBU*** is included as the last three pages of this packet. General guidelines for completing the *Application* are included with the form. Assistance is available from the MSBU Program

should the applicant have questions/concerns regarding completion of the application form. Each assessment-funded service has a distinct application form and application fee. The application fee schedule is included at the end of the packet just prior to the application form.

Application may be submitted by property owners, homeowner associations, management companies or other interested parties. The data collected on the application form is used to evaluate the scope of the services requested and to confirm eligibility for assessment-based funding. Acceptance of an *Application to Create an MSBU* will be confirmed after all required information is received and the application is confirmed to have met the requirements of the Seminole County Administrative Code and MSBU Program procedures.

An application to create an MSBU will be considered given the following criteria is met:

- The Survey of Interest (coordinated by potential applicant) demonstrates 35% preliminary interest
- The property to be benefited by the service is located within the unincorporated area of Seminole County;
- The property upon which the service is provided is publically owned, leased or granted necessary easement;
- The proposed assessment boundary (properties to be assessed) includes a minimum of two assessable parcels;
- The proposed project scope is authorized by the BCC
- The proposed project meets the MSBU Program guidelines for public property and/or serves acceptable public purpose

Any noted application deadline and processing restrictions are related to statutory provisions, the County Administrative Code and MSBU Program guidelines.

When completing the Application, it is critical to describe the current issues and the desired scope of services in detail as this information will be used to develop the project scope, engineering plan, and subsequent cost estimates. Community participation in the preliminary development of the scope of services, prior to submitting application, is highly encouraged. Having community involvement early in the process can help avoid delays and plan changes after the Application is submitted.

The creation of an MSBU relies heavily on involvement of community liaisons. Liaisons need to be available for follow-up contact from County staff and the benefiting community, attending scheduled site visits, encouraging petition response, attending pertinent meetings, and other MSBU related activities. Community representatives that serve as primary and/or secondary liaisons are very important to establishing an MSBU and ensuring outcomes align with community expectations.

MSBU assessment boundaries are developed in a manner that includes specially benefitted property. Enclaves are not allowed if their purpose is to remove a property because the property owner is not in favor of establishment of the MSBU. All questions or concerns regarding cost sharing, assessment allocation and participating properties should be discussed with the MSBU Program prior to submitting application. The assessment boundary is based on benefit received and does not necessarily include an entire subdivision if the entire subdivision does not materially benefit from the proposed improvement.

When complete, the application should be submitted to the MSBU Program. Mailing and/or delivery location is noted on the application form. **The required application processing fee** (refer to Application Fee Schedule) **is due when an application is submitted to the MSBU Program. Payment checks should be made payable to "Seminole County BCC". The fee is non-refundable.**

**Note:** *Should the requested MSBU be created, and the project taken to the point of final assessment levy, the application fee will be included as a project cost and the amount may be recouped by the applicant.*

*The MSBU Program will determine how recoupment will be issued (either as an assessment credit or as payment check). If there are multiple contributors for the application fee, the applicant is responsible for providing contact and amount information for all contributors at the time of submitting the application. If the project does not proceed to the point of final assessment levy, the fee remains non-refundable.*

## **STEP II. REVIEW**

During the initial review of an *Application to Create an MSBU*, the MSBU Program will confirm the application is complete and sufficient to evaluate the feasibility of providing the requested municipal services; and that the project components align with basic MSBU criteria for eligibility. Before confirming acceptance of application, the MSBU Program will consult with the County Department responsible for managing the services. Consultation includes reviewing the requested scope of services, confirming requests aligns with available services, and ensuring the application provides sufficient information for developing a service plan. If an applicant provides an engineering plan it will be reviewed by the servicing Department for suitability of use. If the information provided with the application is insufficient, the applicant will be notified by the MSBU Program of the deficiency and/or need for additional information. Any scope or assessment boundary adjustments recommended (or required) as a result of the initial review will be discussed with the applicant.

After completion of the initial review, a formal project scope and general cost estimate is developed in coordination with the applicant and/or liaisons; final scope will be determined by County staff pursuant to County Codes. During this stage of the application process, construction projects may require formal evaluation for determining probable cost. When these preliminary services are contracted (provided by non-County staff), an advance payment for these contracted services is collected from the applicant. The fee is non-refundable. The applicant may personally pay the expense or obtain contributions from others interested in the project. If there are multiple contributors, the applicant is responsible for providing contact and amount information for all contributors at the time of submitting the fee. Similar to the application fee, there are provisions for this fee to be recouped if the project continues to the point of completion and levy of final assessment. If the project does not proceed to the point of final assessment levy, the fee remains non-refundable. Applicants are encouraged to evaluate the level of support within the community prior to investing funds into the project.

Municipal Service projects are designed in compliance with best management practices. A design/engineering consultant selected by the County will determine the most cost effective solution for the project based on the scope and actual site conditions. Engineering design will depict plan and profile views, and typical construction details, as well as other pertinent information needed during the formal bid process. The consultant will provide an “Estimated Construction Cost” or “Opinion of Probable Cost” report based on these recommendations.

All easement, right-of-entry, and/or other dedications required to accommodate the project must be available for all locations where infrastructure will be installed. Any special needs for easement, leasehold right-of-entry, right-of-way, or other related documentation<sup>1</sup> will be identified during the review process. Obtainment of this documentation is an applicant responsibility, however, the County will assist with obtaining the required easements; as such will be required prior to creating the MSBU. Owner signature on related agreement documents must be obtained prior to presenting an MSBU creation request to the BCC. Inability to obtain required easement/dedication could result in modifications of project scope (if feasible) or termination of project.

**Note<sup>1</sup>:** *Voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is generally a separate consideration determined independent from the petition process (which requires only a majority support).*

County representatives are available during the application review process to conduct an information meeting with property owners to discuss the service cope and MSBU process. Meetings with the property owners are typically conducted with the County’s service entity as the primary presenter, followed by an

MSBU Program presentation as to the process of creating an MSBU. A public meeting for overview of the proposed project and the MSBU creation process is highly recommended. The Applicant is responsible for coordinating a meeting date and time with the County and for securing a public meeting site location. Informational meetings coordinated through the MSBU Program and the County will provide mailed notice to the owners of property identified for inclusion in the proposed assessment boundary. The MSBU Program requests opportunity to review (prior to circulation) any correspondence relating to establishment of an MSBU.

### **STEP III. PETITION**

As recorded in Section 22.10 of the Seminole County [Administrative Code](#), the Board of County Commissioners [BCC] will give consideration for creating an MSBU requested via community-based application when sufficient community support for the requested MSBU has been confirmed through a formal petition process coordinated by the MSBU Program. For street lighting MSBUs, a community support percentage of at least 55% must be demonstrated; for all other project types 65%. If the support rate ["FOR"] achieves the required percentage, the request to establish an MSBU will be brought forward for BCC consideration. If the required support is not demonstrated, then the proposal will not move forward to Step 4.

To determine the level of community support for creating an MSBU, the MSBU Program prepares and distributes a *Petition to Create an MSBU* that defines the details of the proposed MSBU, such as the proposed scope of services, estimated cost for providing the municipal service, method of cost share allocation, type and amount of assessment, properties to be assessed, and other details specific to the MSBU. The *Petition* provides opportunity for property owners to communicate their preference relative to creating the proposed MSBU by indicating whether they are either "FOR" or "AGAINST" creation of the MSBU. A petition outcome that demonstrates the required level of support does not itself create an MSBU; the petition is a merely a tool used by the MSBU Program to determine if there is sufficient communitywide support to bring the request to the attention of the BCC.

