

**AN ORDINANCE CREATING THE LITTLE LAKE HOWELL/TUSKAWILLA LAKE MANAGEMENT MUNICIPAL SERVICES BENEFIT UNIT (MSBU) FOR THE PURPOSE OF PROVIDING LAKE MANAGEMENT TO THE LAKE AREAS WITHIN THE MSBU; PROVIDING IDENTIFICATION OF PROPERTY INCLUDED IN SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID MSBU BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A LIST OF PRELIMINARY CAPITAL IMPROVEMENT ASSESSMENT AND PROVIDING FOR A METHOD OF ESTABLISHING FINAL CAPITAL ASSESSMENT; PROVIDING ANNUAL VARIABLE RATE ASSESSMENT AND INITIAL ASSESSMENT ROLL 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 CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 waterfront properties, within unincorporated Seminole County and/or the City of Winter Springs at Little Lake Howell/Tuskawilla which will benefit from the municipal lake management services; and

**WHEREAS**, pursuant to Chapter 163, Florida Statutes, local governments are encouraged to cooperate 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 Winter Springs has established the required city ordinance providing authorization for Seminole County to assess and collect through uniform method the non-ad valorem assessments from specially benefited waterfront parcels within the city's taxing district by establishment of; and

**WHEREAS**, the municipal services to be provided by Seminole County at Little Lake Howell/Tuskawilla that is located in the southwest quadrant of Seminole County, are identified by three distinct phases. As herein authorized by creation of an MSBU, Phase I shall consist of a large-scale hydrilla treatment and start-up services funded by: (i) a one-time County contribution of SEVENTEEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$17,500.00) from the Public Works Department fiscal year budget, and (ii) a designated cost share to be assigned to the specially benefited properties and levied as a capital non-ad valorem assessment financed and payable by installment over a multi-year repayment period as identified in Exhibits A, B and C; Phase II services shall consist of ongoing lake management services funded by annual variable rate non-ad valorem assessment as identified in Exhibits A, B and D; and Phase III services shall consist of nutrient abatement services to be implemented at a later date funded by a capital non-ad valorem assessment as identified in Exhibit A; and

**WHEREAS**, lake management as a municipal service is expected to be ongoing and indefinite due to the ever changing environmental and aquatic vegetation conditions associated with Florida lakes; Phase II shall consists of those services deemed critical to maintaining and promoting conditions that enhance the over-all health of the waterbody; with emphasis on providing a public service for a public purpose which by definition is limited to the shoreline and the waterbody. Seminole County will provide an initial and ongoing lake management plan based on funding parameters and best lake management practices; and will initiate and manage service contracts, monitor results and communicate updates on a routine basis. Management of the waterbody may include chemical, mechanical, biological, and/or other methods associated with best lake management practices and as deemed appropriate by the County; and

**WHEREAS**, the County is providing supplemental funding for Phase I services; a minimum duration for Phase II services shall be mandated to ensure optimal outcome and preservation of improvements gained during Phase I; and,

**WHEREAS**, the referenced municipal services were requested via a community-based application and the required Petition to Create an MSBU distributed and monitored by the MSBU Program demonstrated a favorable community support percentage [Exhibit E] that met the minimum sixty-five percent (65%) support level required by Section 22.10(N) of the Seminole County Administrative Code; and

**WHEREAS**, the non-ad valorem assessment which results from enactment of this Ordinance may be adjusted per actual cost, and all assessments may be adjusted accordingly due to changes in the number of benefit units, changes in Department of Revenue classification or fluctuations in operating and/or administrative expenses necessary for lake management services; and



**WHEREAS**, the Phase I preliminary assessment is proposed at (a) EIGHT HUNDRED SEVENTY-FIVE AND 00/100 DOLLARS (\$875.00) per waterfront parcel per cost projections provided in Exhibit A; and

**WHEREAS**, the initial Phase II variable rate assessment is proposed at (a) FOUR HUNDRED FORTY-FIVE AND 00/100 DOLLARS (\$445.00); and

