

AN ORDINANCE AMENDING THE HORSESHOE LAKE (NORTH) AQUATIC VEGETATION AND LAKE MANAGEMENT MUNICIPAL SERVICES BENEFIT UNIT FOR THE PURPOSE OF PROVIDING LAKE AND AQUATIC VEGETATION MANAGEMENT TO THE LAKE AREAS WITHIN THE MSBU WHICH WAS CREATED PURSUANT TO ORDINANCE 2012-15; PROVIDING IDENTIFICATION OF PROPERTY INCLUDED IN SAID MSBU; PROVIDING FOR THE GOVERNING OF SAID MSBU BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR INTER-LOCAL AGREEMENT WITH THE CITY OF OVIEDO TO COORDINATE IMPROVEMENTS MADE PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING INCLUSIONS FOR BENEFITING PARCELS IN CITY TAX DISTRICT PURSUANT TO CHAPTER 197, FLORIDA STATUTES; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A LIST OF ESTIMATED ANNUAL ASSESSMENTS FOR ASSESSMENT AND COLLECTION BY THE UNIFORM METHOD ADOPTED BY THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS ON FEBRUARY 24, 2009, PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, INCLUSION IN CHAPTER 160, SEMINOLE COUNTY CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County, Florida has the authority to establish a Municipal Services Benefit Unit (MSBU) pursuant to Chapter 125, Florida Statutes; and

WHEREAS, there are Horseshoe Lake (North) waterfront properties serving to benefit from lake and aquatic vegetation management improvements that are located within the City of Oviedo and unincorporated Seminole County; and

WHEREAS, pursuant to Chapter 163, Florida Statutes, local governments are encouraged to cooperated on the basis of mutual advantage to provide services that will influence the needs of local communities; and

WHEREAS, pursuant to Chapter 125.01 (5)(a), Florida Statutes, the City of Oviedo has established the required city ordinance providing authorization for Seminole County to assess and collect through uniform method the lake; and aquatic vegetation management cost share allocation



GRANT MALOY, SEMINOLE COUNTY, CLERK OF CIRCUIT COURT & COMPTROLLER, RECD08/02/2017 02:20:30 PM
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from Horseshoe Lake (North) waterfront parcels within the city's taxing district by establishment of; and

WHEREAS, the Board of County Commissioners created an Aquatic Weed Control MSBU through Ordinance 2012-15, which the Board now desires to amend as more particularly set forth below; and

WHEREAS, the non-ad valorem assessments which result from enactment of this Ordinance may be adjusted annually due to number of benefit units or due to fluctuations in operational expenses necessary to provide aquatic vegetation management; and

WHEREAS, the initial assessment per benefit unit was adopted at ONE HUNDRED SIXTY-FIVE AND NO/100 DOLLARS (\$165.00), as per cost projections provided in Exhibit A; and

WHEREAS, the Watershed Management Division working in conjunction with the MSBU Program will select the lake management service provider according to standard Purchasing and Contract provisions; and

WHEREAS, the Watershed Management Division working in conjunction with the MSBU Program will maintain decision making authority relative to initial and on-going aquatic vegetation management activities and, a voluntary group of community representatives who are benefiting property owners will serve as liaisons. The liaisons' general duties are set forth in Exhibit D which is attached hereto and incorporated herein. For this Horseshoe Lake (North) MSBU, those qualified individuals who want to serve as liaisons shall make application which may be reviewed and approved by the County for appointment. The Horseshoe Lake (North) MSBU liaisons shall consist of five (5) representatives and will be given opportunity to serve as community Liaisons respective to aquatic vegetation and lake management as outlined in

Exhibit E, which is attached hereto and incorporated herein. Liaison selection shall include representation in assessment district properties by two (2) city members, two (2) County members and one (1) representative position alternating between County and City on successive member terms; and

WHEREAS, establishing and assuring provisions for lake access is essential to the rendering of the public services funded by the assessment set forth in this ordinance; and

WHEREAS, the Board of County Commissioners has approved the hereinafter described public services of aquatic vegetation and lake management.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. The foregoing recitals are true and correct and are hereby incorporated herein.