The *Petitions* are distributed to owners of specially benefitted property by the MSBU Program. Supplemental copies may be provided to the applicant or community liaisons for follow-up with property owners. Property owners are requested to respond by 1) selecting either a "FOR" or "AGAINST" response on the *Petition*; (2) providing signature; and (3) returning the completed *Petition* to the MSBU Program prior to the filing deadline. All current owners or the designated trustee of a property must sign the petition form for the response to count as a "FOR" response. Property response for those owners that do not return the petition document will be identified as "Unknown" and counted as "AGAINST" when calculating the level of community support.

Throughout the petition process, MSBU Program representatives are available to answer questions and to provide information that will assist owners in making an informed decision. The petition responses are tracked and available weekly for summary or review during the petitioning period. The petition responses on file when the petition process closes (filing deadline) will be used for recording property owner preference regarding creation of the proposed MSBU. Changes to owner preference will not be accepted or processed after the deadline.

Petitions are typically in circulation for 30 calendar days. The deadline for filing response will be noted on the *Petition*. The filing deadline may be extended as deemed appropriate by the MSBU Program. Extensions are primarily granted to provide clarity regarding the level of support or opposition within the community. Deadline extensions will be posted to the MSBU Program website prior to expiration of the former deadline. Extensions are typically limited to one or two extensions, each limited to two additional weeks.

During the petition process, the role of the MSBU Program is to provide accurate information about the project and MSBU funding so that property owners are equipped with the information need for making an informed decision in regards to the *Petition*. It is the role of the applicant/liaisons to promote community interest, project support and petition response. The MSBU Program documents petition responses as they are received. Weekly updates are available for review during the petition process. All information on file is available per public record request.

While the petition is in process, the owners of property offered for sale are obligated as a matter of standard disclosure to communicate the active status of the petition. If the petition effort does not demonstrate sufficient support to continue to the next step in the application process, the responsibility for disclosure ends with the petition filing deadline. If the petition effort demonstrates sufficient support to continue to Step 4 of the application process, then the responsibility for disclosure continues through to the outcome of the public hearing.

Petition documents received by the MSBU Program will be reviewed for acceptability. All current owners of a property or the designated trustee must sign the *Petition* for the response to count as “For” creation of the MSBU. Owner response must be clearly identified and consistent with the intent of the petition document. Handwritten or other forms of commentary added to the petition document may cause rejection of the petition. Incomplete or rejected petition documents will be returned for correction. An explanatory cover memo will be provided with the returned document so that owner has opportunity to complete and resubmit a petition response. In some instances, the MSBU Program may email or phone the property owner to obtain clarifications. Submittal deadlines apply to rejected petition documents.

The final results of the petition process will be posted to the MSBU Program website. If the petition demonstrated sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the continued activities. If support is deemed insufficient to proceed, mailed notification of this outcome is at the discretion of the MSBU Program. If a notification of insufficient support is mailed, it is typically mailed only to property owners that participated in the process by filing a *Petition* for their property.

Provided the community support is sufficient to continue, the MSBU Program will schedule a public hearing with the Board of County Commissioners to give official consideration of creating the MSBU. **Please note** that once consolidated petition results are accepted and a public hearing is authorized, the petition results are no longer relevant to final determination of the BCC to proceed (or not) with a project/MSBU. The final determination of scope and feasibility of the project and creation of the MSBU is made by the Seminole County BCC.

If petition support is less than the required percentage, the effort will be noted as having insufficient support to continue. Petitioning for the same project is allowed once per calendar year and re-petitioning must be at least six months after the filing deadline of the most recent petition process. Each subsequent petition process requires application and payment of the non-refundable processing fee.

**Note:** *MSBUs requiring the conveyance of special easements, leaseholds or deed transfer to meet public ownership criteria have additional considerations. In such situations, voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is generally a separate consideration determined independent from the petition process. If agreement/conveyance is not obtained from 100% of such owners, the project scope may require modification to accommodate limited status, and/or the project may be rejected. Continuance of the proposed project is dependent on the associated requirements. Owner signature on required agreement documents must be obtained prior to presenting an MSBU creation request to the BCC.*

## STEP IV. CREATE

An MSBU is created by Ordinance issued by the Board of County Commissioners in conjunction with a public hearing. The Ordinance serves as the governing document and will be used as a point of reference for the duration of the MSBU lifespan. The Ordinance will contain much of the same information as the *Petition to Create an MSBU* and it will include a listing (assessment roll) by parcel identification [PID] number of all property (assessment boundary) to be assessed. For MSBU projects, such as lake restoration, equipment installation, and/or construction projects, that are designed as a one-time service with a fixed financing term, an estimated assessment rate is identified in the governing ordinance. [*The final assessment for such projects will be established based on actual cost after the work has been completed.*] For ongoing MSBUs that may require annual rate adjustment, the amount of the initial assessment will be documented in the ordinance and granted fluctuation according to ordinance restrictions and/or operating expenditures necessitated in establishing and/or maintaining desired results.

When the proposed ordinance and all supplemental documents<sup>1</sup> (including easement/leasehold, agreements, etc.) are ready for presentation to the BCC, a public hearing is scheduled. These hearings are generally scheduled on the 2<sup>nd</sup> or 4<sup>th</sup> Tuesday of the month, and are conducted during the afternoon BCC session that begins at 1:30 PM. Written notice of the hearing and proposed assessment is mailed to the owners of all property included in the assessment boundary. The applicant, liaisons and owners of property are invited (via the mailed notice) to attend the public hearing; however, attendance is optional. A legal Notice of the public hearing and proposed Ordinance is published in a local newspaper as well. A copy of the proposed Ordinance will be available for public review at the Commission Records office located in the County Services Building at 1101 East 1<sup>st</sup> Street, Sanford, FL, 32771.

The request to create an MSBU by ordinance is presented to the BCC by the MSBU Program. The MSBU Program presentation includes an overview of the project, assessment allocation and a summary of the petition results. The petition results are communicated as confirmation that the support percentages dictated in the Administrative Code [Section 22.10] have been honored in advance of bringing the request forward to the BCC for consideration. Once the petition results are presented to the BCC at a public hearing, the petition outcome is no longer relevant. It is at the discretion of the BCC whether or not the requested MSBU is created.

During the open period of the public hearing, the BCC will give consideration to any comments, objections, and information relevant to the establishment of the MSBU. The applicant is granted special opportunity to present to the BCC immediately following MSBU Program presentation, however doing so is optional. Other interested parties may communicate their comments to the Board – either verbally from the designated podium or via written commentary. Forms are provided in the lobby of the Board Chambers for those choosing to address the Board. Those opting to speak are granted a talk-time of up to 3 minutes for addressing the BCC; anyone representing a designated group of property owners will be granted 6 minutes.

After the public has been given time to address the BCC, the Chairman will close the open portion of the meeting, the commissioners will discuss the request, and the Board will vote on a motion to either create or deny the MSBU. If the BCC approves (adopts) the ordinance, the MSBU is then officially created. If the MSBU is created by Ordinance, it will be recorded in Seminole County Land Records and with the Florida Department of Revenue.

After the adopted Ordinance is signed by the BCC Chairman, it is recorded in Seminole County Land Records and with the Florida Department of Revenue. The recording of the ordinance establishes the preliminary assessment levy in public records. An assessment is considered as a lien against a property. The lien is satisfied when the assessment is paid in full. There will be no collection action relative to the preliminary capital assessments until the funded work is completed and a final assessment based on actual



project cost is determined. Although assessments are recorded in Public Records, disclosure of property participation in all assessment districts during any property sale transactions remains advisable.

The outcome of the public hearing will be posted to the MSBU Program website. Follow-up notification by mail is dependent on ordinance expectations and MSBU Program discretion.

## STEP V. IMPLEMENT

Following creation of an MSBU, the MSBU Program works closely with the County's Service Entity to ensure the services are implemented according to the work scope and schedule established in the governing ordinance. The Service Entity will initiate and coordinate the public services and serve as the primary point of contact for the liaisons and the community on service related issues. The MSBU Program will be responsible for overseeing the financial management of the MSBU and will serve as point of contact for the community on assessment related issues.