**WHEREAS**, the Phase III preliminary project cost estimate has been supported by the owners of benefited property through the formal petition process, the implementation date for Phase II services and the associated capital assessment will be adopted by the Board at a later date; and

**WHEREAS**, the Seminole County Public Works Department will select the service provider(s) according to standard Purchasing and Contract provisions; and

**WHEREAS**, boat access to the lake is required for the County to provide these services;  
and

**WHEREAS**, the Seminole County Public Works Department will maintain decision-making authority relative to initial and on-going lake management services; and

**WHEREAS**, community participation and representation is encouraged in support of certain MSBU activities. Representatives of the assessed properties will be provided opportunity to serve as liaisons of the assessed community as per Roles and Responsibilities outlined in Exhibit F; and

**WHEREAS**, an Economic Impact Statement has been prepared 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 MSBU.



**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 Little Lake Howell/Tuskawilla Lake Management Municipal Services Benefit Unit (MSBU) Ordinance.

**Section 2. Creating Unit; Improvements.** There is hereby created within Seminole County the Little Lake Howell/Tuskawilla Lake Management Municipal Services Benefit Unit (MSBU) for the purpose of providing a three phase lake management service plan as described in Exhibit A. Said MSBU boundary shall encompass the parcels listed in Exhibits C and D per the property records maintained by the Seminole County Property Appraiser, all of which are located within unincorporated Seminole County, Florida and/or the City of Winter Springs, Florida.

**Section 3. 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 lake management services within the MSBU.

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

(c) To levy non-ad valorem assessments upon property abutting, adjoining and contiguous to such restoration and lake management areas when such property is specially benefited by such services.

(d) To levy non-ad valorem assessments upon any property which is specially benefited and/or abuts, adjoins and is contiguous to the lake, or 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.

(e) To provide method of financing from MSBU Program project funds as authorized by the administrative procedures for municipal services benefit units.

**Section 4. MSBU Administrative Costs.** All property included in the assessed boundary will be assessed administrative costs, as promulgated under the Municipal Services Benefit Unit Program procedures.

**Section 5. County Funding Participation.** A supplemental County funding contribution in the amount of SEVENTEEN THOUSAND FIVE-HUNDRED AND 00/100 DOLLARS (\$17,500.00) for Phase I is designated from the Public Works Department FY20-21 annual budget.

**Section 6. Assessment and Collection.** The funding structure for Phase I, Phase II and Phase III as described in Section 2, is provided in Exhibit B. A list of the properties specifically benefited by the lake management services, along with the respective benefit unit allocation, is provided in Exhibits C and D. A preliminary Phase I non-ad valorem capital assessment as listed in Exhibit C is hereby assigned to each property specially benefited from Phase I services. The final Phase I assessment will be determined following completion of that phase. Final assessment will be established by Board Resolution adopted at a public hearing and will be based on actual cost of Phase I services, less the supplemental funding provided by the COUNTY. Payment in full of the final adjusted Phase I assessment without assignment of financing fees will be accepted by the County within thirty (30) days following the final public hearing. Phase I assessments not paid in full at that time will be assigned an annual financing fee and will be collected by up to five (5) equal annual installments billed and collected through the annual property tax bills. Financing fees are subject to financing terms available at the time of project completion and establishment of the final adjusted assessment.

An annual variable rate assessment as listed in Exhibit D for Phase II services is hereby assigned to each property to be specially benefited by Phase II services. The initial assessment roll proposed for levy via the 2021 assessment roll is provided in Exhibit D. After the initial year of assessment, the assessment amounts may be adjusted annually. The annual assessment shall be derived each year by allocating the total annual budgeted costs of the MSBU equitably to each benefit unit per the assessment matrix provided in Exhibit B. The assessment amount per benefit component shall be approved annually by Board Resolution. The capital assessment for Phase III services will be determined and levied at a later date according to standard MSBU Program procedures. The preliminary cost estimate for Phase III services as of January 2021 is provided in Exhibit A. Community support for Phase III services and funding by assessment was established

during the petitioning process conducted in conjunction with the community request for establishing the Little Lake Howell/Tuskawilla Lake Management MSBU.

