



**MUNICIPAL SERVICES BENEFIT UNIT  
PROGRAM**

**Application Packet**  
**ROAD IMPROVEMENT,**  
**STORMWATER CONTROL SYSTEMS**  
**AND/OR**  
**RETENTION POND RENOVATION**  
**MSBU<sub>s</sub>**



**MAY 2015**



This page is intentionally blank.



## INTRODUCTION

The following information is offered to help applicants understand the process of establishing an MSBU and the resulting roles and responsibilities once an MSBU is established.

For additional information regarding the municipal services and community improvements available through the MSBU Program, active MSBUs, and various customer services available online, please visit the MSBU Program [website](http://www.seminolecountyfl.gov/msbu):

<http://www.seminolecountyfl.gov/msbu>

**The MSBU Program staff is looking forward to working with your community on a municipal service project – let us know how and when we can be of service to you!**



This page is intentionally blank.



## Table of Contents

General Information.....	1
Application Criteria & Process Overview .....	3
Steps to Create an MSBU (Chart) .....	5
Creating an MSBU [Roads, Stormwater Control and/or Retention Pond Services].....	6
STEP I. Apply.....	6
STEP II. Review .....	8
STEP III. Petition .....	9
STEP IV. Create .....	11
STEP V. Implement.....	12
Construction Timeline .....	15
Potential Cost Estimate Matrix – Road Improvements.....	16
Installment Repayment Schedules (Examples).....	17
Frequently Asked Questions .....	18
MSBU Program Glossary .....	23
Referenced Sources/Documents .....	33
<b>Application to Create an MSBU.....</b>	<b>0</b>



This page is intentionally blank.



## General Information

### MSBU Program and Non-Ad Valorem Assessments

The **MSBU Program of Seminole County** provides management of the assessment districts established by the Seminole County Board of County Commissioners for funding various municipal services within unincorporated Seminole County. The municipal services funded by assessment in Seminole County include the management of residential solid waste (collection & disposal services), street lighting, lake management (aquatic weed control), and constructed improvements such as lake restoration, road improvements, stormwater control systems (drainage systems and retention pond renovations), sidewalk repair, subdivision wall replacement, and water utility service lines and/or wastewater conveyance systems as required to connect to the Seminole County utility system. The assessments that are levied by the Board of County Commissioners are collected by the County Tax Collector via property tax bills as indicated in Florida Statutes [Chapter 197](#).

An assessment district as established in Seminole County is commonly referred to as an “MSBU” (Municipal Service Benefit Unit). Assessment funding is used in lieu of ad valorem taxation for funding certain municipal services that offer a localized benefit. By establishing an assessment district [MSBU], the cost of providing the municipal service is paid by the owners of property having special benefit from the service. These assessments are called “non-ad valorem” assessment as they are assigned according to benefit units – and not according to the value of the property.

For any given MSBU, the cost to provide the municipal service is allocated and assessed to the benefiting properties on an equitable cost sharing basis. The assessment amount per property is determined by the cost to provide and/or maintain the municipal service, the selected benefit unit base, the number of benefiting properties, and the benefit unit(s) allocated to each participating property.

There are two types of assessments associated with Seminole County MSBUs – capital improvement assessment and variable rate assessment. Capital improvement assessments are related to municipal services, primarily constructed improvements, which require repayment over a period of years to improve project affordability for property owners. Capital improvement assessments are levied on a one-time basis and may be paid in full at any time after levy or repaid in annual installments collected by the County Tax Collector via the property tax bill. If paid in installment, financing fees are included in the installment billing. Full payment is accepted at anytime without early payment penalty.

Variable rate assessments are associated with ongoing services, such as street lighting or aquatic weed control, as the cost for services may vary year to year. Variable rate assessments are levied annually with notification mailed to the owners of assessed property. Many variable rate MSBUs are created with provisions that limit or control rate adjustments.

The MSBU Program functions according to regulations set forth in [Florida Statutes](#), directives in the [Seminole County Administrative Code](#), and MSBU Program operating procedures. Consistent with the referenced regulations, [Ordinance and/or Resolution](#) documents are developed to establish and govern each MSBU. In compliance with County Administrative Code, the operating policies and practices of the MSBU Program are further defined within the Resource Management Department.

This page is intentionally blank.

## Application Criteria & Process Overview

Creating a capital improvement MSBU for funding road, stormwater and/or retention pond improvements is an option available to established communities located in unincorporated Seminole County. These municipal services meet public purpose criteria by providing an essential public health and/or safety benefit by improving driving conditions, flood control, and/or reduction of water pollution associated with stormwater runoff.

The **basic criteria** for qualifying for these types of projects for MSBU funding are as follows:

- Project must be for improving or renovating an established area. MSBU funding is not available for new construction or new development.
- The properties to receive special benefit from the project must be within the jurisdictional boundaries of unincorporated Seminole County. [Boundaries may be extended if special agreements are established with other local government entities.]
- The assessment boundary of the MSBU must include at least two assessed parcels.
- Project must be supported by majority [65%] of the owners of specially benefited property.
- Construction easement (such as right-of-entry), leasehold agreement for life-span of MSBU (i.e. creation of MSBU through repayment period) and/or other public dedication deemed essential by the County Attorney must be available for all locations where infrastructure will be accessed, renovated and/or constructed. If not appropriately conveyed at time of application, obtainment of the required documents is an applicant responsibility, however, the County will assist with obtaining the required easements as such documentation will be required prior to creating the MSBU. Inability to obtain required easement/dedication could result in termination of project.
- **Road Improvements** have specific requirements such as:
  - The roadway must be brought to County Code standards through the scope of funded services. This includes provisions for required width, right-of-way, easement and other construction features.
  - The improved roadway must connect to the existing County maintained paved road system.
  - All (100%) of the roadway must be dedicated/deeded to the County upon project completion and County's acceptance of roadway.
  - All (100%) of the owners of roadway and/or right-of-way must provide voluntary agreement for conveying and meeting these requirements. If not so dedicated at time of application, obtainment of the required documents is an applicant responsibility, however, the County will assist with obtaining the required easements; as such will be required prior to creating the MSBU. Inability to obtain required easement/dedication could result in termination of project.
- **Retention Pond Renovation** may include mechanical removal of exotic/invasive vegetation, excavating to remove accumulated sediment, on-site or off-site disposal of excavated material, and shoreline re-vegetation with native plant species. On-going maintenance of retention ponds, even after renovation, is excluded from the municipal services authorized for assessment funding. If the waterbody requiring renovation is classified as a lake, rather than a retention pond, please obtain an application packet for *Lake Restoration*.

All properties that have special benefit as a result of the improvement project will be required to share equitably in repaying the cost of the improvements. All such properties will be assigned an assessment.

Unless otherwise noted in the final scope of services, the work and cost associated with supporting activities, such as irrigation or landscaping relocation, that take place on private are excluded from the MSBU scope/funding; each owner is independently responsible for these expenses.



Establishing assessment funding for an authorized municipal service is a 5-Step process: (1) Apply, (2) Review, (3) Petition, (4) Create, and (5) Implement. The process begins when an *Application to Create An MSBU* is submitted along with the required application fee. The application fee is non-refundable. The respective application provides for project specific details about the municipal services requested and related activities with the community.