Once a suitable contract with a qualified vendor(s) has been assigned, the work will commence. The Service Entity will be in close contact with the community liaisons and the contracted service provider as the work is implemented and completed. For construction projects, a general time line for construction activities is included in the application packet; please refer to the *Table of Contents* for availability and page number.

Assessments (and Assessment Installments) are billed and collected by the Tax Collector of Seminole County via annual property tax bills in the same manner as property taxes. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments collected via the property tax bill; as are late fees if paid after due date (annually by March 31), and issuance of tax certificates if the property tax bill is not paid.

**Capital Assessment.** All reasonable efforts will be made for the services to be provided within the targeted range of assessment funding. If a capital service ordinance is established with a maximum allowable cost, the MSBU Program will provide advisement to the community if preliminary activities indicate that the cost will exceed the allowable amount. If a higher cost is indicated, a secondary petition will be conducted to confirm continued support of the property owners. Unless otherwise required by ordinance, a 65% support majority to the second petition will be sufficient to continue with the project. If continued support is not demonstrated through the petition process, and no other alternatives are available within the project parameters, the MSBU will be dissolved. After a capital assessment project is complete, a public hearing will be scheduled and conducted to review project results, to adopt the final assessment amount, and to finalize repayment terms. The final assessment amount is calculated based on actual project costs. These hearings are generally scheduled on the 2<sup>nd</sup> or 4<sup>th</sup> Tuesday of the month and are conducted during the afternoon BCC session that begins at 1:30 PM. Written notice of the hearing is mailed to the owners of all property included in the assessment boundary. A legal Notice(s) of the public hearing is published in a local newspaper as well. A copy of the proposed action will be available for public review at the Commission Records office located in the County Services Building at 1101 East 1<sup>st</sup> Street, Sanford, FL, 32771. Once adopted by the BCC, the Final Assessment Rate Resolution or Amending Ordinance will be recorded in Seminole County Land Records. The first assessment installment billing will be included on the first available tax bill following project completion. The installment amount will be the same each year for the duration of the repayment period. Installment billing will begin with the first available tax year. As an alternative to financing the assessment, **owners may pay their assessment in full within 30 days of the final public hearing to avoid financing charges.** Going forward, an assessment balance may be paid in full at any time without early-payment penalty. Payments in full are processed by the MSBU Program. Payment-in-full checks should be made payable to "Seminole County BCC". At the end of the repayment period, when all assessment balances have been paid, the MSBU will be closed.





**Liens & Satisfaction of Liens.** An open (unpaid) assessment is considered as a lien against a property. The lien for a variable rate assessment is satisfied annually when the property tax bill is paid. A lien associated with a capital assessment is satisfied when the outstanding assessment is paid in full. A lien satisfaction document is not required or issued when variable rate assessment is paid; a satisfaction of lien document is issued when a capital assessment is paid in full. When an assessed property is subject to sale, the County does not require the lien to be paid in full; however, lending institutions typically require a clear title before releasing funds. The balance of a capital assessment and/or the time frame covered by a variable assessment should be given consideration during property sale negotiations. For principle balance (assessment pay-off amount) or additional information about the satisfaction of lien process, contact the MSBU Program.

## MSBU Timeline

### Wall Replacement Install and/or Renovation

<p><b>Step 1: APPLY:</b> Applicants are often ready to submit application within <b>30 days</b> of reviewing the packet/process and consulting with the MSBU Program. Additional time may be needed to canvas community and discuss special easement requirements and secure funds for application fee.</p>	<p><b>30 days</b></p>
<p><b>Step 2: REVIEW:</b> Initial Review may take up to 2 weeks. The time required to complete the review process and formalize the scope will depend on available resources, extent of service scope, and whether or not contracted services are required for developing a statement of probable cost. This is often the step during which a communitywide meeting is scheduled for presentation of the proposed project and for offering information about the process of creating an MSBU. Suggest anticipating <b>30 – 90 days</b> to complete this step.</p>	<p><b>30 -90 days</b></p>
<p><b>Step 3: PETITION:</b> The Petition to Create an MSBU is ready for distribution at the close of Step 2. A minimum of <b>30 days</b> is required for the petition process, but may take up to <b>60 days</b> if deadline is extended.</p>	<p><b>35-60 days</b></p>
<p><b>Step 4: CREATE:</b> The time required to move through this step is typically ranges from <b>45-90 days</b> and is dependent on the availability of signed easement documents and the meeting schedule of the BCC.</p>	<p><b>45-90 days</b></p>
<p><b>Step 5: IMPLEMENT:</b> The time frame for this step is difficult to predict as each project will have its own scope and unique features. The minimum time is likely to be no less than <b>60 days</b>, but could span as long as 9 months or longer. Project time frames will be provided as part of the Review Step of application processing.</p>	<p><b>60 -180+ days</b></p>
<p><b>Start to Finish: 7 months to a Year+</b></p>	

## MSBU Cost Matrix – Rough Estimate of Potential Cost

No estimates are offered. Each project is unique. Cost estimate based on preferred structure is due from applicant at time of application.

## Capital assessments Installment Payment – Examples

ASSESSMENT (PER PROPERTY)	REPAYMENT TERM	Estimated ANNUAL INSTALLMENT <sup>1</sup> (PER BENEFIT UNIT) Rounded \$5
\$15,000	15 Years	\$ 1,350
	10 Years	\$ 1,875
	5 Years	\$ 3,445
\$10,000	15 Years	\$ 900
	10 Years	\$ 1,245
	5 Years	\$ 2,295
\$5,000	15 Years	\$ 450
	10 Years	\$ 625
	5 Years	\$ 1,150
\$2,500	15 Years	\$ 225
	10 Years	\$ 310
	5 Years	\$ 575
\$1,000	10 Years	\$ 125
	5 Years	\$ 230
<p><sup>1</sup>Estimated using combination of 3.5% Interest calculated annually <i>per Assessment balance</i> and 3.5% Administrative Adjustment calculated annually <i>per amount of Installment billing</i>.</p>		

## Frequently Asked Questions

**ASSESSMENT. When does assessment billing begin?** Variable rate assessment levy and collection begins the first available tax roll following creation of the MSBU. Typically, the billing of a capital assessment (and/or installment billing) begins with the first available tax roll following project completion. Additional information about assessment-funded municipal services is provided at <http://www.seminolecountyfl.gov/msbu>. Capital assessments may be paid in full at any time following adoption of the final rate Resolution. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

**ASSESSMENT. When is full payment of a capital accepted?** Capital assessments may be paid in annual installments through property tax bills paid to the Seminole County Tax Collector or may be paid in full at any time to the MSBU Program. If the installment period is underway, please be certain to contact the MSBU Program for assessment payoff details before making payment. Payment checks sent to the MSBU Program should be made payable to "Seminole County BCC".

**ASSESSMENT. If an owner responds as "AGAINST" the MSBU during the petition process will the property be assessed if the MSBU is created?** An owner's response on the Petition does not determine whether or not the property is assessed. All properties deemed to have special benefit from the municipal service will be assigned a cost share and levied an assessment if the MSBU is created. The governing ordinance will include a list of participating properties and respective improvement for which the property will be assessed. Once the ordinance is adopted by the BCC, participation in the cost share becomes mandatory as per directives of the ordinance. For projects involving installation of utility service access, all assessed properties are required to connect within 120 days of being granted connection access and are assessed equitably for the cost of installing the infrastructure.