Section 2. Ordinance 2012-15 Sections 1 through 7 and Exhibits A, B, C, ~~and D~~ and E are hereby amended as set forth below:



Sec. 160.1941. Short Title. This Ordinance shall be known and referred to as the Horseshoe Lake (North) Aquatic-~~Weed Control~~ Vegetation and Lake Management Municipal Services Benefit Unit Ordinance.

Sec. 160.1942. Creating Unit; Improvements. There is hereby created within Seminole County, the Horseshoe Lake (North) Aquatic-~~Weed Control~~ Vegetation and Lake Management Municipal Services Benefit Unit for the purpose of providing aquatic-~~weed control~~ vegetation and lake management to Horseshoe Lake (North) within the MSBU. Said MSBU shall encompass and include aquatic-~~weed control~~ vegetation management by chemical, biological, mechanical and/or other means associated with on-going maintenance efforts to monitor and control aquatic weed

growth as defined in Exhibit A. Said MSBU shall encompass the parcels listed in Exhibit B and located within unincorporated Seminole County and the City of Oviedo, Florida:

Sec. 160.1943. Powers and Duties of Board. The MSBU shall be governed by the Board of County Commissioners of Seminole County, Florida, which board shall have the following powers and duties:

(a) To provide for the collection and disbursal by the County of such funds as may be necessary to pay the expenses for aquatic ~~weed control~~ vegetation management within the MSBU.

(b) To provide for or contract for the design, construction, and maintenance of the chemical, biological, mechanical or any combination of aquatic ~~weed control~~ vegetation management methodologies as set forth in Section 2.

(c) To levy non-ad valorem assessments upon property abutting, adjoining and contiguous to such aquatic weed control areas when such property is specially benefited by such aquatic ~~weed control~~ vegetation management.

(d) To levy non-ad valorem assessments upon any property which is specially benefited and/or abuts, adjoins and is contiguous to such aquatic ~~weed control~~ vegetation management, but which may have been omitted from the hereinafter described assessment listing, upon giving sufficient notice to the owners of such property and holding a public hearing to consider any comments, objections or other relevant information to arrive at such decision to levy such non-ad valorem assessments.

Sec. 160.1944. Administrative Costs. All property owners will be assessed administrative costs, as promulgated under the Municipal Services Benefit Unit procedures.

Sec. 160.1945. Assessment Formula. The assessment formula used to determine the amount to be assessed to each property specially benefited from the aquatic ~~weed control~~

vegetation management is one (1) benefit unit per parcel. A special assessment for the MSBU shall be derived annually by dividing the total annual budgeted costs of the MSBU by the number of benefit units in the district and assigning that cost to each parcel in the MSBU; and shall be approved annually by Board Resolution. Said special assessments shall constitute a lien upon the lands assessed. Pending collection by the County of such special assessments, as provided herein, the County may spend from its Municipal Services Benefit Unit Fund such sums as may be necessary to operate, maintain and administer the MSBU hereby created, and the County will be reimbursed to such extent at such time assessments are collected.

Sec. 160.1946. List of Assessments for Lake and Aquatic Weed Control Vegetation Management. The affected properties are identified in Section 2 and are listed in Exhibit B. Assessments may be adjusted annually. Assessments will be adjusted to include any new parcels derived from a property split, merge or join within the said aquatic weed control vegetation management MSBU.

Sec. 160.1947. Method of Assessment and Collection. All non-ad valorem assessments which may result as herein provided for in Exhibit B shall be assessed and collected by the uniform method adopted by the Seminole County Board of County Commissioners, pursuant to Section 197.3632, Florida Statutes. Exhibit C provides ~~the owner and address information per included parcel recorded~~ documentation of the initial assessment roll [Adopted 2012] based on property records provided by the Property Appraiser as of March 15, 2012.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be

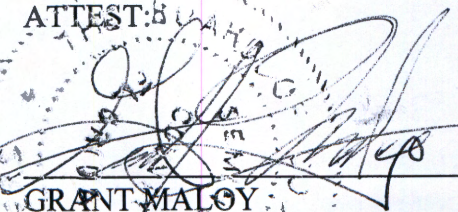
given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

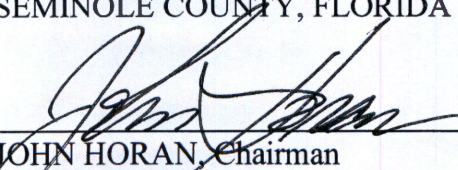
Section 4. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Code and the word "ordinance" may be changed to "section", "article" or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish such intention; providing, however, that Sections 1, 3, 4 and 5 shall not be codified.