Said assessments shall constitute a lien upon the lands assessed. Pending collection by the County of such 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.

All non-ad valorem assessments which may be created through this Ordinance 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.

**Section 7. Maximum Allowable Assessment.** The Phase II assessment developed per Exhibit A and the provisions of the Little Lake Howell/Tuskawilla Lake Management Municipal Services Benefit Unit Ordinance may be adjusted annually. An assessment increase in any given year is limited to an amount no greater than fifteen percent (15%) above the prior year rate. An assessment increase amount greater than fifteen percent (15%) in any given year, as set forth in this Ordinance, can be authorized by Board resolution at a public hearing or by Board consent resolution subsequent to an MSBU Program petition process that confirms the owners of at least sixty-five percent (65%) of the assessed properties support the recommended increase. The maximum allowable assessment per waterfront residential parcel for Phase II is capped at SIX HUNDRED FIFTY AND 00/100 DOLLARS (\$650.00). The cap may be increased by Board resolution at a public hearing or by Board consent resolution subsequent to an MSBU Program petition process that confirms the owners of at least sixty-five percent (65%) of the assessed properties support the recommended increase. Assessments will be adjusted to accommodate

Department of Revenue classification changes and to include any new parcels derived from a property split, merge or join within the said MSBU.

**Section 8. Minimum Duration.** Based upon the Phase I services authorized and coordinated by the County on behalf of Little Lake Howell/Tuskawilla in association with this Ordinance and funded with County support, a minimum duration of ten (10) years for Phase II ongoing services funded by non-ad valorem assessment is deemed appropriate to ensure continuance of improvement gained by aquatic weed control efforts. Unless otherwise authorized by the Board, dissolution of the Little Lake Howell/Tuskawilla Lake Management MSBU will not be granted until the Ordinance has been in effect for a minimum of ten (10) assessment years following the effective date of the ordinance creating the MSBU. The minimum duration may be extended by Board Resolution based on future fund advances as may be required to support implementation of Phase III services.



**Section 9. MSBU Liaisons.** Representatives of the assessed properties shall be provided opportunity to serve as MSBU Liaisons. The role of an MSBU Liaison includes activities such as providing representation on behalf of all owners of assessed property on lake issues, monitoring lake conditions and reporting observations, attending an annual lake management meeting with the County, disseminating relevant information, and encouraging communitywide awareness and participation respective to environmental stewardship recommendations as outlined in Exhibit F.

**Section 10. Codification.** 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 that 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 re-lettered to accomplish such intention; providing, however, that Sections 10, 11 and 12 of this Ordinance shall not be codified.

**Section 11. 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 such 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 12. Effective Date.** This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

**BE IT ORDAINED** by the Board of County Commissioners of Seminole County, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

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



\_\_\_\_\_  
LEE CONSTANTINE, Chairman

**Attachments:**

- Exhibit A – Scope of Services and Cost Estimates
- Exhibit B – Assessment Boundary, Benefit Unit, and Cost Allocation
- Exhibit C – Preliminary Assessment Roll – Phase I
- Exhibit D – Initial Assessment Roll – Phase II
- Exhibit E – Petition & Summary Results
- Exhibit F – Roles and Responsibilities

## EXHIBITS

- A – Scope of Services and Cost Estimates
- B – Assessment Boundary, Benefit Unit and Cost Allocation
- C – Preliminary Assessment Roll – Phase I
- D – Initial Assessment Roll – Phase II
- E – Petition & Summary Results
- F – Roles and Responsibilities