**ASSESSMENT. After the initial variable assessment rate is set, when are future annual assessments calculated, approved and communicated?** MSBU operating budgets are prepared annually. After the budget is developed, the variable rate assessment is calculated. The proposed rate is presented to the BCC for review and approval. After approval, the MSBU Program generates and mails a "Notice of Proposed/Adopted Non-Ad Valorem Assessment" to the owners of property subject to assessment. The assessment approved for the forthcoming tax bill will also be posted on the MSBU Program website by August 1.

**ASSESSMENT. How are owners of assessed property kept informed of assessment changes?** The MSBU Program annually mails a Non-Ad Valorem Assessment [NAVA] Notice to owners of assessed property. The notice communicates information about assessment that were adopted or proposed for inclusion on the forthcoming property tax bill. The Notice provides details regarding a public hearing scheduled by the Board of County Commissioners to receive public commentary (regarding the proposed assessment roll) prior to approval and certification of the assessment roll to the County Tax Collector for collection.

**ASSESSMENT. "This is not a bill" is stated on the NAVA Notice. When and how are the charges billed?** The listed assessment(s) and assessment installments will be included on the property tax bill distributed in early November. Assessment(s) are paid at the same time and in the same manner as property taxes. Installment payments for capital assessments are collected via the property tax bill and are under the same payment requirements.

**CONSTRUCTION EASEMENT. What is the required width of an easement for construction activities?** Easement requirements vary by project type and will be defined during the review and preliminary engineering evaluation. In general, a minimum easement width of 15 feet should be expected for a construction project. Easement areas need to be void of obstruction or hindrances to the work activities. Utility Improvements are generally installed within the roadway right-of-way or other utility easement. If utility infrastructure is installed outside these areas, a minimum width of 15 feet is typically required. Generally, water mains shall not be installed in or under retention ponds, wetlands, drainage swales, or other structures or alongside or rear lot lines unless approved by the Manager or the serving utility. For wall reconstruction, a 15 foot easement would be inclusive of the wall foundation and working space on the back and front side of the wall. Placement of a wall foundation within a road right-of-way is prohibited. Road projects may require right-of-way provisions in addition to construction easements.

**CONSTRUCTION REPAIRS. If the constructed improvement provided via assessment funding requires repair, who is responsible for those costs?** The repair and maintenance responsibility varies by project type and scope of services identified in the governing ordinance. Roadways that are accepted into the County road system are repaired and maintained by the County [407-665-ROAD]. Utility infrastructure installed via MSBU funding becomes part of the County utility system and is repaired and maintained by the County [407-665-2110]. Unless other agreements or construction warranty are applicable, walls reconstructed via assessment funding are repaired and maintained privately with private funding.

**GENERAL INFORMATION. What do the letters MSBU represent? Municipal Services Benefit Unit.** An MSBU is a non-ad valorem assessment district created to fund a public service [Municipal Service"] that yields a special benefit [Benefit"] to certain group [Unit"] of properties.

**GENERAL INFORMATION. What is the process for creating an MSBU?** The process begins with obtaining and reviewing the information available from the MSBU Program respective to the public service offered via assessment funded in Seminole County. The basic steps associated with creating an MSBU include: (1) Application, (2) Review, (3) Petition, (4) Creation, and (5) Implementation. An overview of the process is provided in the MSBU Program's brochure "*What is an MSBU*". Greater detail is offered by contacting the MSBU Program and/or via Application Packets developed for each type of assessment-funded service.

**GENERAL INFORMATION. How are the costs allocated for assessment purposes?** Assessments are allocated to specially benefitted property on an equitable basis. The assessment allocation is based on the type of service, service cost, total number of benefit units and the number of benefit units assigned to each property. A benefit unit may be a parcel, dwelling, linear foot measurement or other equitable unit.

**GENERAL INFORMATION. What level of community support is required for the BCC to consider creating an MSBU?** The Seminole County Board of County Commissioners [BCC] requires demonstration of a petition support ["FOR"] response of 65% (55% for street lighting) prior to scheduling a public hearing to consider establishing an MSBU.

**GENERAL. What type of property is eligible to participate in an MSBU?** Eligibility to participate in an MSBU varies per project type as each assessment-funded service category has established participation expectations.

Most Seminole County MSBUs are associated with residential properties; however, commercial properties may be included in certain assessment-funded service categories. Unless otherwise agreed, the service area and the assessed property must be located within the taxing district of unincorporated Seminole County.

**GENERAL INFORMATION. May a subdivision that located in a city tax district apply to the County for MSBU assistance?** The public services coordinated by the MSBU Program are limited to unincorporated areas – property not under city government jurisdiction. Please contact city government to request neighborhood improvements for property located within the tax jurisdiction of a city. If the proposed public service would span both city and unincorporated area, the MSBU Program can assist in evaluating the feasibility of an MSBU proposal.

**GENERAL INFORMATION. Are County representatives available to attend a community meeting to discuss the MSBU application process or the services available via assessment funding?** Various County Departments manage assessment-funded services and offer participation at various stages in the MSBU creation process. The MSBU Program offers assistance in coordinating meeting attendance for assessment-funded services after an application to create an MSBU has been accepted.

**GENERAL INFORMATION. What is the process for closing or dissolving an MSBU for an ongoing service after it has been created?** The process to dissolve an established MSBU is similar to the creation process - application, petitioning, majority support, public hearing, and BCC authorization. MSBUs that receive supplemental financial support from county funding may have additional restrictions that mandate the minimum duration of existence for the MSBU. If/when an MSBU is dissolved; the participating properties will be assessed for closure costs, contractual obligations, and/or other unpaid expenses.

**GENERAL INFORMATION. What is the role of the community liaisons and how are they selected?** Primary and/or secondary liaisons are very important to establishing an MSBU and to ensuring project completion occurs per community expectations. Liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending scheduled site visitations, encouraging petition response, and other project support activities. The initial Liaisons are identified by the applicant at the time of application. For ongoing services that depend on Liaison participation, such as aquatic weed control, representative of the assessed community that are interested in serving as a Liaison typically advise the service entity or the MSBU Program of their interest. In some situations, Liaisons are appointed by the District Commissioner.

**GENERAL INFORMATION. How does the MSBU Program determine the level of community support for establishing an MSBU?** The initial evaluation of interest is determined through a *Survey of Interest* coordinated by a potential applicant. An interest response of at least 35% is required in advance of accepting an application for assistance. After an application is received, reviewed and accepted by the MSBU Program, the MSBU Program will distribute a *Petition to Create an MSBU* document. The petition contains details of the proposed project and MSBU. Provisions on the petition allow owners to indicate whether they are in support of or against creating the proposed MSBU. Level of support is determined (by the MSBU Program) according to the completed petitions returned to the MSBU Program. Petition documents not returned to the MSBU Program are identified as “unknown” but are counted as “against” responses.

**PETITION. How does the *Petition to Create an MSBU* get distributed?** The MSBU Program distributes petition document to the owner of record for each benefiting property identified for inclusion in the MSBU boundaries. Distribution is either in person at community meetings or by USPS mail. The petition document is to be reviewed, signed and returned (to the MSBU Program or designated liaison) by the property owner(s).

**PETITION. Can I change my response after it has been submitted?** A petition document should be submitted after the owner has evaluated the project proposal and determined their response. The owner, however, may submit a replacement petition providing it is received by the MSBU Program within the submittal deadline for the petition process. Petitions will not be accepted after the deadline has passed. Petitions may not be withdrawn after the response deadline has expired. Petition documents not returned to the MSBU Program are identified as “unknown” but are counted as “against” responses.

**PETITION. Can the petition deadline be adjusted?** Petition documents are typically in distribution for a 30-day period. The petition response and deadline are monitored by the MSBU Program. The filing deadline may be extended when community support is uncertain due to non-returned petitions. Deadline and provisions for extension will be noted on the petition document. Deadline extensions will be posted to MSBU Program website.

