

ORDINANCE NO. 2014- 19

SEMINOLE COUNTY, FLORIDA

AN ORDINANCE CREATING THE WEKIVA GREEN-CHURCHILL DRIVE ROAD IMPROVEMENT MUNICIPAL SERVICES BENEFIT UNIT FOR THE PURPOSE OF PROVIDING ROADWAY AND DRAINAGE IMPROVEMENTS WITHIN THE UNIT; PROVIDING IDENTIFICATION OF PROPERTY INCLUDED IN SAID MSBU; PROVIDING FOR THE GOVERNING OF SAID MSBU BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING DESCRIPTION OF THE IMPROVEMENTS AND ESTIMATION OF COST; 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 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 non-ad valorem assessment districts, commonly referred to as a Municipal Services Benefit Units (MSBU) pursuant to Chapter 125, Florida Statutes; and

WHEREAS, the Board of County Commissioners has adopted administrative procedures for the establishment of Municipal Services Benefit Units, and the proposed Wekiva Green-Churchill Drive Road Improvement 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,

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY Eva Coach
DEPUTY CLERK

RETURN TO EVA COACH

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 Wekiva Green-Churchill Drive Road Improvement MSBU Ordinance.

Section 2. Creating Unit; Improvements. There is hereby created within Seminole County, the Wekiva Green-Churchill Drive Road Improvement MSBU for the purpose of providing improved roadway and improved drainage 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 to be funded by non-ad valorem assessment are detailed in Exhibit B and consist of engineering, design, and construction of approximately 140 lineal feet of the roadway named Churchill Drive, with provisions for improving certain sidewalks along this roadway located within the Wekiva Green subdivision. The resulting improvements will qualify for acceptance by Seminole County of the reconstructed roadway into the public County Maintained Road System. Road maintenance area is from edge of pavement to edge of pavement.

Improvement cost is estimated at TWO HUNDRED SIXTY-FIVE THOUSAND, SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$265,650.00) as detailed in Exhibit B, attached hereto and incorporated herein. Should revised cost projections following preliminary procurement activities indicate an assessment increase of more than ten percent (10%) above the petitioned assessment amount, 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 disbursement 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 costs, 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". Each parcel within the boundaries of the Wekiva Green-Churchill Drive Road Improvement 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 a financing/installment fee at a rate of approximately six and one half percent (6.5%). Final financing/installment fees are subject to financing terms available at the time of project completion and establishment of final assessment.

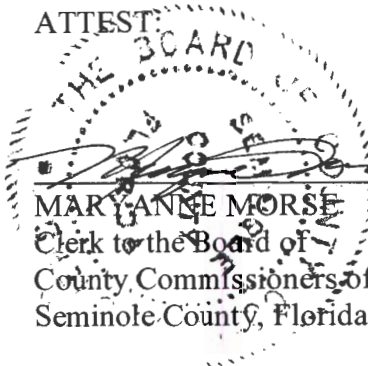
Section 8. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance, including its preamble, shall become and be made a part of the Seminole County Code, and that the word "ordinance" may be changed to "section", "article", or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; providing, however, that the Sections 8, 9 and 10 of this Ordinance shall not be codified.

Section 9. 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 10. 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 25th day of March, 2014.

ATTEST:



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

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

A large, stylized handwritten signature in black ink, appearing to read "RD", is written over a horizontal line.

ROBERT DALLARI, Chairman

Attachments:

Exhibit A - Preliminary Assessment Roll

Exhibit B - Improvements, Proposed Design, and Estimated Cost

AEC/sjs

1/29/14

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EXHIBIT A

**Wekiva Green-Churchill Drive Road
Paving and Drainage MSBU
Preliminary Assessment Roll**

The preliminary assessment for each parcel, based on one (1) benefit unit per parcel is SEVEN THOUSAND ONE HUNDRED EIGHTY AND NO/100 DOLLARS (\$7,180.00).