## Exhibit A

### Scope of Services and Cost Estimates

#### **SCOPE OF SERVICES**

The lake management services offered by Seminole County are limited to the waterbody boundary. The lake management services to be provided on behalf of Little Lake Howell/Tuskawilla as defined in this ordinance consists of PHASE I: Restoration and Startup Services, PHASE II: Ongoing Lake Management, and Phase III: Nutrient Abatement Services. The PHASE I services will address existing conditions necessitating immediate intervention as deemed essential by Seminole County's Lake Management Program and according to proposed funding parameters. PHASE II services will consist of on-going lake management services deemed essential by Seminole County for maintaining and promoting targeted outcomes. Phase III services will consist of Nutrient Abatement services to be implemented at a later date funded by capital non-ad valorem assessment. All three Phases of service will be based on best lake management practices and service methodologies may include a broad variety of modalities, such as, but not limited to chemical application, biological (such as triploid grass carp fish), and mechanical (such as harvesting) when deemed appropriate by the County. A Lake Management Plan defining short and long term objectives will be developed by the County utilizing best lake management practices and will be aligned with an ongoing financial plan for funding authorized essential public services within the funding parameters established in this Ordinance.

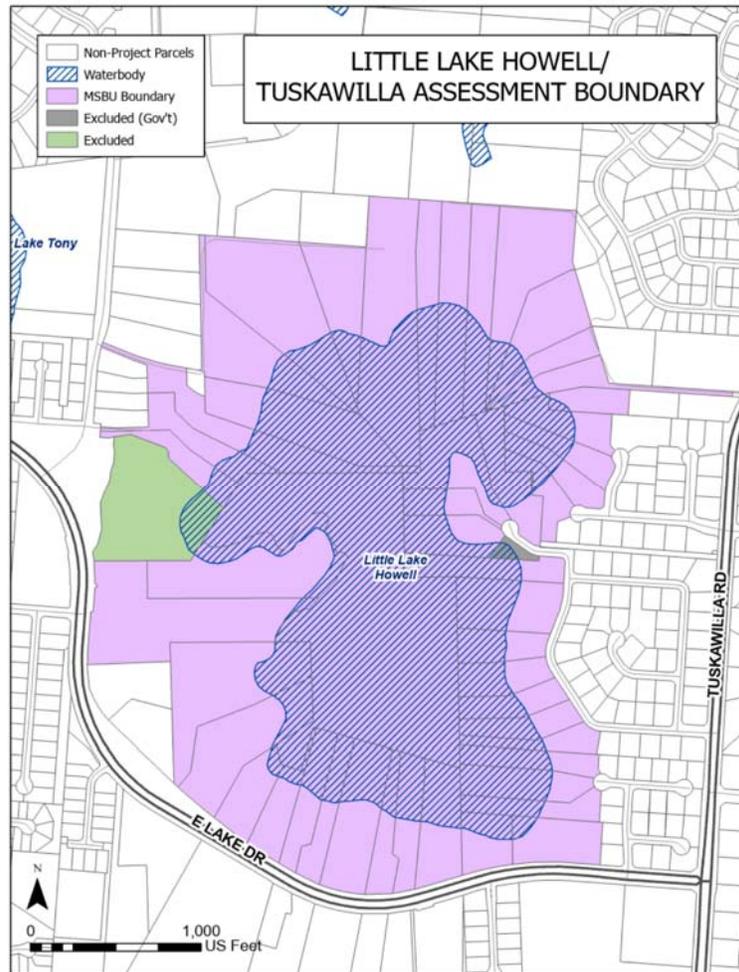
#### **COST ESTIMATES**

PHASE I cost is estimated at \$59,500. The referenced cost includes contracted service cost and MSBU Program administrative cost incurred in association with management and coordination of the Phase I capital assessment. The supplemental county funding proposed in the amount of \$17,500 by the Public Works Department, reduces the Phase I estimated total cost for assessment calculation purposes to \$42,000. Although a variety of factors have been applied to cost estimates, the cost for PHASE I hydrilla treatment is contingent on factors (such as weather conditions and the responsiveness of the hydrilla to the herbicide application) that cannot be controlled by the County or the community. **The PHASE I assessment will be adjusted according to actual cost – whether higher or lower than the estimated cost.**

PHASE II services are ongoing and are estimated to require supporting assessment revenue at approximately \$39,000 per year, based on a 5-year projected budget that includes the estimated cost of ongoing services, County [MSBU Program] administrative fee for management of the assessment district, and MSBU Program cost incurred with coordination of the Phase II variable assessment.