**PETITION. Will the results of the petition be communicated?** The results will be posted to the MSBU Program website at <http://www.seminolecountyfl.gov/msbu>. If the petition provided sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the next steps in the process of creating the MSBU. If support is insufficient to proceed, mailed notification is at the discretion of the MSBU Program and is generally dependent on the cost to provide such notification.

**PETITION. If a property that is included in a proposed MSBU assessment boundary is for sale while an MSBU is being considered, does the MSBU status need to be disclosed to potential buyers?** While the petition is in process, the owners of property offered for sale are obligated (as a matter of standard disclosure) to disclose the active status of the petition. Responsibility for disclosure continues through to the outcome of the public hearing when the petition effort demonstrates sufficient support to continue to the Step 4 of the application process. Disclosure is no longer required if the petition process does not demonstrate sufficient community support to continue to a public hearing. Although the creation of an MSBU establishes the assessment levy in public records, it is advisable to disclose the status of the property participation in all assessment districts during the sale transaction process.

**PETITION. If a parcel is sold while the petition is in process, can the new buyer submit a petition response that is different from that of the seller?** If property ownership changes prior to the closing of the petition process, then the MSBU Program will accept a petition response from the new owner, providing (1) the new owner notifies the MSBU Program of the ownership change prior to the close of the petition process. Upon notification, the MSBU Program will issue a replacement petition document. To register a "FOR" petition response, the petition completed by the new owner must be received by the MSBU Program before the close of the petition process. The petition response of record for any given property as of the close of the petition process will be held as the response for that property for the purpose of determining whether or not the requested project will be presented to the BCC for consideration.

**PETITION. When will a public hearing be held and who may attend?** A public hearing to establish an MSBU will be scheduled after a petition process demonstrates the required level of community support, and all supporting documents are secured by the MSBU Program. Notice of public hearing will be mailed to owners of record for all properties included in the boundaries of proposed MSBU. Notice will be published in a local newspaper. Any member of the public may attend a public hearing. Respective to capital assessments, a second public hearing may be conducted following completion of the project if a final rate Resolution is required.

**LIEN. When and how is an assessment lien satisfied? And, are notices of satisfaction of lien provided?** The lien for a variable rate assessment, such as street lighting or aquatic weed control is satisfied annually when the property tax bill is paid. A lien satisfaction document is not required or issued when a variable rate assessment is paid. A lien associated with a capital assessment is satisfied when the outstanding assessment balance is paid in full. Full payment may be at any time or when the final scheduled installment is paid. A satisfaction of lien document is issued when a capital assessment is paid in full. For additional information regarding satisfaction of lien process, pay-off balance, or lien satisfaction confirmation, please contact the MSBU Program. The installment plan approved for each capital assessment is posted at the MSBU Program website under active MSBUs.





**LIEN.** If an assessed property changes ownership, which entity – the buyer or the seller – has responsibility for paying any remaining assessment balance? Seminole County Government does not require payment of a capital assessment balance at the time of property sale. However, a mortgage company or title company may require lien satisfaction to finance/refinance or issue title insurance. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is a decision made between the buyer and the seller and/or their agents. If an assessment balance will be paid at the time of property sale, the MSBU Program must be notified so that a payoff amount can be confirmed. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.

# MSBU Program Glossary

## Terminology & Definitions

<b>ADMINISTRATIVE FEE</b>	A charge included in a non-ad valorem assessment for costs incurred by the County in support of establishing, managing and administering an MSBU and the associated public services. Includes an allocation of operating costs such as personnel, office/computer equipment, supplies, data processing, postage, insurance premiums, and programming.
<b>ADMINISTRATIVE REVIEW &amp; RECTIFICATION</b>	Assessment boundary or other modifications recommended by the MSBU Program to established MSBUs for the purpose of rectifying or maintaining the integrity between common benefit and cost allocation based on land use, land developments and/or assessment criteria.
<b>AD VALOREM TAX</b>	A charge levied by a government to provide funding for general public services and improvements; amount due is based on official valuation (appraised value) of real property and authorized millage rate.
<b>ASSESSED VALUE</b>	Valuation set on real estate or personal property by the Property Appraiser as a basis for levying ad valorem property taxes. [Refer to <i>Property Tax</i> ]
<b>ASSESSMENT (Non-Ad Valorem)</b>	A public service cost share allocation assigned to specially benefited property; allocated on basis of benefit units; and levied for funding a specific service or improvement. [Refer to <i>Capital</i> and/or <i>Variable Rate Assessment</i> ]
<b>ASSESSMENT BASE</b>	Unit of measure by which a non-ad valorem assessment is allocated. Examples: Per parcel, per dwelling, and per front foot. Refer to benefit unit.
<b>ASSESSMENT DISTRICT</b>	Area or group of properties assigned a pro-rata amount to fund an essential public service or improvement offering special benefit to those properties.
<b>ASSESSMENT ROLL</b>	Formal record adopted by the Board of County Commissioners at a public hearing that provides a complete listing of the non-ad valorem assessments levied and assigned to specific property. Roll is certified and submitted annually to the County Tax Collector for inclusion on annual property tax bills for collection.
<b>AQUATIC PLANT</b>	Plant species that grow in, or closely associated with the aquatic environment of lakes and waterways; may be further categorized as floating, emersed, submerged, submersed, and shoreline species.

<b>AQUATIC WEED</b>	An aquatic plant with potential to hinder the growth of beneficial aquatic plants, to interfere with irrigation or navigation, or to adversely affect the public welfare or natural resources of the state. Typically nuisance, exotic and/or aggressive species.
<b>AQUATIC WEED CONTROL [AWC]</b>	Activities associated with the management of noxious and/or invasive aquatic plant species; typically through chemical, biological or mechanical means. Often requires compliance with federal, state and local agency regulations, as well as permitting.
<b>AQUATIC WEED CONTROL PLAN</b>	Defined focus and approach developed by biologist for addressing undesired aquatic vegetation (aquatic weeds) respective to serving a public purpose of protecting or enhancing the environmental quality and over-all health and utility aspects of a natural waterbody through management of aquatic weeds.
<b>BENEFIT</b>	Direct or indirect assistance or advantage.
<b>BENEFIT UNIT</b>	Equitable base or unit of measure used for allocating cost. Common benefit units include parcel, linear foot and number of dwellings.
<b>BEST LAKE MANAGEMENT PRACTICES</b>	Professionally developed and recommended measures for evaluating, monitoring, addressing, and promoting optimal conditions for restoring, developing and/or maintaining water quality and environmentally sound waterbodies and habitats for wildlife. Often requires compliance with federal, state and local agency regulations.
<b>BID</b>	Offer to perform work; offer to supply labor, materials and/or goods at specified price.
<b>BIOASSESSMENT (Aquatic Vegetation)</b>	A scientific evaluation of the vegetation growing in, or in the vicinity of, a waterbody; identification, classification, and characteristics of vegetation in a given area [native, noxious, aquatic, wetland, upland, etc.]. When formulating aquatic vegetation bioassessment, a variety of factors are considered, such as, but not limited to, species present, growth characteristics of species, and mass and/or percentage of area represented by each species. Aquatic vegetation dominance is determined by areal extent within the waterbody.
<b>BOARD OF COUNTY COMMISSIONERS (BCC)</b>	Governing body of Seminole County composed of five members serving staggered terms of 4 years with election on a county-wide basis; one Commissioner per each of the five commission districts.
<b>BUDGET</b>	Financial operating plan for fiscal year; summary of anticipated revenue and expenditures.
<b>BUILDER</b>	A person who constructs buildings under contract or as a speculation.
<b>CADASTRAL</b>	Map or survey showing or including boundaries of property lines.