The following parcels are included in the assessment boundary of the Wekiva Green-Churchill Drive Road Paving and Drainage MSBU:

06-21-29-521-0000-0370	06-21-29-521-0000-0290	06-21-29-521-0000-0240
06-21-29-521-0000-0360	06-21-29-521-0000-0060	06-21-29-521-0000-0130
06-21-29-521-0000-0350	06-21-29-521-0000-0070	06-21-29-521-0000-0230
06-21-29-521-0000-0340	06-21-29-521-0000-0280	06-21-29-521-0000-0140
06-21-29-521-0000-0010	06-21-29-521-0000-0080	06-21-29-521-0000-0220
06-21-29-521-0000-0330	06-21-29-521-0000-0090	06-21-29-521-0000-0150
06-21-29-521-0000-0020	06-21-29-521-0000-0270	06-21-29-521-0000-0210
06-21-29-521-0000-0320	06-21-29-521-0000-0100	06-21-29-521-0000-0160
06-21-29-521-0000-0030	06-21-29-521-0000-0260	06-21-29-521-0000-0200
06-21-29-521-0000-0310	06-21-29-521-0000-0110	06-21-29-521-0000-0170
06-21-29-521-0000-0040	06-21-29-521-0000-0250	06-21-29-521-0000-0190
06-21-29-521-0000-0300	06-21-29-521-0000-0120	06-21-29-521-0000-0180
06-21-29-521-0000-0050		

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**Wekiva Green-Churchill Drive Road
Improvement MSBU
Preliminary Assessment Roll**

The preliminary assessment for each parcel, based on one (1) benefit unit per parcel is Seven thousand, one hundred eighty and 00/100 dollars (\$7,180.00)

The following parcels are included in the assessment boundary of the Wekiva Green-Churchill Drive Road Improvement MSBU:

06-21-29-521-0000-0370	06-21-29-521-0000-0290	06-21-29-521-0000-0240
06-21-29-521-0000-0360	06-21-29-521-0000-0060	06-21-29-521-0000-0130
06-21-29-521-0000-0350	06-21-29-521-0000-0070	06-21-29-521-0000-0230
06-21-29-521-0000-0340	06-21-29-521-0000-0280	06-21-29-521-0000-0140
06-21-29-521-0000-0010	06-21-29-521-0000-0080	06-21-29-521-0000-0220
06-21-29-521-0000-0330	06-21-29-521-0000-0090	06-21-29-521-0000-0150
06-21-29-521-0000-0020	06-21-29-521-0000-0270	06-21-29-521-0000-0210
06-21-29-521-0000-0320	06-21-29-521-0000-0100	06-21-29-521-0000-0160
06-21-29-521-0000-0030	06-21-29-521-0000-0260	06-21-29-521-0000-0200
06-21-29-521-0000-0310	06-21-29-521-0000-0110	06-21-29-521-0000-0170
06-21-29-521-0000-0040	06-21-29-521-0000-0250	06-21-29-521-0000-0190
06-21-29-521-0000-0300	06-21-29-521-0000-0120	06-21-29-521-0000-0180
06-21-29-521-0000-0050		

EXHIBIT B

Wekiva Green-Churchill Drive Road Paving and Drainage MSBU Improvements, Proposed Design, and Estimated Cost

The improvements proposed for completion via this MSBU are designed to bring Churchill Drive up to the standards required by Seminole County to accept the roadway and sidewalks into the Seminole County Maintenance Program for public roadways.

Improvements:

- (1) Engineering of site (including provisions for existing driveways, sidewalks and large trees).
- (2) Installation of approximately 140 lineal feet of roadway (Churchill Drive) in Wekiva Green.
- (3) Repair/installation of certain sidewalks in Wekiva Green as determined appropriate by Seminole County.
- (4) Site preparation, mobilization and de-mobilization.
- (5) Driveway modification and Bahia sod installation as determined appropriate by Seminole County.

Note: Project scope and cost estimates **do not** include:

- (1) Repair/replacement of existing sidewalks determined to be in acceptable condition per Seminole County.
- (2) Any activities pertaining to utilities to include but not be limited to sewer and water.
- (3) Easement clearance for which individual property owners have responsibility to assure their easement areas are clear of minor obstructions (such as irrigation systems). Each property owner will be financially responsible for any expense associated with removal and/or replacement of such obstructions on their property.

Estimated Project Cost:

Engineering, construction, permitting & contingency	\$250,000.00
Project Management, Administration and Application	<u>\$ 15,650.00</u>
	<u>\$265,650.00</u>

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Wekiva Green-Churchill Drive
Road Improvement MSBU
Improvements, Proposed Design, and Estimated Cost

The improvements proposed for completion via this MSBU are designed to bring Churchill Drive up to the standards required by Seminole County to accept the roadway and sidewalks into the Seminole County Maintenance Program for public roadways.

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