

ORDINANCE

AN ORDINANCE CREATING THE WOODMERE DRIVE WATER UTILITY SERVICE MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING WATER UTILITY SERVICE WITHIN THE UNIT; PROVIDING BOUNDARIES OF SAID UNIT; PROVIDING DESCRIPTION OF THE WATER UTILITY SERVICE IMPROVEMENTS AND ESTIMATION OF COST; PROVIDING FOR GOVERNING OF SAID UNIT BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR ADMINISTRATIVE COST; PROVIDING FOR ASSESSMENT FORMULA; PROVIDING FOR PRELIMINARY LIST OF ASSESSMENTS; PROVIDING FOR METHOD OF ESTABLISHING FINAL ASSESSMENT AND COLLECTION OF FINAL ASSESSMENT; PROVIDING FOR SEVERABILITY, INCLUSION IN 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 Benefits Unit pursuant to Chapter 125, Florida Statutes; and

WHEREAS, the Board of County Commissioners has adopted administrative procedures for the establishment of Municipal Services Benefits Units, and the proposed Woodmere Drive Water Utility Service Municipal Services Benefit Unit will be administered under the criteria as established by the Board of County Commissioners for said Municipal Services Benefits Units, and

WHEREAS, an Economic Impact Statement has been prepared and is available for public review in accordance with the provisions set forth in the Seminole County Home Rule Charter; and

WHEREAS, the Board of County Commissioners has approved the hereinafter described project,

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

Section 1. Short Title. This Ordinance shall be known and referred to as the Woodmere Drive Water Utility Service MSBU Ordinance.

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY *Maryanne Morse*
DEPUTY CLERK

MARYANNE MORSE, CLERK OF CIRCUIT COURT SEMINOLE COUNTY, CFN 2012063075 BK 07780 Pgs 0732 - 738; (7pgs) RECD 05/30/2012 01:18:33 PM
REC FEES 61.00, RECD BY J Eckenroth(ail)

Section 2. Creating Unit; Improvements. There is hereby created within Seminole County, the Woodmere Drive Water Utility Service MSBU for the purpose of providing metered water utility service within the unit. Said unit shall encompass the area of Seminole County, Florida as referenced in Exhibit A, attached hereto and incorporated herein.

The improvements consist of extending the Seminole County Utility water distribution system for drinking and household purposes. Construction will include approximately six hundred fifty (650) linear feet of eight inch (8") water line, required fire hydrant(s), site preparation, and site restoration. The water distribution system will provide metered potable water service to each property. Property owners are individually responsible for the installation of the water service and connection equipment from the water utility meter to their dwelling. The cost estimated for the project does not include utility service account deposits or service charges that must be paid prior to initiating water service.

Improvement cost is estimated at ONE HUNDRED NINETEEN THOUSAND EIGHT HUNDRED SIXTY AND NO/100 DOLLARS (\$119,860.00) as detailed in Exhibit B, attached hereto and incorporated herein. Should revised cost projections following preliminary procurement activities exceed the estimated petition cost by more than twenty percent (20%), a *Petition to Continue* will be required prior to continuing the project. Continuation of the project will be dependent on a sixty-five percent (65%) support rate given the revised cost projections.

Section 3. Powers And Duties Of Board. The unit 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 improvements within the unit.

(b) To provide for, or contract for, the final engineering design and construction of the improvements as set forth in Section 2.

(c) To levy special assessments upon property abutting, adjoining, and contiguous to such improvement when such property is specially benefited by such improvement.

(d) To levy special assessments upon any property which is specially benefited and abuts, adjoins, and is contiguous to such improvement, but which may have been omitted from the hereinafter described preliminary 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 special assessments.

(e) To provide method of financing to be from a commercial source or from County funds as authorized by the administrative procedures for Municipal Services Benefits Units.

Section 4. Administrative Costs. All properties within the boundary of the MSBU will be assessed administrative cost, as promulgated under the MSBU Program procedures. The assigned administrative cost shall be included in the total cost for the project and will be included in assessment calculation.

Section 5. Assessment Formula. The benefit unit base for determining assessment allocation is "per parcel". All parcels within

the boundaries of the proposed Woodmere Drive Water Utility Service MSBU will be assessed one (1) benefit unit.

Section 6. Preliminary List of Assessments. The amounts set forth in Exhibit A are preliminary assessments on the property benefiting from the improvement and are based on estimated costs of improvements described in Section 2 above. Said assessment shall constitute a lien on the lands assessed. No collection activity will take place until the project is completed and a subsequent public hearing takes place to formally set the final assessment amount.

Section 7. Method of Final Assessment and Collection. The Preliminary Assessment Roll will be updated with a Final Assessment amount determined following project completion. The Final Assessment amount will be based on actual project cost and shall be adopted by Board Resolution at a Public Hearing. Payment in full of the Final Assessment without assignment of financing fees will be accepted by the MSBU Program within thirty (30) days following the final public hearing. All special assessments which may result as herein provided for in Exhibit A and not paid in full within the referenced thirty (30) day period shall be collected in twenty (20) annual installments via the uniform method pursuant to Section 197.3632, Florida Statutes. Assessments collected by installment will be assessed financing fees at a rate of approximately four and 48/100 percent (4.48%). Final financing fees are subject to financing terms available at the time of project completion and establishment of final assessment.

Section 8. 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 9. Inclusion In Seminole County 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 8, 9, and 10 shall not be codified.

Section 10. Effective Date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Florida Department of State by the Clerk of the Board of County Commissioners.

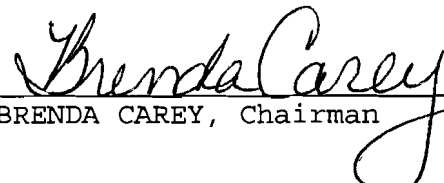
BE IT ORDAINED by the Board of County Commissioners of Seminole County, this 22nd day of May, 2012.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA



MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida



BRENDA CAREY, Chairman

AEC/lpk
3/12/12

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Attachments:

- Exhibit A - Preliminary Assessment Roll
- Exhibit B - Improvements, Proposed Design, and Estimated Cost

EXHIBIT A

**Woodmere Drive Water Utility Service MSBU
Preliminary Assessment Roll**

The preliminary assessment for each parcel, based on 1 benefit unit per parcel is \$11,986.00.

The following parcels are included in the assessment boundary of the Woodmere Drive Water Utility Service MSBU:

1721295060000001A

17212950600000020

17212950600000030

17212950600000040

17212950600000050

17212950600000060

1721295060000006A

1721295060000043A

1721295060000044A

1721295060000044B

EXHIBIT B

**Woodmere Drive Water Utility Service MSBU
Improvements, Proposed Design, and Estimated Cost**

Improvements:

1. Installation of approximately six hundred fifty (650) linear feet of eight inch (8") water main along Woodmere Drive as a central water system for drinking and household purposes, with optional use of the water supply for residential irrigation purposes, and water service connection point. Meter location will be determined by the Seminole County Department of Environmental Services.
2. Installation of fire hydrant(s).
3. Site preparation and site restoration.

Note: Project scope and cost estimates do not include:

1. Installation of water service components or property modifications required to access or make connection from meter connection location to residential unit. Each property owner is responsible for these modifications.
2. Water connection account deposits or other service charges required prior to obtaining water service. Each property owner will be responsible for these expenses.

Estimated Project Cost:

Engineering, construction, permitting & contingency	\$114,860.00
Administrative fee	<u>5,000.00</u>
Estimated total project cost	<u>\$119,860.00</u>