Section 5. Effective Date. This Ordinance shall take effect upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this 23rd day of May, 2017.



ATTEST:

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

JOHN HORAN, Chairman

- Attachments:
- Exhibit A – Service Scope and Estimate of Cost
 - Exhibit B – Benefitting Parcels by Parcel Number
 - Exhibit C – Initial Assessment Roll 2012
 - Exhibit D – General Roles and Responsibilities
 - Exhibit E – Liaison Provisions for Horseshoe Lake (North) Aquatic Vegetation and Lake Management

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Exhibits A, B, & C, & D & E

Exhibit A: Service Scope and Estimate of Cost

Exhibit B: Benefiting Parcels by Parcel Number

Exhibit C: Initial Assessment Roll 2012

Exhibit D: General Roles and Responsibilities

**Exhibit E: Liaison Provisions for Horseshoe Lake (North)
Aquatic Vegetation and Lake Management**




Exhibit A: Service Scope and Estimate of Cost

The aquatic-weed-control vegetation management improvements for Horseshoe Lake (North) may include chemical, mechanical, biological, and/or other activities typically associated with on-going maintenance efforts to monitor and ~~control~~ manage aquatic weed growth. The required treatments will vary annually with lake conditions and will necessitate variations in scheduling and assessment calculations based on nature of treatments required and cost factors.

The cost components typically considered in estimating aquatic-weed-control vegetation management cost and preparing annual budgets are inclusive of, but not limited to, contracted services, supplies and/or other items required in association with aquatic-weed-control vegetation management and lake management recommendations, contingency funds, administrative costs, and tax collection fees. Long-term financial management of the MSBU may also include provisions associated with short-term fund advancement, such as the coordination of installment payments (principal and financing fees) to repay fund advances, and ensuring funding allocations for establishing and maintaining an operating contingency and/or reserve funds for future needs.

Based on lake conditions as of January 2012, the cost projections for the recommended treatment plan, and management of the MSBU, the total estimated budget for the first full fiscal year (October 1, 2012 through September 30, 2013) of MSBU operation is as follows:

Contracted Services & Contingency	\$ 5,000.00
Administration & Tax Collection	\$ 1,200.00
Total Budgeted	\$ 6,200.00



The initial assessment for the Horseshoe Lake (North) Aquatic-Weed-Control Vegetation and Lake Management MSBU based on the above cost estimate and 50 benefit units is established as \$165.00 per benefit unit.

Exhibit B: Benefiting Parcels by Parcel Number

The following parcels are included in the cost share assessment boundary of the Horseshoe Lake (North) Aquatic Weed Control Vegetation and Lake Management MSBU:

Lakefront Parcels – Unincorporated Seminole County			
292132300002E0000	2121325CF5300006A	2121325CF5400006B	292132300002C0000
29213230000200000	2121325CF54000030	2121325CF54000070	292132300002D0000
2121325CF40000090	2121325CF54000040	292132300001C0000	292132300002F0000
2121325CF53000040	2121325CF54000050	292132300001D0000	
2121325CF5300004A	2121325CF54000060	292132300002A0000	
2121325CF53000060	2121325CF5400006A	292132300002B0000	

Lakefront Parcels – Municipality of City of Oviedo			
292132300001E0000	2021325SD00007990	2021325SD00008070	2021325SD00008420
2021325SD00007920	2021325SD00008000	2021325SD00008080	2021325SD00008430
2021325SD00007930	2021325SD00008010	2021325SD00008090	2021325SD00008440
2021325SD00007940	2021325SD00008020	2021325SD00008100	2021325SD00008450
2021325SD00007950	2021325SD00008030	2021325SD00008110	2021325SD00008460
2021325SD00007960	2021325SD00008040	2021325SD00008120	
2021325SD00007970	2021325SD00008050	2021325SD00008400	
2021325SD00007980	2021325SD00008060	2021325SD00008410	

Exhibit C: Initial Assessment Roll 2012

The following table represents the initial non-ad valorem assessment roll adopted for the Horseshoe Lake (North) Aquatic Weed Control Vegetation and Lake Management MSBU.