After receipt of an application, the MSBU Program reviews the request, consults with other County Departments and provides confirmation that the requested project scope is within the service range authorized for assessment-based funding. A formal project scope and general cost estimate is developed. During this process, most construction projects require formal evaluation for determining probable cost. When these preliminary services are contracted, an advance payment of this expense is collected from the applicant and/or others interested in the project. Payment of preliminary evaluation fees is non-refundable. Provisions are available, however for the fee to be recouped if the project continues to the point of completion and levy of final assessment.

Once probable cost information is available, a *Petition to Create An MSBU* is prepared and distributed by the MSBU Program to determine the level of support within the community for creating the requested MSBU. The *Petition* lists pertinent details about the proposed project and provides opportunity for property owners to communicate whether they support or oppose the creation of the MSBU. The results of the *Petition* are used to determine whether or not there is sufficient support within the community to bring the request to the attention of the Board of County Commissioners [BCC].

When a *Petition* demonstrates the required level of support [55% for *Street Lighting MSBUs*; 65% for all other *MSBUs*], the proposed MSBU is presented to the Board of County Commissioners for consideration at a public hearing. If the *Petition* fails to demonstrate sufficient support to continue, the application process is closed. If the Board of County Commissioner's approves creation of the MSBU, an assessment (or preliminary assessment) based on probable cost is levied and the MSBU Program is authorized to implement the requested services. For capital projects, collection of the assessment is delayed until the first available tax roll following completion of the construction phase. The final assessment will be adjusted according to actual project cost. Financing is available for capital improvement assessments; installment payments are billed via the annual property tax bill.

The application process and creation of an MSBU requires considerable effort at the community level if the *Petition* process is to be successful in generating the required level of support. Potential applicants are encouraged to know the general level of interest within their community before submitting an application, and in advance of submitting prepayment of preliminary evaluation or engineering.

The MSBU Program staff is available to answer questions and to provide information about the proposed project (and the application process) to the impacted community. Presentations at community meetings generally involve a 30-minute presentation and a 30 minute question/answer period. When a meeting is advised, community liaisons are responsible for securing a meeting site in a facility that provides public access. The MSBU Program provides notification of the meeting to the owners of property in the proposed assessment boundary.

A more detailed review of the 5-Step process, sample repayment plans, and charts for calculating rough cost estimate are provided on the pages that follow. Please refer to the Table of Contents for page numbers for the various contents in this packet. The *Application to Create an MSBU* for these municipal services is included as the last three pages of this packet.

## Basic Steps to Establish an MSBU

(Each “Step” is explained on the following pages.)

<b>STEP</b>	<b>RESPONSIBILITY</b>
<b>I. APPLY</b>	<b>Applicant/Property Owner or Community Liaison(s)</b>
<b>II. REVIEW</b>	<b>MSBU Program Public Works Department</b>
<b>III. PETITION</b>	<b>MSBU Program Applicant/Community Liaison(s) Property Owners</b>
<b>IV. CREATE</b>	<b>Board of County Commissioners MSBU Program Public Works Department Community Liaison(s) Property Owners</b>
<b>V. IMPLEMENT</b>	<b>MSBU Program Purchasing &amp; Contracts Division Public Works Department Contractor/Engineer Applicant/Community Liaison(s) Property Owners Board of County Commissioners <i>(Final Assessment Levy)</i></b>

## Creating an MSBU: Detailed Procedures

Over the next several pages, the basic process of creating an MSBU is explained. Potential applicants are encouraged to read through the entire packet and discuss questions or concerns with the MSBU Program before submitting an application. Answers to frequently asked questions, a glossary of terms and references are provided in this packet as noted in the *Table of Contents*. The basic criteria for qualifying a construction improvement project for MSBU funding is listed in the *Application Criteria & Process Overview* information provided earlier in this packet.

The application process and creation of an MSBU requires considerable involvement of the applicant and/or community liaisons, and the community (property owners). As community support is required for the application to proceed through to the point of MSBU creation and project implementation, potential applicants are advised to evaluate the general level of interest within their community before submitting an application.

Project cost is a key factor that often influences the outcome of an MSBU application. While a *rough cost estimate* for a proposed project may be available prior to submitting an application, a reliable estimate of *probable cost* is generally not available until after an application is reviewed and the service scope is developed. Construction projects may involve prepayment of preliminary engineering/evaluation expenses; the cost of which may (or may not) be available prior to application. As certain factors are common to most road improvement projects, a matrix chart is provided in this packet for calculating a general estimate for road construction cost (refer to *Table of Contents* for page number). A general cost estimate is not available for stormwater and retention pond projects as these projects have significant variables which require site visit and follow-up evaluation before offering a general cost estimate. The impact and timing of project costs should be considered by the applicant prior to submitting application.

Information about municipal services eligible for assessment-based funding and the MSBU creation process is available to the public and can be presented by the MSBU Program at communitywide meetings. The timing of communitywide involvement is flexible, and is often deferred to the applicant. When a community meeting is scheduled, the applicant is responsible for securing a public meeting site; the MSBU Program will mail meeting announcements to the owners of property most likely to be within the assessment boundary associated with the requested services.

### STEP I. APPLY

The ***Application to Create an MSBU*** for road, stormwater and/or retention pond improvement projects is included as the last three pages of this packet. The form is also available (upon request) as a PDF document for electronic completion. General guidelines for completing the *Application* are included with the form. Assistance is available from the MSBU Program should the applicant have questions/concerns regarding completion of the application form.

Application may be made by property owners, homeowner associations, management companies or other interested parties. Each MSBU project type has a distinct application form and application fee. The data collected on the application form is used to evaluate the scope of the municipal services requested and eligibility for assessment-based funding. Acceptance of an *Application to Create an MSBU* will be confirmed when the proposed project meets the Seminole County Administrative Code and MSBU Program procedures.

As mentioned, general guidelines for completing the *Application* are included with the form. The next few paragraphs offer additional suggestions for ensuring the *Application* contains sufficient information for application review and processing.

- The assessment boundary will be based on benefit provided and does not necessarily include an entire subdivision if the entire subdivision does not materially benefit from the proposed improvement. All specially benefited properties are to be included in the proposed list of participating properties.
- When preparing a map for submittal, be certain to identify geographic and descriptive locations of desired improvements and type of improvement proposed. Each area should be identified clearly. MSBU boundaries (geographic area) to be assessed are typically contiguous; excluding a benefited property because the property owner is opposed to creating the MSBU is not allowed. Copies of recorded plats and section maps may be obtained from the Development Services Department [(407) 665-7775] located on the 2nd floor of the County Services Building. Assistance is also available from the MSBU Program.
- The creation of an MSBU relies heavily on involvement of **community liaisons**. The community representatives that serve as primary and/or secondary liaisons are very important to establishing an MSBU and ensuring project completion occurs per community expectations. Liaisons need to be readily available for follow-up contact from County staff and the benefiting community, attending site visits, encouraging petition response, and other project activities.
- When completing questions 1 and 4, it is critical to describe the current issues and the desired scope of services in detail as this information will be used to develop the project scope, engineering plan, and subsequent cost estimates. Community participation in the preliminary development of the scope of services, prior to submitting application, is highly encouraged. Having community involvement early in the process can help avoid delays and plan changes after the Application is submitted.
- *Retention pond renovation* may include mechanical removal of exotic/invasive vegetation, excavating to remove accumulated sediment, on-site or off-site disposal of excavated material, and shoreline aquascaping (re-vegetation with native plant species) when appropriate. On-going maintenance of retention ponds, even after renovation, is excluded from the municipal services authorized for assessment funding. If the waterbody requiring renovation is classified as a lake, rather than a retention pond, please request an application packet for *Lake Restoration*. The requirements and process are different.
- All questions or concerns regarding cost sharing decisions and participating properties should be discussed with the MSBU Program prior to submitting application.