PHASE III services shall consist of nutrient abatement services to be implemented at a later date and funded by a capital non-ad-valorem assessment. The estimated project cost for Phase III services is \$253,000, with the estimated capital assessment associated with the estimated project cost being \$5315.00 per waterfront property. The services for Phase III shall be funded by a designated cost share to be assigned to benefited properties and levied as a capital assessment. The standard petition process to demonstrate community support was conducted in conjunction with the original process in 2020 when creation of the MSBU was requested.

## Exhibit B Assessment Boundary, Benefit Unit and Cost Allocation



### **Assessment Boundary (map above) and Assessment Benefit Unit**

The assessment boundary for the proposed MSBU includes 48 specially benefited parcels that abut the lakefront. Each specially benefited parcel is assigned 1 benefit unit for assessment allocation purposes. The referenced boundary denotes an excluded lakefront parcel that was identified by the County [Lake Management Program] to be excluded from assessment based on service plans and absence of special benefit.

### **Cost Allocation (Assessment)**

PHASE I: The preliminary capital assessment for PHASE I services is \$875.00 per benefit unit. The preliminary 5-year installment plan yields an annual installment billing of \$198.00 per benefit unit and includes financing fees. The capital assessment and installment billing amount will be revised based on actual costs following completion of PHASE I services.

PHASE II: The initial PHASE II assessment is \$445.00 per benefit unit. Assessments for future years will be determined by the County according to site conditions, treatment plans, contracts, and financial status of the MSBU.

PHASE III: The assessment levy for PHASE III services will be determined at a later date through standard non-ad valorem assessment processes. Scheduling of PHASE III will be following implementation of PHASE II services. Initial cost projections yielded an assessment of \$5,315 per benefit unit and a repayment period of up to 12 years was proposed during the initial petitioning process.

Exhibit C  
PHASE I PRELIMINARY CAPITAL ASSESSMENT ROLL

PARCEL IDENTIFICATION	BENEFIT UNITS [BU]	ASSESSMENT PER BU	TOTAL ASSESSMENT	ANNUAL INSTALLMENT	ASSESSMENT CATEGORY
11213030000100000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
112130300001A0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
112130300001C0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
112130300001D0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
112130300001E0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1121305QR00000010	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1121305QR00000020	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1121305QR00000030	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
12213050700000010	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV00000010	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV0000001A	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV00000020	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV00000030	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV00000040	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV00000050	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305DV00000060	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305LD00000150	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305LD00000160	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305LD00000170	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1221305LD00000180	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213030000400000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
132130300004A0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213050700000100	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213050700000110	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213050700000120	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213050700000130	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213050700000140	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213051100000170	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213051100000180	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
13213051100000190	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1321305HU00000430	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1321305HU00000450	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1321305HU00000460	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront

PARCEL IDENTIFICATION	BENEFIT UNITS [BU]	ASSESSMENT PER BU	TOTAL ASSESSMENT	ANNUAL INSTALLMENT	ASSESSMENT CATEGORY
1321305HU00000470	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1321305HU00000480	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
1321305HU00000490	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
142130300001E0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
142130300001F0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
14213030000400000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
14213030000500000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
142130300005D0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
14213030000600000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
14213030000700000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
142130300007B0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
142130300007F0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
142130300008A0000	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
14213052100000010	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront
14213052100000020	1	\$ 875.00	\$ 875.00	\$ 198.00	Lakefront