Lakefront Parcels – Unincorporated Seminole County				
PARCEL	OWNER	PROPERTY ADDRESS	BENEFIT UNITS	ASSESSMENT
292132300002E0000	SEARCY STEVEN R & PATRICIA (M)	304 W 11TH ST	1	\$165.00
29213230000200000	HARRISON LEE	LAKEFRONT ACREAGE	1	\$165.00
2121325CF40000090	SILVEY THOMAS N & JOSEPHINE P	270 W 6TH ST	1	\$165.00
2121325CF53000040	SILVEY THOMAS N & JOSEPHINE P	255 W 6TH ST	1	\$165.00
2121325CF5300004A	SILVA RANDI U & MANUEL A	247 W 6TH ST	1	\$165.00
2121325CF53000060	GRIFFIN CHARLES H & JUDITH A	350 LANGFORD D	1	\$165.00
2121325CF5300006A	BESSETTE MARK A & COLETTE	240 W 7TH ST	1	\$165.00
2121325CF54000030	GURLEY RUTH A TRUSTEE	251 W 7TH ST	1	\$165.00
2121325CF54000040	LLEWELLYN DONALD K	360 LANGFORD D	1	\$165.00
2121325CF54000050	BONNICI VINCENT	290 W 8TH ST	1	\$165.00
2121325CF54000060	WAITS WILLIAM F JR & SUSAN L	280 W 8TH ST	1	\$165.00
2121325CF5400006A	OGRAYENSEK DONALD F & AUDREY A	8TH ST W	1	\$165.00
2121325CF5400006B	CARTER DAVID A	260 8TH ST W	1	\$165.00
2121325CF54000070	THOMPSON KENNETH R	250 W 8TH ST	1	\$165.00
292132300001C0000	CITRUS COUNCIL OF GIRL SCOUTS	LAKEFRONT ACREAGE	1	\$165.00
292132300001D0000	HARRISON LEE	310 W 8TH ST	1	\$165.00
292132300002A0000	CITRUS COUNCIL OF GIRL SCOUTS	LAKEFRONT ACREAGE	1	\$165.00
292132300002B0000	DENELSBECK LARRY D & JAN	312 W 11TH ST	1	\$165.00
292132300002C0000	BURLESON DEAN & LORI	316 W 11TH ST	1	\$165.00
292132300002D0000	PRIEST SCOTT M & TARA L	300 W 11TH ST	1	\$165.00
292132300002F0000	SEARCY STEVEN R F & PATRICIA K	308 W 11TH S	1	\$165.00

Lakefront Parcels – Municipality of City of Oviedo				
PARCEL	OWNER	PROPERTY ADDRESS	BENEFIT UNITS	ASSESSMENT
29-21-32-300-001E-0000	BROTZ KEVIN J	2146 STERLING CREEK (2148) PKWY	1	\$165.00
20-21-32-5SD-0000-7920	CULBRETH-NOTARO MARTHA & NOTARO BERNARD P JR	4040 LIVE OAK RESERVE BLVD	1	\$165.00
20-21-32-5SD-0000-7930	MAGUIRE GRAHAM	4048 LIVE OAK RESERVE BLVD	1	\$165.00
20-21-32-5SD-0000-7940	VARGO JAMES D TRUSTEE FBO	4056 LIVE OAK RESERVE BLVD	1	\$165.00
20-21-32-5SD-0000-7950	HOBBS SEAN P & KIMBERLY N	4064 LIVE OAK RESERVE BLVD	1	\$165.00
20-21-32-5SD-0000-7960	KUKETZ DAVID A & KIMBERLY A	4072 LIVE OAK RESERVE BLVD	1	\$165.00
20-21-32-5SD-0000-7970	VARGO JAMES D TRUSTEE FBO	2460 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-7980	VARGO JAMES D TRUSTEE FBO	2450 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-7990	VARGO JAMES D TRUSTEE FBO	2440 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8000	KRAWCZYK ROBERT A & REGINA E	2430 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8010	GIANNELLI GERALD H & ROBIN L	2410 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8020	JANKE PAUL R & EILEEN P	2400 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8030	CALZARETTA FRANK R JR & PAULA	2390 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8040	JONES MICHAEL B & KELLY R	2380 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8050	SCHULTZ GREGORY M & TAMMY D	2370 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8060	FREI MARK G & BRENDA W	2360 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8070	VERA JAYO A	2350 STERLING CREEK PKWY	1	\$165.00
220-21-32-5SD-0000-8080	MCGLASHAN MICHAEL J & SCARLETT	2340 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8090	VIEITEZ MARIA D	2330 STERLING CREEK PKWY	1	\$165.00