The required **application processing fee**, as established by the Board of County Commissioners is noted on the *Application to Create an MSBU* and is collected when an application is submitted to the MSBU Program. Payment checks should be made payable to “Seminole County BCC”. The fee is non-refundable. The fee is used to offset a portion of the costs incurred by the County during the application processing phases (Steps 1-4). Should the requested MSBU be created, and the project taken to the point of final assessment levy, the application fee will be included as a project cost and the amount can be recouped by the applicant. The MSBU Program will determine how recoupment will be issued (either as credit to an assessment or as payment check). If there are multiple contributors for the application

fee, the applicant is responsible for providing contact and amount information for all contributors at the time of submitting the application. If the project does not proceed to the point of final assessment levy, the fee remains non-refundable.

When complete, the application should be submitted to the MSBU Program. Mailing and/or delivery location are noted on the application form. **The non-refundable application fee (per the Application Fee Schedule) made payable to “Seminole County BCC” must be submitted with the application.**

## STEP II. REVIEW

During the initial review of an *Application to Create an MSBU*, the MSBU Program will confirm the (1) application is complete and sufficient to evaluate the feasibility of providing the requested municipal services; and (2) project components align with basic MSBU criteria for eligibility. The basic criteria for qualifying a project for MSBU funding is listed in the *Application Criteria & Process Overview* information provided earlier in this packet. Before confirming acceptance of application, the MSBU Program will consult with other County Departments as appropriate to nature of the project; and the scope of services and recommended assessment boundary will be validated. If an applicant has an existing engineering plan, it will be reviewed by the MSBU Program and the supporting Department for suitability of use. If the provided information is insufficient, the applicant will be notified by the MSBU Program of the deficiency and/or need for additional information. Any scope or boundary adjustments recommended (or required) as a result of the initial review will be discussed with the applicant.

After completion of the initial review, a formal project scope and general cost estimate is developed in coordination with the applicant and/or liaisons; final scope will be determined by County staff pursuant to County Codes. During this stage of the application process, construction projects may require formal evaluation for determining probable cost. When these preliminary services are contracted (provided by non-County staff), an advance payment for these contracted services is collected from the applicant. The fee is non-refundable. The applicant may personally pay the expense or obtain contributions from others interested in the project. If there are multiple contributors, the applicant is responsible for providing contact and amount information for all contributors at the time of submitting the fee. Similar to the application fee, there are provisions for this fee to be recouped if the project continues to the point of completion and levy of final assessment. If the project does not proceed to the point of final assessment levy, the fee remains non-refundable. Applicants are encouraged to evaluate the level of support within the community prior to investing funds into the project.

Municipal Service projects are designed in compliance with best management practices. A design/engineering consultant selected by the County will determine the most cost effective solution for the project based on the scope and actual site conditions. Engineering design will depict plan and profile views, and typical construction details, as well as other pertinent information needed during the formal bid process. The consultant will provide an “Estimated Construction Cost” or “Opinion of Probable Cost” report based on these recommendations.

All easement, right-of-entry, and/or other dedications required to accommodate the project must be available for all locations where infrastructure will be installed. Any special needs for easement, leasehold right-of-entry, right-of-way, or other related documentation<sup>1</sup> will be identified during the review process. Obtainment of this documentation is an applicant responsibility, however, the County will assist with obtaining the required easements; as such will be required prior to creating the MSBU.

**Note<sup>1</sup>:** *Voluntary agreement to provide the necessary conveyance is required from all (100%) of the owners from whom such agreements are required. This activity is generally a separate consideration determined independent from the petition process (which requires only a majority support).*

Owner signature on related agreement documents must be obtained prior to presenting an MSBU creation request to the BCC. Inability to obtain required easement/dedication could result in modifications of project scope (if feasible) or termination of project.

The project scope and cost estimate established during the review process provides the foundation for the next step -- determining the level of support within the community for funding the proposed project via assessment [Creating an MSBU].

### STEP III. PETITION

As recorded in Section 22.10 of the Seminole County Administrative Code ([http://www.seminolecountyfl.gov/ca/admin\\_code/](http://www.seminolecountyfl.gov/ca/admin_code/)), the Board of County Commissioners [BCC] will give consideration for creating an MSBU requested via community-based application when sufficient community support for the requested MSBU has been confirmed through a formal petition process coordinated by the MSBU Program. For street lighting MSBUs, a community support percentage of at least 55% must be demonstrated; for all other project types 65%. If the support rate ["For"] achieves the required percentage, the request to establish an MSBU will be brought forward for BCC consideration. If the required support is not demonstrated, then the proposal will not move forward to Step 4.

To determine the level of community support for creating an MSBU, the MSBU Program prepares and distributes a *Petition to Create an MSBU* that defines the details of the proposed MSBU, such as the scope of services (proposed improvements, treatments and services), estimated cost for providing the municipal service, method of cost share allocation, type and amount of assessment, properties to be assessed, and other details specific to the MSBU. The *Petition* provides opportunity for property owners to communicate their preference relative to creating the proposed MSBU by indicating whether they are either "FOR" or "AGAINST" creation of the MSBU. A petition outcome that demonstrates the required level of support does not itself create an MSBU; the petition is a merely a tool used by the MSBU Program to determine if there is sufficient communitywide support to bring the request to the attention of the BCC.

The *Petitions* are distributed to owners of specially benefitted property by the MSBU Program. Supplemental copies may be provided to the applicant or community liaisons for follow-up with property owners. Property owners are requested to respond by 1) selecting either a "FOR" or "AGAINST" response on the *Petition*; (2) providing signature; and (3) returning the completed *Petition* to the MSBU Program prior to the filing deadline. All current owners or the designated trustee of a property must sign the petition form for the response to count as a "For" response. Property response for those owners that do not return the petition document will be identified as "Unknown" and counted as "AGAINST" when calculating the level of community support.

Throughout the petition process, MSBU Program representatives and/or community liaisons are available to answer questions and to provide information that will assist owners in making an informed decision. The petition responses on file when the petition process closes (filing deadline) will be used for recording property owner preference regarding creation of the proposed MSBU. Changes to owner preference will not be accepted or processed after the deadline.