Exhibit D  
 PHASE II INITIAL VARIABLE RATE ASSESSMENT ROLL

PARCEL IDENTIFICATION	BENEFIT UNITS [BU]	ASSESSMENT PER BU	TOTAL ASSESSMENT	ASSESSMENT CATEGORY
11213030000100000	1	\$445.00	\$445.00	Lakefront
112130300001A0000	1	\$445.00	\$445.00	Lakefront
112130300001C0000	1	\$445.00	\$445.00	Lakefront
112130300001D0000	1	\$445.00	\$445.00	Lakefront
112130300001E0000	1	\$445.00	\$445.00	Lakefront
1121305QR00000010	1	\$445.00	\$445.00	Lakefront
1121305QR00000020	1	\$445.00	\$445.00	Lakefront
1121305QR00000030	1	\$445.00	\$445.00	Lakefront
12213050700000010	1	\$445.00	\$445.00	Lakefront
1221305DV000000010	1	\$445.00	\$445.00	Lakefront
1221305DV00000001A	1	\$445.00	\$445.00	Lakefront
1221305DV000000020	1	\$445.00	\$445.00	Lakefront
1221305DV000000030	1	\$445.00	\$445.00	Lakefront
1221305DV000000040	1	\$445.00	\$445.00	Lakefront
1221305DV000000050	1	\$445.00	\$445.00	Lakefront
1221305DV000000060	1	\$445.00	\$445.00	Lakefront
1221305LD000000150	1	\$445.00	\$445.00	Lakefront
1221305LD000000160	1	\$445.00	\$445.00	Lakefront
1221305LD000000170	1	\$445.00	\$445.00	Lakefront
1221305LD000000180	1	\$445.00	\$445.00	Lakefront
13213030000400000	1	\$445.00	\$445.00	Lakefront
132130300004A0000	1	\$445.00	\$445.00	Lakefront
132130507000000100	1	\$445.00	\$445.00	Lakefront
132130507000000110	1	\$445.00	\$445.00	Lakefront
132130507000000120	1	\$445.00	\$445.00	Lakefront
132130507000000130	1	\$445.00	\$445.00	Lakefront
132130507000000140	1	\$445.00	\$445.00	Lakefront
132130511000000170	1	\$445.00	\$445.00	Lakefront
132130511000000180	1	\$445.00	\$445.00	Lakefront
132130511000000190	1	\$445.00	\$445.00	Lakefront
1321305HU000000430	1	\$445.00	\$445.00	Lakefront
1321305HU000000450	1	\$445.00	\$445.00	Lakefront

PARCEL IDENTIFICATION	BENEFIT UNITS [BU]	ASSESSMENT PER BU	TOTAL ASSESSMENT	ASSESSMENT CATEGORY
1321305HU00000460	1	\$445.00	\$445.00	Lakefront
1321305HU00000470	1	\$445.00	\$445.00	Lakefront
1321305HU00000480	1	\$445.00	\$445.00	Lakefront
1321305HU00000490	1	\$445.00	\$445.00	Lakefront
142130300001E0000	1	\$445.00	\$445.00	Lakefront
142130300001F0000	1	\$445.00	\$445.00	Lakefront
14213030000400000	1	\$445.00	\$445.00	Lakefront
14213030000500000	1	\$445.00	\$445.00	Lakefront
142130300005D0000	1	\$445.00	\$445.00	Lakefront
14213030000600000	1	\$445.00	\$445.00	Lakefront
14213030000700000	1	\$445.00	\$445.00	Lakefront
142130300007B0000	1	\$445.00	\$445.00	Lakefront
142130300007F0000	1	\$445.00	\$445.00	Lakefront
142130300008A0000	1	\$445.00	\$445.00	Lakefront
14213052100000010	1	\$445.00	\$445.00	Lakefront
14213052100000020	1	\$445.00	\$445.00	Lakefront

Exhibit E  
 Primary Petition Results & Sample Petition

PETITION RESULTS		
Little Lake Howell/Tuskawilla: MSBU Petition		
Total Lakefront Properties	48	
Total Responses	37	
<b><i>For</i></b>	<b>36</b>	<b>75.0%</b>
Oppose	12	25.0%
Against	1	2.1%
No Response	11	22.9%



## PETITION TO CREATE AN MSBU [Municipal Services Benefit Unit]

Little Lake Howell (aka Tuskawilla Lake)

This *Petition to Create an MSBU* defines basic expectations for the non-ad valorem assessment district [MSBU] proposed for funding public lake management services on behalf of the Little Lake Howell (aka Tuskawilla Lake). The *Petition* serves to communicate property owner support or opposition respective to creation of the MSBU by the Seminole County Board of County Commissioners. The petition results will determine if the application to create the MSBU will be presented to the Board of County Commissioners [BCC] for further consideration.