<b>CAPITAL ASSESSMENT</b>	Amount levied for an assessment-funded public service for which the amount is levied once but may be repaid in annual installments over a period of years.
<b>COMMUNITY COLLECTION LOCATION</b>	A central site that is near multiple residential properties and designated by the County for placement and collection of residential solid waste.
<b>CENTRAL TRANSFER STATION</b>	Waste processing facility where solid waste is unloaded from collection vehicles and is compacted and reloaded onto larger long-distance transport vehicles for delivery to a landfill for disposal or other treatment facilities.
<b>COLLECTION SERVICE</b>	The contracted service by which residential solid waste is removed and transported to an authorized disposal facility for processing.
<b>COLLECTION LOCATION</b>	Location designated by the County for placement and collection of residential solid waste. Includes curbside to residential property where feasible (most common in developed subdivisions) and central/community collection locations when necessitated by less developed conditions
<b>CONSOLIDATED STREET LIGHTING ORDINANCE</b>	Authoritative order established by the Seminole County Board of County Commissioners for the purpose of defining the collective governing of street lighting MSBUs in unincorporated Seminole County.
<b>CONTINGENCY FUNDS</b>	Funds set aside or reserved to cover fluctuations in service costs and unforeseen events that may occur during fiscal periods or improvement projects.
<b>DEVELOPER</b>	A person/entity that invests in and develops the urban or suburban potentialities of real estate, esp. by subdividing the land into home sites and then building houses and selling them.
<b>DISTRICT</b>	A segment within a territory (such as a county) marked off for administrative, electoral, or other purposes.
<b>DISTRICT BOUNDARY</b>	The geographic area and/or properties included in an area identified as a district.
<b>DRAINAGE</b>	Conveying water from one place to another to dry the former and prevent water from accumulating.
<b>EASEMENT</b>	A formal right of use over the property of another, such as any strip of land legally dedicated or conveyed for public or other private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.
<b>EMERGENT</b>	In the process of coming into being or becoming prominent; aquatic plant risen or standing out of water, surrounding leaves, etc.

<b>EMERSED</b>	Denoting or characteristic of an aquatic plant reaching above the surface of the water; leaves or stems of aquatic plants protruding above the surface of the water
<b>ENGINEERING REPORT</b>	A written report prepared by a licensed engineer describing the project background, findings, assumptions, permit recommendations, and probable costs to complete a specific project.
<b>FINANCE (INSTALLMENT) FEE</b>	The charge assigned by the County to offer and manage capital assessment installment payments; generally expressed as a percentage rate over a period of time.
<b>FISCAL YEAR</b>	A twelve month time frame designated for managing and monitoring financial aspects of a government or other organizations; includes budgeting and financial performance tracking. (Seminole County Fiscal Year: October 1 through September 30).
<b>GARBAGE RECEPTACLE</b>	Any commonly available light gauge steel, plastic or galvanized container of nonabsorbent material, closed at one end and open at the other, furnished with a closely fitted top or lid and handle(s); may also be defined as a waterproof plastic bag of heavy mill construction which can be safely and securely closed. For collection purposes, a garbage receptacle and contents shall not exceed 50 gallons in capacity or 50 pounds in weight.
<b>HERBICIDE</b>	A chemical substance (liquid, powder, granular, etc.) that will destroy or kill vegetation.
<b>INTEREST EARNED</b>	Favorable financial gain on revenue, savings, or investment.
<b>INSTALLMENT FEE (or FINANCE FEE)</b>	The charge assigned by the County to provide and manage installment payments associated with MSBUs with capital assessment; generally expressed as a percentage rate over a period of time.
<b>LAKE RESTORATION</b>	Specific and often extensive environmental efforts directed toward improving a waterbody so that deterioration is reduced, corrected, and/or controlled. Typically supplemented by long-term aquatic weed control and shoreline replanting requirements.
<b>LAKE VEGETATION INDEX (LVI)</b>	A scientific methodology for evaluating the condition of a waterbody based on the vegetation growing in or in the vicinity of the waterbody. Developed and regulated by FDEP; requires certification (individual audit) to execute.
<b>LEASEHOLD</b>	Land or property held under a contract (lease) that conveys certain property rights to another person or entity for a specific period of time.
<b>LEVY</b>	To impose taxes, special assessments or service charges for funding County activities; an amount imposed by local authority.

<b>LIAISON</b>	A person submitting an application for establishing an MSBU, or an owner of property within the MSBU boundaries that voluntarily serves as a spokesperson for the community during the various phases of the MSBU process.
<b>LIEN</b>	A legal claim of one person/entity upon the property of another person to secure the payment of a debt or the satisfaction of an obligation.
<b>MILLAGE RATE</b>	The property tax rate; levied in mills per dollar of taxable property value.
<b>MUNICIPAL</b>	Of or relating to a community or civic unit, purpose or service.
<b>MUNICIPAL SERVICE</b>	Assistance or improvement provided by a local government to serve a public purpose.
<b>MUNICIPAL SERVICE BENEFIT UNIT (MSBU)</b>	An assessment district created to fund a public service that offers special benefit to certain properties. [Refer to <i>Assessment Base</i> and <i>Benefit Unit</i> .]
<b>MUNICIPAL SERVICE TAX UNIT (MSTU)</b>	A special tax district established for funding a public service and/or improvement provided to a specific geographic area or sector of the County. Allocated based on property value and millage.
<b>MUNICIPALITY</b>	Political unit usually having powers of self-government. Seminole County municipalities include: Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.
<b>NON-AD VALOREM ASSESSMENT (NAVA)</b>	Amount levied on a property based on a unit of measure other than property value; typically assigned by units of benefit. [Refer to <i>Capital assessment</i> and/or <i>Variable Rate Assessment</i> ]
<b>OPERATING CONTINGENCY</b>	Funds set aside or reserved to cover fluctuations in service costs and unforeseen events that may occur during fiscal periods or improvement projects.
<b>ORDINANCE</b>	An authoritative order by the governing board of a municipality or other political subdivision. As related to the MSBU Program, an order by the Seminole County Board of County Commissioners for the purpose of (a) creating a special assessment district [MSBU] (b) defining the governing parameters of the MSBU and (c) adopting the initial and/or preliminary assessment roll for the MSBU.
<b>PETITION TO CREATE AN MSBU</b>	A document prepared and distributed by the MSBU Program and used to determine the level of community support for creating an MSBU to fund a requested public service.
<b>PLATTED LAND</b>	Land that is described by <a href="#">lot</a> , <a href="#">block</a> , and <a href="#">tract and recorded in</a> public land book records.

<b>PRELIMINARY ENGINEERING REPORT</b>	A written report prepared by a licensed engineer describing a project in terms of anticipated conditions, requirements, method of approach, permit requirements, and estimated cost.
<b>PRIVATE LAKE OR WATERBODY</b>	A body of water that is surrounded by land that is privately owned and without provisions for general public access.
<b>PRIVATE ROAD</b>	Privately owned land designated as a roadway.
<b>PRO-RATA</b>	A proportionate allocation.
<b>PROJECT COORDINATOR</b>	A person whose responsibilities may include overseeing the activities, resources, and scheduling of a project.
<b>PROPERTY TAX</b>	A debt imposed by a government for funding general public services; levied according to authorized millage rate and taxable value of property value.
<b>PUBLIC SERVICE</b>	Available or pertinent to the people as a whole; open to all members of a <a href="#">community</a> ; may be provided by local <a href="#">authorities</a> and supported by money from <a href="#">taxes</a> /assessment
<b>PUBLIC HEARING</b>	A special meeting which allows the public to comment on proposed plans and projects before the local government makes a final decision.
<b>PUBLIC LAKE OR WATERBODY</b>	A natural body of fresh water of considerable size, surrounded by land that includes provisions for public access, and/or associated with submerged lands owned by the state by right of its sovereignty in navigable freshwater lakes, rivers, and streams. [Refer to Florida Statutes 253.12.]
<b>PUBLIC PURPOSE</b>	Available or pertinent to the people as a whole; open to all members of a community; may be provided by local authorities and supported by money from taxes, fees or assessment.
<b>PUBLIC ROAD</b>	Publically owned land/property used or designated as roadway (travel route)
<b>PUBLIC SERVICE</b>	Essential service provided by a government to people living within its jurisdiction.
<b>RECONSTRUCTION</b>	Replacement of an existing structure.
<b>RECYCLE MATERIAL</b>	Material recovery of items such as pasteboard, brown paper grocery bags, corrugated cardboard, newspaper, magazines, catalogs, telephone books, plastic containers, glass bottles/jars, aluminum cans and steel cans.
<b>RESERVE FUND</b>	An amount set aside in the operating budget for the purpose of meeting future or unanticipated expenses.