Petitions are typically in circulation for 30 calendar days. The deadline for filing response will be noted on the *Petition*. The filing deadline may be extended as deemed appropriate by the MSBU Program. Extensions are primarily granted to provide clarity regarding the level of support or opposition within the community. Deadline extensions will be posted to the MSBU Program website prior to expiration of the



former deadline. Extensions are typically limited to one or two extensions, each limited to two additional weeks.

During the petition process, the role of the MSBU Program is to provide accurate information about the project and MSBU funding so that property owners are equipped with the information need for making an informed decision in regards to the *Petition*. It is the role of the applicant/liaisons to promote community interest, project support and petition response. The MSBU Program documents petition responses as they are received. Weekly updates are available for review during the petition process. All information on file is available per public record request.

While the petition is in process, the owners of property offered for sale are obligated as a matter of standard disclosure to communicate the active status of the petition. If the petition effort does not demonstrate sufficient support to continue to the next step in the application process, the responsibility for disclosure ends with the petition filing deadline. If the petition effort demonstrates sufficient support to continue to Step 4 of the application process, then the responsibility for disclosure continues through to the outcome of the public hearing.

Petition documents received by the MSBU Program will be reviewed for acceptability. All current owners of a property or the designated trustee must sign the *Petition* for the response to count as “For” creation of the MSBU. Owner response must be clearly identified and consistent with the intent of the petition document. Handwritten or other forms of commentary added to the petition document may cause rejection of the petition. Incomplete or rejected petition documents will be returned for correction. An explanatory cover memo will be provided with the returned document so that owner has opportunity to complete and resubmit a petition response. In some instances, the MSBU Program may email or phone the property owner to obtain clarifications. Submittal deadlines apply to rejected petition documents.

The final results of the petition process will be posted to the MSBU Program website. If the petition demonstrated sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the continued activities. If support is deemed insufficient to proceed, mailed notification of this outcome is at the discretion of the MSBU Program. If a notification of insufficient support is mailed, it is typically mailed only to property owners that participated in the process by filing a *Petition* for their property.

Provided the community support is sufficient to continue, the MSBU Program will schedule a public hearing with the Board of County Commissioners to give official consideration of creating the MSBU. **Please note** that once consolidated petition results are accepted and a public hearing is authorized, the petition results are no longer relevant to final determination of the BCC to proceed (or not) with a project/MSBU. The final determination of scope and feasibility of the project and creation of the MSBU is made by the Seminole County BCC.

If petition support is less than the required percentage, the effort will be noted as having insufficient support to continue. Petitioning for the same project is allowed once per calendar year and re-petitioning must be at least six months after the filing deadline of the most recent petition process. Each subsequent petition process requires application and payment of the non-refundable processing fee.

## STEP IV. CREATE

An MSBU is created by ordinance issued by the Board of County Commissioners in conjunction with a public hearing. The ordinance document will contain much of the same information included in the *Petition to Create an MSBU* and it will include a listing (assessment roll) by parcel identification [PID] number of all property (assessment boundary) to be assessed. All properties specially benefitted by the municipal service are included in the assessment boundary of the proposed MSBU. Cost sharing assessments will be equitably allocated to those properties. The ordinance serves as the governing document and will be used as a point of reference for the duration of the MSBU lifespan.

When the proposed ordinance and all supplemental documents<sup>1</sup> (including easement/leasehold, agreements, etc.) are ready for presentation to the BCC, a public hearing is scheduled. These hearings are generally scheduled on the 2<sup>nd</sup> or 4<sup>th</sup> Tuesday of the month, and are conducted during the afternoon BCC session that begins at 1:30 PM. Written notice of the hearing and proposed assessment roll is mailed to the owners of all property included in the assessment boundary. A legal Notice(s) of the public hearing and proposed ordinance is published in a local newspaper as well. A copy of the proposed ordinance will be available for public review at the Commission Records office located in the County Services Building at 1101 East 1<sup>st</sup> Street, Sanford, FL, 32771.

For MSBU capital improvement projects, such as road paving and retention pond renovation, a preliminary assessment based on estimated project cost is noted in the ordinance. The ordinance will often have provisions that restrict project cost from going above a certain amount or certain increase percentage. [*The final assessment will be updated for levy via BCC Resolution once the construction/renovation phase is complete.*]

The request to create an MSBU is presented to the BCC by the MSBU Program. The MSBU Program presentation includes an overview of the project, assessment allocation and a summary of the petition results. The petition results are communicated as confirmation that the support percentages dictated in the [Administrative Code \[Section 22.10\]](#) have been honored in advance of bringing the request forward to the BCC for consideration. Once the petition results are presented to the BCC at a public hearing, the petition outcome is no longer relevant. It is at the discretion of the BCC whether or not the requested MSBU is created.

The Ordinance proposed for creating and governing the requested MSBU is presented in conjunction with a public hearing to give the owners of affected property an opportunity to address the BCC and share their comments. The applicant, liaisons and owners of property are invited (via the mailed meeting notice) to attend the public hearing; however, attendance is optional. The applicant is granted special opportunity to present to the BCC immediately following MSBU Program presentation, however doing so is optional.

During the open period of the public hearing, interested parties may communicate their comments to the Board – either verbally from the designated podium or via written commentary. Forms are provided in the lobby of the Board Chambers for those choosing to address the Board. Those opting to speak are granted a talk-time of up to 3 minutes for addressing the BCC; anyone representing a designated group of property owners will be granted 6 minutes. After the public has been given time to address the BCC, the Chairman will close the open portion of the meeting, the commissioners will discuss the request, and the Board will vote on a motion to either create or deny the MSBU. If the BCC approves (adopts) the ordinance, the MSBU is then officially created.

**Note<sup>1</sup>:** *Owner signature on related agreement documents must be obtained prior to presenting an MSBU creation request to the BCC.*



The outcome of the public hearing will be posted to the MSBU Program website. If the MSBU is created, the MSBU Program will mail notification of the outcome along with information regarding continued activities. If the MSBU is not created by the BCC, mailed notification of this outcome is at the discretion of the MSBU Program.

After the adopted Ordinance is signed by the BCC Chairman, it is recorded in Seminole County Land Records and with the Florida Department of Revenue. The recording of the ordinance establishes the preliminary assessment levy in public records. An assessment is considered as a lien against a property. The lien is satisfied when the assessment is paid in full. There will be no collection action relative to the preliminary assessments for a capital improvement until the construction is completed and a final assessment based on actual project cost is determined. Although assessments are recorded in Public Records, disclosure of property participation in all assessment districts during any property sale transactions remains advisable.

## **STEP V. IMPLEMENT**

Following the creation of an MSBU, the MSBU Program will work closely with supporting County Departments to secure contracted services for the authorized municipal service. All reasonable efforts will be made to secure a contracted service provider within or below the petitioned range of funding, however, there is always a potential for project cost to increase above initial estimates during the design and/or contract bid phases. Any identified cost increase that yields a total project cost above the provisions stated in the governing ordinance will be communicated to the participating property owners. If the revised project cost exceeds the authorized parameters, a secondary petition will be distributed to confirm continued support of the property owners. Unless otherwise required by ordinance, a 65% support majority to the second petition will be sufficient to continue with the project. If continued support is not demonstrated through the petition process, and no other alternatives are available within the project parameters, the MSBU will be dissolved. Prepaid fees will remain nonrefundable.

