

# MSBU Process and Procedures

## Wall Reconstruction

The MSBU funding format is available in Seminole County for community wall reconstruction improvement projects designed to benefit Seminole County property owners. Wall reconstruction projects serve an essential public purpose by providing noise reduction, light abatement and boundary identification. The following information provides an overview of the acceptance criteria and process of creating an MSBU. Additional information is also included in the “Application Completion” section of this packet.

**Acceptance Criteria:** The Municipal Service Benefit Unit Program is authorized to accept and process applications for wall reconstruction through non-ad valorem assessment providing the following application criteria are met:

- Existence of a damaged, destroyed, and/or deteriorating community wall;
- Community has no means to levy/enforce a private assessment for wall replacement;
- Availability of owner signed Letter(s) of Intent for temporary easement/leasehold to be granted to the County;
- Reconstruction material requested is brick, block/stucco, or precast concrete;
- Applicant [1] will provide sealed design/engineering plans suitable for public bid/procurement, [2] will substantiate ability to fund preliminary engineering, or [3] requests precast concrete construction that does not require design/engineering
- The property to be benefited by the improvement is located within the unincorporated area of Seminole County;
- The proposed boundary (properties to be included) includes a minimum of two distinct assessable parcels

**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, provide light abatement, and/or to mark a subdivision or community boundary. Replacement of fencing structures, defined as a barrier enclosing or bordering property usually made of posts and wire or wood used to define subdivision/community boundaries are not eligible for replacement via non-ad valorem assessment. The potential use of the MSBU funding format to provide a reconstruction upgrade from a community fence structure to a community wall structure, or from no prior community structure is excluded from consideration.

**Community Support & Board of County Commissioner Review:** The MSBU creation process requires community involvement and support. After the

proposed project is confirmed to be aligned with the criteria for establishing an MSBU, and community support is documented through the petition process, then the Board of County Commissioners will give consideration to enacting an ordinance to create and govern the MSBU while providing approval for the project scope. The Ordinance will outline the manner in which the project funding will be provided and the terms under which the funds will be reimbursed to the County by the benefiting properties. A cost share assessment will be levied against each property that benefits from the wall reconstruction at the time of establishing the ordinance, however, collection of the assessment will be delayed until construction is completed.

**Cost Constraint Protection:** Cost constraint provisions, such as limiting total projects cost a specific amount or cap are included in the petition process and the Ordinance. In the event that bid costs exceed the authorized range, subsequent petitioning will be required to confirm community support for continuation of project given the higher cost of the project.

**Assessment Allocation** The parcels deemed by the County to receive benefit from a neighborhood wall include parcels directly abutting the wall and parcels within the interior boundaries of the community or neighborhood for which the wall is intended to represent and benefit. For assessment calculation (distribution of cost share) each parcels abutting the wall is assigned 1.25 benefit units; each non-abutting parcel is assigned 1 benefit unit. The assessment (allocation of cost share) per benefit unit is determined by dividing the total cost of the project by the total number of benefit units. The per property assessment (cost share) is then determined by multiplying the assessment per benefit unit by the number of units [either 1 or 1.25] assigned to a parcel.

**Easements & Leasehold:** MSBU wall reconstruction improvements are classified as “construction projects” and typically require that certain property owners grant specific easement and/or leasehold to cover the preconstruction, demolition, reconstruction, and repayment stages of the wall reconstruction project. The need for various agreements is determined according to ownership status of the land on which demolition and reconstruction will occur. Sample “letters of Intent” to grant easement/leasehold rights are available from the MSBU Program and are included in the application packet. The formal agreement documents required for the project will be prepared by the County Attorney and distributed for owner completion after an application is received and reviewed for preliminary acceptance of the project.

**Construction Material:** There are three categories of construction material available for wall construction – brick, concrete block, and precast concrete. Many variations are available within each category and are subject to applicant/community liaison preferences. When selecting specific material preferences within a particular category, the identification and selection is the responsibility of the applicant and/or community liaisons. Identification of the

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specific material is required prior to submitting the application and should be used in obtaining preliminary cost estimates (Refer to application completion section of packet) from contractors.

**Landscaping, irrigation, electrical service and/or lighting** are specifically excluded from the service scope for wall reconstruction projects. Any additional features of this nature must be privately funded and privately coordinated by the applicant or other community representatives.

**Project Approach:** There are three distinct project approaches for wall reconstruction projects offered to applicants when brick or concrete block material is selected; for precast concrete there is one approach. The project approaches designate the project phases to be coordinated by the MSBU Program and are as follows:

**Brick or Block:**

- A: Demolition & Construction;
- B: Demolition, Pre-Paid Design & Construction
- C: Demolition, Design & Construction

**Precast Concrete/Panel:** D: Demolition & Installation