<b>RESOLUTION</b>	A written motion adopted by a governing body. Relative to MSBU Program activity, resolution action is used to confirm assessment rates, assessment roll certification, administrative code provisions, and adopting of final assessments associated with capital improvement projects
<b>RETENTION POND</b>	An artificial lake with vegetation around the perimeter, and includes a permanent pool of water in its design used to manage <a href="#">stormwater runoff</a> to prevent <a href="#">flooding</a> and downstream <a href="#">erosion</a> , and improve <a href="#">water quality</a> in an adjacent <a href="#">river</a> , <a href="#">stream</a> , <a href="#">lake</a> or <a href="#">bay</a> .
<b>RETENTION POND RENOVATION</b>	Re-establishing functionality of an existing retention pond through site cleanup, sediment removal, and other restorative efforts.
<b>RIGHT OF WAY</b>	A type of <a href="#">easement</a> granted or reserved over the land for <a href="#">transportation</a> purposes, such as for a road, <a href="#">trail</a> , <a href="#">driveway</a> , or <a href="#">navigational aid</a> . A right-of-way is reserved for the purposes of maintenance or expansion of existing services with the right-of-way.
<b>RIPARIAN</b>	Relating to or located on the bank of a natural waterbody
<b>RIPARIAN STEWARDSHIP</b>	Responsible protection and preservation of a waterbody; actively protecting water and environment qualities; pursuing use of land in a manner that will yield optimal positive environmental influence on water quality and healthful condition of waterbody.
<b>SATISFACTION OF LIEN</b>	<a href="#">Fulfillment</a> of all <a href="#">obligations</a> under a <a href="#">lien</a> ; assessment paid in full.
<b>SCOPE OF SERVICE/WORK</b>	The number, type, and intensity or complexity of included services
<b>SERVICE OPTION</b>	One of two residential solid waste collection service alternatives selected by property owner. Choices are designated as with or without yard waste collection services.
<b>SERVICE YEAR</b>	The calendar year to which an annual assessment is levied for residential solid waste collection and disposal management.
<b>SEWER LINE</b>	Utility system components that connect building facilities to centralized waste-water processing facilities.
<b>SHORELINE</b>	The line where shore and water meet.
<b>SOLID WASTE</b>	Garbage, rubbish, yard waste, white goods, furniture and recycle materials generated by the normal activities of a household.
<b>SOLID WASTE ASSESSMENT</b>	An annual levy allocated on a per residential dwelling basis that provides funding for the management of residential solid waste in the unincorporated areas of the County. [Refer to <i>Variable Rate Assessment</i> ]



<b>SOLID WASTE MANAGEMENT (Residential)</b>	Daily and long-term administration of activities and facilities necessary to accommodate the processing of residential solid waste.
<b>SOVEREIGN WATERS/LAND OF THE STATE</b>	Those lands waterward of the ordinary or mean high water line, submerged beneath navigable fresh water (i.e., inland lakes). Such sovereign land includes all submerged land to which title is held by the Board of Trustees of the Internal Improvement Trust Fund, who provides by statute the acquisition, administration, management, control, supervision, conservation, protection, and disposition of state-owned lands under its control.
<b>STATUTE</b>	A written law enacted by an official legislative body.
<b>STORM DEBRIS (Vegetation)</b>	Large size or volume vegetative debris generated by winds, rain and other storm conditions. Typically requires special handling; may require direct disposal by owner at County disposal facilities.
<b>STREET LIGHTING</b>	Lighting equipment system intended to provide enhanced roadway lighting that offers quick, accurate, and comfortable visibility at night that will safeguard and facilitate both vehicular and pedestrian traffic. Within the structure of individual MSBUs, the authorized services may extend to ancillary lighting and electrical expenditures, such as entrance lighting and flood lights in common areas and metered account services that are considered to be part of the overall street lighting plan within a specific geographic area.
<b>STREET LIGHTING ASSESSMENT</b>	An annual levy on property used to fund the street lighting system located in the vicinity or along the access route to the property. [ <i>Refer to Variable Rate Assessment</i> ]
<b>SURVEY OF INTEREST</b>	An informal communication to/from property owners distributed to determine preliminary interest in pursuing services or improvements through an MSBU.
<b>TAX COLLECTION FEE</b>	The amount paid by the MSBU Program to the County Tax Collector for providing the billing and collection services associated with the non-ad valorem assessments levied by County.
<b>TAX ROLL</b>	Formal listing of property tax records as prepared annually by the Property Appraiser and certified to the Tax Collector for collection.
<b>TROPIC STATE INDEX (TSI)</b>	A classification system designed to "rate" individual lakes, ponds and reservoirs based on the amount of biological productivity occurring in the water.
<b>UNINCORPORATED AREA</b>	Land/property within the County boundary that is not within the taxing boundary of any incorporated area – such as a municipality (city).

**UNPLATTED LAND**

Land that is not defined or described with a legal description inclusive of lot number, or lot and block number as shown in the county records office. (*Refer to Platted Land*)

**VARIABLE RATE ASSESSMENT**

An assessment format established in association with an ongoing public service for which costs may vary from year to year. Assessment rate may be adjusted annually.

**WATERBODY  
(or Body of Water)**

Stationary accumulations of water, such as [lakes](#), [ponds](#) or [wetlands](#); as well as moving bodies of water such as [rivers](#), [streams](#), and [canals](#).

**WATER LINE  
(Metered/Potable)**

Part of the County's water system that provides distribution or conveyance of water that (a) has been treated by a facility permitted by the Florida Department of Environmental Protection and (b) meets the requirements of the Florida Safe Drinking Water Act.

**WHITE GOODS**

Inoperative and discarded refrigerators, ranges, washers, water heaters, and other similar domestic appliances, household goods and furniture generated from improved property.

**YARD WASTE**

Vegetative matter resulting from residential yard and landscaping maintenance (leaves, grass clippings, shrub trimmings, small branches, etc.). To be eligible for collection service, branches shall not exceed four feet in length and four inches in diameter; yard waste must be tied/bundled, bagged or containerized; no bundle, bag or container shall exceed 50 pounds in weight. [*Refer also to STORM DEBRIS.*]

# Application Fee Schedule

(Excerpt from Seminole County Administrative Code 20.37)

## AQUATIC WEED CONTROL

### Aquatic weed control<sup>1</sup>

- \$ 550.00 Application Fee - Impaired/Corrective Services
- \$ 450.00 Application Fee - Maintenance of existing conditions/under contract

### Lake Restoration<sup>1</sup>

- \$ 550.00 Application Fee - Impaired/Corrective Services

## ROAD PAVING & STORMWATER CONTROL SYSTEMS<sup>2</sup>

### Road Paving & Related Stormwater Control (Drainage)

- \$ 650.00 Application Fee – Road and/or Stormwater Improvements

### Retention Pond Renovation<sup>1</sup>

- \$ 550.00 Application Fee - Impaired/Corrective Services

## STREET LIGHTING

- \$ 150.00 Application Fee - MSBU request involving single support source
- \$ 150.00 Application Fee - MSBU request involving 25 or fewer properties
- \$ 250.00 Application Fee - MSBU request involving greater than 25 properties
- \$ 150.00 Application Fee - Upgrade request involving 25 or fewer properties
- \$ 250.00 Application Fee - Upgrade request involving greater than 25 properties