Once a suitable contract with a qualified vendor(s) has been assigned, the project work will commence. The MSBU Program and the supporting Department will be in close contact with the community liaisons and the contracted service provider as the project work is completed. A general time line for construction activities is included in this packet; please refer to the *Table of Contents* for page number.

After capital improvement MSBU projects, such as road and retention pond renovation are complete, the final assessment is calculated based on actual project costs. A second public hearing is held to review the results of the project and to adopt the final rate for assessment. The repayment terms will be finalized at this time. These hearings are generally scheduled on the 2<sup>nd</sup> or 4<sup>th</sup> Tuesday of the month, and are conducted during the afternoon BCC session that begins at 1:30 PM. Written notice of the hearing is mailed to the owners of all property included in the assessment boundary. A legal Notice(s) of the public hearing is published in a local newspaper as well. A copy of the proposed action will be available for public review at the Commission Records office located in the County Services Building at 1101 East 1<sup>st</sup> Street, Sanford, FL, 32771. Once adopted by the BCC, the Final Assessment Rate Resolution or Amending Ordinance will be recorded in Seminole County Land Records.



As mentioned previously, an assessment is documented as a lien against a property. A lien associated with a capital project assessment is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is issued when a capital project assessment is paid in full. Capital improvement assessments may be paid in full at any time after final assessment levy. In the case of property sale, the County does not require the lien to be paid in full; however, lending institutions typically require a clear title before releasing funds. The balance of the assessment should be given consideration during property sale negotiations. For principle balance (assessment pay-off amount) or additional information about the satisfaction of lien process, contact the MSBU Program.

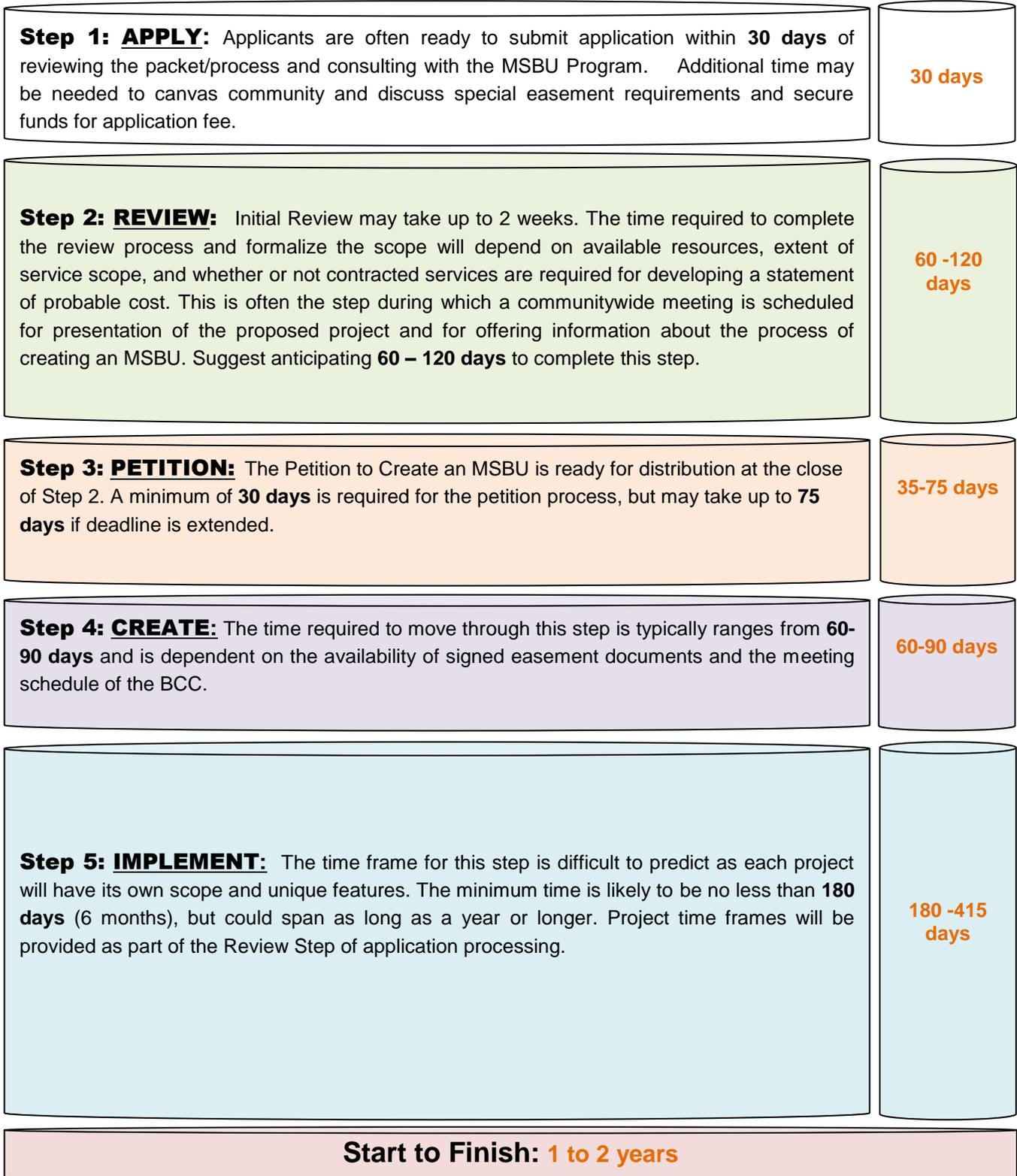
To avoid all financing fees, property owners may pay the property assessment in full within 30 days following the public hearing. Payments in full are made payable to "Seminole County BCC". A satisfaction of lien document is processed by the MSBU Program whenever a capital improvement assessment is paid in full. If the assessment is not paid in full during this time period, the assessment will be collected via annual installments billed via the property tax bill and collected by the Seminole County Tax Collector. The installment amount will be the same each year for the duration of the repayment period. Installment billing will begin with the first available tax year. Early payment discounts associated with property taxes are applicable to MSBU assessments collected via the property tax bill; as are late fees if paid after due date (annually by March 31), and issuance of tax certificates if the property tax bill is not paid.

At the end of the repayment period, when all assessment balances have been paid, the MSBU will be closed.

This page is intentionally blank.