**MSBU SCOPE:** Lake Management as a public service yields special benefit to waterfront property and to property with right of use respective to waterfront property through long-term lake management services supported by a dedicated funding source. The assessment boundary for the proposed MSBU includes 48 waterfront parcels, inclusive of 8 properties in the City of Winter Springs taxing district. The public services to be provided by the County will be provided in three Phases according to the Lake Management Plan developed by the County. PHASE I services will be funded by capital assessment and will include a large-scale hydrilla herbicide treatment & startup services to be completed prior to October 1, 2021. PHASE II services will be funded by annual variable rate assessment and will provide ongoing lake management services to be initiated October 1, 2021. PHASE III services as defined in the long-term lake management plan (nutrient abatement treatments) will be funded by a subsequent capital assessment at a future date, tentatively after the Phase I services have been paid in full. Prior to levy of the Phase III assessment, a public hearing will be conducted to confirm continuance with plan. Service methodologies for all phases may include chemical, mechanical, biological (such as stocking sterile grass carp fish), and other practices consistent with best lake management practices and as deemed appropriate by the County.

**COST & ALLOCATION:** The estimated total cost for Phase I is \$42,000. The estimated average annual budget for PHASE II ongoing services is \$39,000 based on a 5-year projected budget. The estimated cost for Phase III is \$253,000. All waterfront parcels in the assessment boundary are assigned 1 benefit unit and share equally in the allocation of cost.

**PHASE I ASSESSMENT:** Based on estimated cost for PHASE I services, the capital assessment for this phase is \$875.00 per waterfront property. The PHASE I preliminary assessment will be adopted based on estimated cost and will be subsequently adjusted based on actual cost after completion of PHASE I. The assessment may be paid in full anytime thereafter or by installment payments included on the property tax bill. A 5-year repayment period with equal annual installments billed through the property tax bill beginning with tax year 2021 is proposed. *The preliminary PHASE I capital assessment proposed for parcel xx-xx-xxx-xxxx-xxxx is \$875.00. The annual installment amount is \$198.00.*

**PHASE II ASSESSMENT:** The initial PHASE II variable rate assessment as proposed is based on the 5-year budget projection. If the proposed MSBU is created prior to September 2021, the initial PHASE II assessment will be included on the 2021 property tax bill. Assessment amount for PHASE II may vary annually as service cost is dependent on conditions that cannot be predicted with certainty. Assessments for future years will be determined by the County according to site conditions, treatment plans, contracts, and financial status of the MSBU. The maximum allowable assessment for PHASE II is capped at \$650.00 and the annual allowable increase is limited to 15% unless supported in advance by the assessed community through a petition process or public hearing coordinated by the County. Future year assessments are noticed in advance to property owners by mail. *The proposed PHASE II assessment for parcel xx-xx-xxx-xxxx-xxxx is \$445.00.*

**PHASE III ASSESSMENT:** Based on estimated cost for PHASE III services, the capital assessment for this phase is \$5,315.00 per waterfront property. If the MSBU is created, the PHASE III preliminary assessment will be proposed for levy at a later year public hearing to be held in advance of implementing PHASE III services. A 12-year repayment period with equal annual installments of \$555.00 billed through the property tax bill is tentatively recommended. *The projected estimated PHASE III capital assessment for parcel xx-xx-xxx-xxxx-xxxx is \$5,315.00. The annual installment amount would be \$555.00 if levied and billed as projected.*

**ASSESSMENT LIEN & EARLY PAYMENT DISCOUNT:** Assessment boundaries are documented in County land records. The PHASE I capital assessment will constitute a lien against the property until paid in full. PHASE II annual assessments will constitute temporary liens that are satisfied upon payment of the annual

property tax bill. The PHASE III capital assessment will not be recorded as an official assessment or lien until the year in which the assessment is activated for levy. Assessments and installments collected via the property tax bill are eligible for the same early payment discounts (up to 4%) as property taxes.