## WALL RECONSTRUCTION

- \$ 550.00 Application Fee - Single easement ownership; Construction Only
- \$ 750.00 Application Fee - Multiple easement ownership; Construction Only
- \$1,000.00 Application Fee - Single easement ownership; Pre-Paid Design plus Construction
- \$1,250.00 Application Fee - Multiple easement ownership; Pre-Paid Design plus Construction

## WATER AND/OR SEWER UTILITY<sup>2</sup>

- \$ 550.00 Application Fee - Water or Sewer

## SIDEWALKS<sup>2</sup>

- \$ 450.00 Application Fee Proposed – New construction or repair/replacement

## DISSOLUTION APPLICATION

- \$ 150.00<sup>4</sup> Application Fee - Distribution of Petition

## All Project Types - REACTIVATION & REDISTRIBUTION OF PETITION

- \$ 150.00<sup>4</sup> Application Fee – Reactivation & Redistribution of Petition

1 The MSBU application review process may require project analysis involving consultant services to determine scope of services and feasibility of success. The need for analysis will be determined prior to application and a price quote for analysis fee will be obtained at time of application. Prepayment for analysis costs will be due from applicant prior to scheduling the analysis related activities.

2 The MSBU application process requires a preliminary engineering report. A price quote for preliminary engineering will be obtained at time of application. Prepayment for the preliminary engineering report will be due from applicant prior to scheduling report related activities.

3 The application fee includes preparation of leasehold/easement legal documents required in conjunction with application process.

4 In addition to the stated application fee, the applicant will be required to provide prepayment for the mailing expenses associated with a subsequent distribution of a petition for the same or similar project.



## Referenced Sources/Documents

Florida Statutes: <http://www.leg.state.fl.us/Statutes/index.cfm>

- [Chapter 125](#) County Commission Powers and Duties  
(Primarily sections .01 and .0101)
- [Chapter 197](#) Tax Collection  
(Primarily sections 197.292, .322, .363, .3631, and .3632)

Seminole County Administrative Code:

<http://www.seminolecountyfl.gov/ca/admincode>

- [Section 22.10](#) [PDF](#) of MSBU Program
- [Section 20.37](#) [PDF](#) of MSBU Program Fee Schedule

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## Application to Create an MSBU Neighborhood Wall Replacement

Application Type:

- Create an MSBU Construction Only; Wall located on one property (Fee: \$550.00)
- Create an MSBU Construction Only; Wall located on multiple properties (Fee: \$750.00)
- Create an MSBU Pre-Paid Design plus Construction; Wall located on one property (Fee: \$1000.00)
- Create an MSBU Pre-Paid Design plus Construction' Wall located on multiple properties (Fee: \$1250.00)
- Re-Petition to Create an MSBU (Fee: \$150.00)

Attachments:    Application Fee     Survey of Interest     Plat/Location Map     Photos of existing structure  
                    Design Plans         Cost Estimate(s)     Other: \_\_\_\_\_

Existing Structure:         Block/Stucco         Brick                      Other: \_\_\_\_\_

Requested Structure:     Block/Stucco         Brick                      Precast Concrete/Panel

Age of existing structure: \_\_\_\_\_

Estimated length of structure (in feet): \_\_\_\_\_

Subdivision: \_\_\_\_\_

Property ID/Reference: \_\_\_\_\_

Primary Liaison Information:

Secondary Liaison Information:

Name \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Property Address \_\_\_\_\_

\_\_\_\_\_

(If different from mailing address)

Telephone \_\_\_\_\_

\_\_\_\_\_

Email \_\_\_\_\_

\_\_\_\_\_

### Supporting Information:

1. Please describe the current condition of the wall you want to replace.
  
  
  
  
  
  
  
  
  
  
2. Have property owners held meetings to address these concerns and funding options? If yes, please list dates, attendance level and outcome.



Application to Create an MSBU
Sidewalk Construction and/or Repair

- 3. What percentage of the property owners would likely attend meetings...
4. Does the community have a homeowner association [HOA]?
5. If yes, what type?
6. If mandatory, does it have authority to levy assessments...
7. If yes, what restrictions apply?
8. The existing wall is built on land that is
9. Has owner(s) commitment to provide easement/leasehold been confirmed?
10. What is the scope of services requested?

11. State detailed reasons/conditions for requesting and/or qualifying for Seminole County assessment-based funding, financing, or other assistance that may be available for this improvement MSBU.

I have reviewed the information contained in the application packet. I understand that community support is essential to the establishment of an MSBU. I understand and accept that the application fee and all other prepayment requirements are deemed non-refundable...

Applicant Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Submit this application and the non-refundable application fee made payable to "Seminole County BCC" to:
Seminole County MSBU Program
1101 East 1st Street, Room 3301, Sanford, FL 32771





## GUIDELINES FOR COMPLETING THE APPLICATION

**Project type:** Check appropriate box(es) that best identifies the service(s) requested.

**Application type:** Is this an initial application to create an MSBU or an application to reactivate a former application for re-petitioning? Check appropriate box. The application fee is noted by each type. If more than one type of service is requested, only a single application fee is required. The single fee will be that of the highest amount.

**Attachments:** Check appropriate boxes. If you have additional documentation, describe it in "Other". Including a complete documentation package with the application will result in a more rapid application review.

**Subdivision, Roadways, and Property ID:** Enter name of subdivision and/or roadways where the municipal service is requested. Provide a parcel identification [PID] number that can be used as a reference for identifying location. The referenced parcel PID number may be that of any parcel located within the geographic area where services are requested to be provided. Property ID is available at the Property Appraiser (407-665-7506 or [www.scpafl.org/scpaweb05/index.jsp](http://www.scpafl.org/scpaweb05/index.jsp)).

**Liaison Information:** Enter the requested information for the person that will be the primary representative volunteering to serve as primary contact for the County during the application (and implementation) process. Identifying and including the information for a secondary Liaison is advised and encouraged. The liaison may be the applicant or other individual.

### Supporting Information:

➤ Provide the descriptive information requested.

➤ Provide response to each of the five questions:

- 1. Current Problems/Concerns:** Explain in detail the known problems and deficiencies you are seeking to correct.
- 2. Meetings:** List prior and/or scheduled meeting of the residents to address the concerns noted in question 1.
- 3. Participation:** Check the box that best describes the percentage of property owners who are interested in the requested services and likely to attend relevant meetings.
- 4. Scope of Services:** Be very specific in describing what the community wants to accomplish with assessment funding.
- 5. Funding/Financing Assistance:** State detailed reasons/conditions for requesting assessment-based funding, financing or other assistance that may be available from Seminole County. If other funding options have been attempted, note these attempts and the outcome.

**Applicant Signature:** Enter information and sign the application.

**Attach required documents and processing fee  
and return completed Application to the MSBU Program.**

Seminole County MSBU Program  
1101 East 1<sup>st</sup> Street, Room 3301, Sanford, FL 32771



## **MUNICIPAL SERVICES BENEFIT UNIT PROGRAM**

### **Quality Customer Service**

**Monday through Friday: 8:00 AM to 5:00 PM**

**Telephone: (407) 665-7178**

**Location:** County Services Building, 3<sup>rd</sup> Floor - Room 3301  
1101 East First Street, Sanford, Florida 32771-1468

**Web:** <http://www.seminolecountyfl.gov/msbu>

**Email:** [MSBUProgram@seminolecountyfl.gov](mailto:MSBUProgram@seminolecountyfl.gov)