## MSBU Timeline

### Road Improvement, Stormwater Systems and/or Retention Pond Renovations



## MSBU Cost Matrix – Rough Estimate of Potential Cost

Estimates Based Upon Seminole County 2012 Average Project Cost Data

### Road Improvements

Actual site conditions for projects vary extensively. The information below is intended as a **guide** for estimating the **potential** cost for improving an existing roadway based on either open or closed drainage systems. **A formal cost estimate based on preliminary engineering evaluation conducted in Step 2 of the MSBU creation process will use during the *Petition to Create an MSBU* process and will include all known costs associated with the proposed project.**

<b>Road Improvements</b>		
<b>Rural Roadway Design - <i>Open Drainage System</i></b>		
<b>(No Curbs or Gutters)</b>		
Roadway Linear feet [LF]	Estimate per Linear Foot	
< 10,000	\$175	
>10,000	\$170	
<p>Project improvement cost estimates above are based on a rural typical section (roadside swales) with a pavement width of twenty feet and includes the design, construction, and certain miscellaneous expenses. This does not include construction costs for any required retention ponds, or storm water outfall system.</p>		
<b>Urban Roadway Design - <i>Closed Drainage System</i></b>		
<b>(Curb and Gutter, Inlets, Pipes, Etc.)</b>		
Roadway Linear feet [LF]	Estimate per Linear Foot	
	w/o construction of retention pond	with construction of retention pond
< 5,000	\$420	\$475
5,000 to 10,000	\$395	\$435
>10,001 to 15,000	\$330	\$360
>15,000	\$325	\$340
<p>Project improvement cost estimates above are based on an urban typical section (closed drainage system) with a pavement width of twenty feet and includes the design, construction, and certain miscellaneous expenses. This does not include acquisition costs for land required for constructing retention ponds or a storm water outfall system.</p>		

**The above cost estimate matrix does not include the items (such as the following) that may (or may not) be associated with any given project:**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>○ Administrative Fees</li> <li>○ Appraisal, Survey, or Title Search Fees</li> <li>○ Wetland Mitigation</li> <li>○ Geotechnical Services</li> <li>○ Permit Fees</li> <li>○ Design/Construction Engineering</li> <li>○ Off-site construction due to off-site drainage conditions affecting property               <ul style="list-style-type: none"> <li>○ Driveway restoration, sod, landscaping, and/or irrigation (unless specified in final scope)</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>○ Acquisition of Land and/or easements</li> <li>○ Additional Fill or excavation</li> <li>○ Stormwater outfall drainage systems</li> <li>○ Utility Relocation</li> <li>○ Retaining walls</li> <li>○ Landscaping and/or irrigation</li> <li>○ Financing fees associated with paying assessment in installments</li> </ul> |
|--|--|

## Capital improvement Assessments Installment Payment – Examples

ASSESSMENT (PER PROPERTY)	FINANCE FEE <sup>1</sup>	REPAYMENT TERM	ANNUAL INSTALLMENT (PER PROPERTY) <span style="color: green;">Rounded \$5</span>
\$12,000.00	3.5% + 3.5%	20 Years	\$875
	3.5% + 3.5%	15 Years	\$1,080
\$10,000.00	3.5% + 3.5%	20 Years	\$730
	3.5% + 3.5%	15 Years	\$900
\$8,000.00	3.5% + 3.5%	20 Years	\$585
	3.5% + 3.5%	15 Years	\$720
	3.5% + 3.5%	10 Years	\$995
\$6,000.00	3.5% + 3.5%	15 Years	\$540
	3.5% + 3.5%	10 Years	\$750
	3.5% + 3.5%	8 Years	\$905
\$4,000.00	3.5% + 3.5%	15 Years	\$360
	3.5% + 3.5%	10 Years	\$500
	3.5% + 3.5%	8 Years	\$605
\$2,000.00	3.5% + 3.5%	10 Years	\$250
	3.5% + 3.5%	8 Years	\$305
	3.5% + 3.5%	5 Years	\$460
<p><sup>1</sup>Combination of 3.5% Interest calculated annually per Assessment balance and 3.5% Administrative Fee calculated annually per amount of Installment billing.</p>			



## Frequently Asked Questions

**Where do I obtain detailed information?** To obtain detailed information, please contact the Seminole County MSBU Program at 1101 East 1<sup>st</sup> Street, Third Floor, Room 3301, Sanford, FL 32771 or at <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.asp> or call 407-665-7178.

**What do the letters MSBU represent?** Municipal Services Benefit Unit. An MSBU is a non-ad valorem assessment district created to fund a public service or capital improvement. An MSBU consists of a group of properties that share in the benefit and cost of the service provided. The assessment allocated to each property is based on the municipal service cost, total number of benefit units and the number of benefit units assigned to each property. A benefit unit may be a parcel, dwelling, linear foot or other equitable unit.

**What type of property is eligible to participate in an MSBU?** Eligibility to participate in an MSBU varies per project type. Unless otherwise agreed, property must be located within the taxing district of unincorporated Seminole County. Most Seminole County MSBUs are associated with residential properties; however, certain commercial areas may also qualify. Specific to aquatic weed control and lake restoration, waterfront properties are the primary properties included in the assessable boundaries of an MSBU; secondary properties may include properties with use rights to common land located on the benefited waterfront. Inclusion of property is not dependent on use of land, occupancy or site development.

**My subdivision is located within city limits. Can the MSBU Program provide assistance with municipal services, such as street lighting, metered-water, wastewater, etc.?** Florida Statutes specify that the local government may only level assessments against property within its jurisdictional boundaries. Although a city government may grant a County the right to assess property within the city boundary, most city governments prefer to provide direct assistance to their tax payers. Please contact your city government to request municipal services.

**What is the procedure to start the MSBU process?** The process begins with filing an *Application to Create an MSBU*. The 5-Step process is explained in the "What is an MSBU?" brochure an application packets available from the MSBU Program at (407) 665-7178. Basic steps include: (1) Apply, (2) Review, (3) Petition, (4) Create, and (5) Implement.

**What is the role of the community liaisons and how are they selected?** Liaisons serve as the primary contact for the County and the Community by attending scheduled site visitations, encouraging petition response, and providing other project support activities. Liaisons are identified by the applicant at the time of application and are very important to establishing an MSBU and to ensuring project completion occurs per community expectations.

**Is someone available to attend an HOA meeting to discuss the process or the projects?** Yes. The MSBU Program offers a variety of public presentations through the Seminole County Government Speaker Bureau. To request attendance at a meeting, simply go to the [Speaker Bureau](#) webpage and select the type of presentation and date that is of interest to you. You may also [email](#) or call the MSBU Program at (407) 665-7178 to request additional details and information.

**How does the MSBU Program determine the level of community support for creating an MSBU?** After an application is received, reviewed and accepted by the MSBU Program, the MSBU Program distributes a *Petition to Create an MSBU*. The petition contains details of the proposed project and

MSBU. Provisions on the petition allow owners to indicate whether they support (“For”) or oppose (“Against”) creating the proposed MSBU. An owner identifies their preference, signs and returns the document to the MSBU Program or to designated community liaison(s). The percentage of support is determined by the MSBU Program according to responses entered on returned petitions. Petitions that are not returned to the MSBU Program are noted as “Unknown” and counted as “Against” response.

**How does the *Petition to Create an MSBU* get distributed?** The MSBU Program distributes the petitions to the owners of record for each property listed in the assessment boundary proposed for the MSBU. Distribution is by mail or in person. The petition is to be reviewed and signed by all the property owner(s) of record, and returned to the MSBU Program. Supplemental copies may be provided to the applicant or community liaisons for follow-up with property owners.