20-21-32-5SD-0000-8100	JEN FLORIDA I LLC	2320 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8110	LEVAK MICHAEL	2310 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8120	LEVAK MICHAEL	2300 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8400	HARRISON LEE TRUSTEE FBO	2220 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8410	SOLIMAN MARIAN N & KAMEL BASSEM W	2210 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8420	SWAGART PAUL & CASSANDRA	2200 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8430	SHAH MIHIRKUMAR H & RUEHI	2180 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8440	RUNDA MICHAEL & ELLEN	2170 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8450	LESNEWSKI DAVID & MELISSA	2160 STERLING CREEK PKWY	1	\$165.00
20-21-32-5SD-0000-8460	JEN FLORIDA I LLC	2150 STERLING CREEK PKWY	1	\$165.00



Exhibit D: General Roles and Responsibilities

The outline below provides the foundation from which the roles and responsibilities of community liaisons serving on behalf of the MSBU and the benefiting lakefront community can be distinguished from the roles and responsibilities of the County:

COUNTY

Seminole County will

- ✓ Govern the MSBU
- ✓ Provide financial management of MSBU fund
- ✓ Ensure activities conducted with assessment funding align with the scope of services documented in the governing ordinance
- ✓ Ensure the lake is monitored and services are appropriately rendered
- ✓ Maintain decision-making authority relative to lake management activities and aquatic vegetation management and will defer to best lake management practices when making such decisions
- ✓ Provide an ongoing lake management plan based on the defined service scope, permitting, conditions at the lake, funding parameters, and best lake management practices. The Lake Management Plan will be developed and maintained by the Lake Management Program with liaison participation.
- ✓ Initiate and manage service contracts, monitor results, and communicate updates on a routine basis
- ✓ Conduct annual meetings that offer opportunity for liaison discussion as to prior, current, and future action plans
- ✓ Encourage liaisons and assist with educational outreach efforts to protect the health and water quality of the waterbody

LIAISONS

Liaisons will

- ✓ Encourage communitywide awareness and participation relative to environmental stewardship recommendations and opportunities
- ✓ Provide communitywide communication and assist the County in the distribution of relevant lake information
- ✓ Attend annual lake management and budget planning sessions conducted by the County
- ✓ Serve as representatives of the community on lake issues; representing the respective lake community as a whole
- ✓ Monitor lake conditions and provide feedback to the County as to observations

Exhibit E: Liaison Provisions for Horseshoe Lake (North)
Aquatic Vegetation and Lake Management MSBU

In addition to the general roles and responsibilities of community liaisons serving on behalf of the MSBU as set forth in Exhibit D, the liaisons for the Horseshoe Lake (North) shall be appointed and operate in accordance with the following provisions:

COUNTY

Seminole County will

- ✓ Appoint five (5) liaisons from the applications received from potential liaisons as follows:
 - All five (5) liaisons shall be property owners within the boundaries of the MSBU
 - Two (2) liaisons shall be property owners within the boundaries of the City of Oviedo
 - Two (2) liaisons shall be property owners in the unincorporated County
 - One (1) liaison shall be appointed first from the unincorporated County and then from the City of Oviedo and so on in an alternating basis
 - Terms shall be staggered so no more than two (2) liaison terms will expire in any one year



LIAISONS

Liaisons will

- ✓ Make application to the County for appointment to the Liaison position
- ✓ Serve a term of three (3) years (other than the initial term which may be shorter to facilitate the staggering of terms)
- ✓ Serve no more than two (2) consecutive terms