**DISSOLUTION OF MSBU:** After creation, an MSBU may be dissolved in a manner similar to MSBU creation (application, petition, and BCC approval). If the County provides funding assistance, then a minimum duration of up to 10 years may be imposed on the continuance of PHASE II services.

**PUBLIC HEARING:** Upon determination that at least 65% of the waterfront properties in the proposed assessment boundary have responded in support of MSBU creation, along with confirmation of Interlocal Agreement with the City of Winter Springs, a public hearing will be held by the Board of County Commissioners to consider establishing the requested MSBU. Notice of the hearing will be mailed to the owners of all property included in the assessment boundary. If the proposed MSBU is created by the BCC, all properties listed in the assessment boundary will be assessed.

*Keep this page for your records. Return petition signature page to register your response.*

**PETITION SIGNATURE PAGE**

**Return completed signature page to register your petition response.**

I/We the undersigned acknowledge and attest to the expectations communicated by petition contents in regards to the proposed MSBU. I/We hereby submit this petition signature page and attest to being the true and current property owner(s) of the parcel identified below. The box checked below communicates whether I/we support or oppose creation of the MSBU.

PID: xxxxxxxxxxxxxx

**Check one box only – either “FOR” or “AGAINST”**

**FOR** By checking the “FOR” box and signing below, I/We communicate support the creation of an MSBU to fund public lake management services and hereby petition the Seminole County BCC to create the proposed MSBU. The undersigned acknowledge(s) that I/we are committing to this project and may not subsequently withdraw support. I/We understand the assessments proposed for the referenced property are as noted below:

**PHASE I: \$ 875.00<sup>1,2,3</sup> Installment Amount: \$198.00<sup>1,2,3</sup>**

**PHASE II: \$ 445.00<sup>3</sup>**

**PHASE III: \$ 5,315.00<sup>3,4</sup> Installment Amount: \$550.00<sup>1,2,3</sup> tentatively after repayment of Phase I**

<sup>1</sup>Although a variety of factors have been applied to cost estimates, the cost for PHASE I is contingent on factors that cannot be controlled by the County. **The final PHASE I assessment will be adjusted according to actual cost – whether higher or lower than the estimated cost.**

<sup>2</sup>County funding assistance in the amount of \$17,500 is designated from the Public Works Department budget for fiscal year 2020-2021 for PHASE I services and is included the proposed assessment calculation.

<sup>3</sup>Proposed assessments are contingent on Interlocal Agreement with City of Winter Springs with cost share allocation to specially benefited properties within the taxing district of the city.

<sup>4</sup>The cost for PHASE III is contingent on factors at the time of future levy. Assessment levy is anticipated to take place several years after MSBU creation. A separate public hearing with mailed notice to property owners will be conducted in advance of implementing PHASE III services.

**AGAINST** By checking the “AGAINST” box, I/we communicate opposition to creation of an MSBU to fund public lake management services and hereby petition the Seminole County BCC to deny creation of the proposed MSBU.

Signature \_\_\_\_\_ Date \_\_\_\_\_, 2020 **Owner 1:**

Signature \_\_\_\_\_ Date \_\_\_\_\_, 2020 **Owner 2:**

Petitions are complete when one box is checked and all owners have signed the petition. The filing deadline for this Petition to Create an MSBU is November 30, 2020. The deadline may be extended at the discretion of the MSBU Program. In the event a response is not received for a property, the petition status for the property will be noted as “UNKNOWN” and will be counted as an “AGAINST” response. Please be certain to submit your completed petition for receipt by the MSBU Program on or before the deadline. Petition results will be posted to the MSBU Program website within three business days following closure of petition. Return your completed petition to:

**MSBU Program**

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

**OR**

**1101 East First Street, Sanford, FL 32771-1468**

**==> RETURN FOR RECEIPT BY November 30, December 22, 2020 <=**

# Exhibit F

## Roles and Responsibilities

### **ROLES & RESPONSIBILITY**

#### **General Outline**

#### **COUNTY**

##### ***Seminole County will***

- ✓ Govern the MSBU
- ✓ Provide financial management of MSBU fund and assessment levy
- ✓ 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 the public services to be provided 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