**Can I change my response after it has been submitted?** A petition document should be submitted after the owner has evaluated the project proposal and determined their response. The owner, however, may submit a replacement petition providing it is received by the MSBU Program within the filing deadline for the petition process. Petitions will not be accepted after the deadline has passed. Petitions may not be withdrawn after the response deadline has expired.

**Can the petition deadline be extended?** The petition deadline is monitored by the MSBU Program. Petition documents are typically in distribution for a 30-day period. Extension is granted by the MSBU Program when community support is uncertain due to non-returned petitions. Deadline and provisions for extension will be noted on the petition document. Up to 2 extensions, each limited to 2 additional weeks may be granted. Deadline extensions will be posted to MSBU Program website.

**What level of support is required?** To continue to the next step in the application process (public hearing), all project types (except street lighting) require that 65% of the petitioned properties file a “For” response. The “For” response required for street lighting projects is 55%.

**Will the results of the petition be communicated?** The results of the petition process will be posted to the MSBU Program website. If the petition demonstrated sufficient support to proceed with the MSBU creation process, the MSBU Program will mail notification of the results along with information regarding the next steps in the process of creating the MSBU. If support is insufficient to proceed, mailed notification is at the discretion of the MSBU Program. Typically, if a notice of insufficient support is mailed, it is sent only to the owners that filed a petition response.

**If an owner responds as “against” the MSBU during the petition process will the property be assessed if the MSBU is created?** An owner’s response on the Petition does not determine whether or not the property is assessed. All properties deemed to have special benefit from the municipal service will be assigned a cost share and levied an assessment if the MSBU is created. For projects involving installation of utility service access, all assessed properties are required to connect within 120 days of being granted connection access and are assessed equitably for the cost of installing the infrastructure. The governing ordinance will include a list of participating properties and respective improvement for which the property will be assessed. Once the ordinance is adopted by the BCC, participation in the cost share becomes mandatory as per directives of the ordinance. Ordinances are posted at: <http://www.seminolecountyfl.gov/fs/msbu/msbudistrict2.aspx>.

**When will a public hearing be held and who may attend?** A public hearing to establish an MSBU will be scheduled after a petition process demonstrates the required level of community support, and all supporting documents are secured by the MSBU Program. Notice of public hearing will be mailed to owners of record for all properties included in the boundaries of proposed MSBU. Notice will be published in a local newspaper. Any member of the public may attend a public hearing.

**Can an MSBU be terminated at a future date?** The process to dissolve an established MSBU is similar to the creation process - application, petitioning, majority support, public hearing, and BCC authorization. MSBUs that receive supplemental financial support from county funding may have additional restrictions that mandate the minimum duration of existence for the MSBU. If/when an MSBU is dissolved; the participating properties will be assessed for closure costs, contractual obligations, and/or other unpaid expenses.

**When do I start paying the assessment?** Assessments for on-going municipal services (such as street lighting, aquatic weed control and solid waste) subject to annual rate variation are defined as variable rate and are included on the first available property tax bill following creation of the MSBU. Assessment for projects involving installment financing (such as construction and lake restoration projects) are defined as capital improvement and will be included on the first available property tax bill following project completion. Additional information for different types of municipal services is available at <http://www.seminolecountyfl.gov/fs/msbu/msbuprog.aspx>. Capital project assessments may be paid in full at any time following final rate resolution. Property taxes are due annually by March 31. Early payment discounts associated with property taxes are applicable to MSBU assessments.

**I received a Notice of Proposed/Adopted Non-Ad Valorem Assessment in the mail. What is this?** Property owners have a “right to know” about the taxes and assessments that are proposed or adopted for inclusions on the property tax bill. Notice is provided in advance of a property tax bill and provides communication of non-ad valorem assessments that will be included on the property tax bill. The notice also provides details regarding a public hearing scheduled by the Board of County Commissioners to receive public commentary regarding the proposed assessment roll prior to their approval consideration and certification to the County Tax Collector for collection.

**“This is not a bill” is noted on the Non-Ad Valorem Assessment Notice. When and how are the charges billed? How is the assessment paid?** Non-ad valorem assessment(s) are billed via the property tax bill each November by the County’s Tax Collector. Assessments are due on the same payment cycle as property taxes. When a property tax bill is paid; the assessments must also be paid.

**Since there is a lien on my property, when and how is the lien satisfied? Will I receive a copy of the satisfaction of lien?** The lien for a variable rate assessment, such as street lighting and aquatic weed control is satisfied annually when the property tax bill is paid. A lien associated with a capital assessment is satisfied when the outstanding assessment is paid in full. A satisfaction of lien document is issued when a capital project assessment is paid in full; a lien satisfaction document is not required or issued when a variable rate assessment is paid. For additional information regarding satisfaction of lien process, pay-off balance or a copy of the satisfaction of lien, please contact the MSBU Program (407) 665-7178 or online at: <http://www.seminolecountyfl.gov/fs/msbu/msbuamaterials.aspx>.

**If I sell my property within the payoff period how does the MSBU lien on my property get satisfied? Who pays the remainder due, the buyer or the seller?** An MSBU assessment is satisfied by full payment. Seminole County Government does not require payment of the assessment balance at the time of property sale. However, a mortgage company or title company may require lien satisfaction to finance/refinance or issue title insurance. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is between the buyer and the seller and/or their agents. If an assessment balance will be paid at the time of property sale, the MSBU Program must be notified so that a payoff amount can be calculated. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.

**What is the required width of an easement for construction activities?** Easement requirements vary by project type and will be defined during the review and preliminary engineering evaluation. In general, a minimum easement width of 15 feet should be expected for a construction project. Easement areas need to be void of obstruction or hindrances to the work activities. Utility Improvements are generally installed within the roadway right-of-way or other utility easement. If utility infrastructure is installed outside these areas, a minimum width of 15 feet is typically required. Generally, water mains shall not be installed in or under retention ponds, wetlands, drainage swales, or other structures or along side or rear lot lines unless approved by the Manager or the serving utility. For wall reconstruction, a 15 foot easement would be inclusive of the wall foundation and working space on the back and front side of the wall. Placement of a wall foundation within a road right-of-way is prohibited. Road projects may require right-of-way provisions in addition to construction easements.

**What level of community support is required to create an MSBU?** A petition support of 65% (55% for street lighting) is required prior to scheduling a public hearing to consider establishing the MSBU. If an MSBU is established, then 100% of the petitioned properties are included in the assessed boundary and cost allocation.

**If I want an MSBU for constructing utility service access, does it need to be for both metered-water and wastewater? Or can it be for only one of the two services?** The MSBU Program accepts application for both services and/or either one of the two services.

**If a property owner chooses not to connect to a metered-water utility service line and/or wastewater and/or, may they do so in the future?** All properties with access to the County's infrastructure must make connection within 120 days of being granted connection access. If a property was excluded from the MSBU, and is granted connection access during the active stage of an MSBU, access would be contingent on contributing equitably towards the original cost. The amount, methodology for determining cost share, and impact on existing properties would be determined by the MSBU Program on a case-by-case basis.

**If the constructed improvement provided via assessment funding requires repair, who is responsible for those costs?** The repair and maintenance responsibility varies by project type and scope of services identified in the governing ordinance. Roadways that are accepted into the County road system are repaired and maintained by the County [407-665-ROAD]. Utility infrastructure installed via MSBU funding becomes part of the County utility system and is repaired and maintained by the County [407-665-2110]. Unless other agreements or construction warrantee are applicable, walls reconstructed via assessment funding are repaired and maintained privately with private funding.

**May I pay-off my construction assessment at any time during the payoff period?** Yes. Capital improvement assessments that are financed through the MSBU Program may be paid in full at any time or according to the annual installment billing cycle (property tax bill). Please [email](#) or call the MSBU Program [(407) 665-7178] for assessment payoff details. For additional information regarding the purchase or sale of a home subject to non-ad valorem assessments, please visit the MSBU Program [Property Sale Information](#) page.

**If I sell my property within the payoff period how does the MSBU lien on my property get satisfied? Who pays the remainder due, the buyer or the seller?** An MSBU assessment is satisfied by full payment. Seminole County Government does not require payment of the assessment balance at the time of property sale. However, some mortgage companies may require lien satisfaction in order to finance or refinance the property. Assessment payment decisions are determined by property owners. The decision to make early payoff, as well as the decision regarding who will pay the assessment balance is between the buyer and the seller. If an assessment balance is to be paid at the time of the sale, the MSBU Program must be notified so that a payoff amount can be calculated. For additional information regarding the purchase or sale of a property subject to non-ad valorem assessment, please visit the MSBU Program [Property Sale Information](#) page.

**If I place my property for sale while an MSBU is being considered, do I need to disclose this status?** While the petition is in process, the owners of property offered for sale are obligated (as a matter of standard disclosure) to disclose the active status of the petition. Responsibility for disclosures continues through to the end of the petition process if the petition effort does not demonstrate sufficient support to continue to the next step in the application process. Responsibility for disclosures continues through to the outcome of the public hearing when the petition effort demonstrates sufficient support to continue to the Step 4 of the application process. Although the creation of an MSBU establishes the assessment levy in public records, it is advisable to disclose the status of the property participation in all assessment districts during the sale transaction process.

**If a parcel is sold while the petition is in process, can the new buyer submit a petition response that is different from that of the seller?** If property ownership changes prior to the closing of the petition process, then the MSBU Program will accept a petition response from the new owner, providing (1) the new owner notifies the MSBU Program of the ownership change prior to the close of the petition process so a replacement petition document can be provided (by the MSBU Program) to the new owner and (2) the new owner submits a completed petition (If “For”) prior to the close of the petition process. The petition response of record for any given property as of the close of the petition process will be held as the response for that property for the purpose of determining whether or not the requested project will be presented to the BCC for consideration.

## MSBU Program Glossary

### Terminology & Definitions

<b>ADMINISTRATIVE FEE</b>	A charge assigned to an MSBU for recouping costs incurred by the County in support of establishing, managing and administering the MSBU. Includes an allocation of operating costs such as personnel, office/computer equipment, supplies, data processing, postage, insurance premiums, and programming. May also include project management expenses.
<b>ADMINISTRATIVE REVIEW &amp; RECTIFICATION</b>	Boundary or structural modifications recommended by the MSBU Program and applied to established MSBUs for the purpose of rectifying or maintaining the integrity between common benefit and cost allocation based on land use, land developments and/or assessment criteria.
<b>AD VALOREM TAX</b>	A charge levied by a government to provide funding for general public services and improvements; amount due is based on official valuation (appraised value) of real property and authorized millage rate.
<b>ASSESSED VALUE</b>	Valuation set on real estate or personal property by the Property Appraiser as a basis for levying ad valorem property taxes. [Refer to <i>Property Tax</i> ]
<b>ASSESSMENT (Non-Ad Valorem)</b>	An assigned dollar amount representing property cost share; allocated on basis of benefit units; and levied for funding a specific municipal service. [Refer to <i>Capital Improvement</i> and/or <i>Variable Rate Assessment</i> ]
<b>ASSESSMENT BASE</b>	Unit of measure on which non-ad valorem assessment is calculated. Examples: Per parcel, per dwelling, per front foot, and per acre.
<b>ASSESSMENT DISTRICT</b>	A type of administrative division managed by local government. That consists of a geographic area or group of properties identified as receiving benefit from a specific municipal service and assessed a cost share amount as required to fund the municipal service.
<b>ASSESSMENT ROLL</b>	Formal record adopted by the Board of County Commissioners at a public hearing that provides a complete listing of the non-ad valorem assessments levied and assigned to property. Roll is certified and submitted annually to the County Tax Collector for inclusion on annual property tax bills for collection.
<b>AQUASCAPING</b>	Using beneficial native plants to create a buffer zone near or along the shoreline of a waterbody. Shoreline vegetation can reduce erosion and trap pollutants in stormwater runoff before the runoff reaches water bodies.
<b>AQUATIC PLANT</b>	Plant species that grow in, or closely associated with the aquatic environment around lakes and waterways; may be designated as floating, emersed, submersed, and shoreline species.

<b>AQUATIC WEED</b>	An aquatic plant with potential to hinder the growth of beneficial aquatic plants, to interfere with irrigation or navigation, or to adversely affect the public welfare or natural resources of the state.
<b>AQUATIC WEED CONTROL</b>	Controlling or managing noxious and/or invasive plant species through chemical, biological or mechanical means. Often requires compliance with federal, state and local agency regulations, as well as permitting.
<b>AQUATIC WEED CONTROL [MSBU]</b>	Public services critical to restoring, developing and/or maintaining aquatic conditions that enhance the water quality and overall health of the waterbody; concentrating on the aquatic plants in direct association with the waterbody (i.e. water and shoreline). Often requires compliance with federal, state and local agency regulations. [Vegetation that does not present a detriment to a waterbody is not targeted as a priority within the scope of public aquatic weed control services fund by assessment.]
<b>BENEFIT</b>	Direct or indirect assistance or advantage.
<b>BENEFIT UNIT</b>	Equitable base or measure used for allocating cost, such as parcel, acreage or dwelling.
<b>BEST LAKE MANAGEMENT PRACTICES</b>	Professionally developed and recommended measures for evaluating, monitoring, addressing, and promoting optimal conditions for restoring, developing and/or maintaining water quality and environmentally sound waterbodies and habitats for wildlife. Often requires compliance with federal, state and local agency regulations.
<b>BID</b>	Offer to perform work; offer to supply labor, materials and/or goods at specified price.
<b>BIOASSESSMENT (Aquatic Vegetation)</b>	A scientific evaluation of the vegetation growing in, or in the vicinity of, a waterbody; identification, classification, and characteristics of vegetation in a given area [native, noxious, aquatic, wetland, upland, etc]. When an aquatic vegetative bioassessment is conducted, dominance is determined by areal extent within the waterbody. When formulating aquatic vegetation bioassessment, a variety of factors are considered, such as, but not limited to, species present, growth characteristics of species, and mass and/or percentage of area represented by each species.
<b>BOARD OF COUNTY COMMISSIONERS (BCC)</b>	Governing body of Seminole County composed of five members serving staggered terms of 4 years with election on a county-wide basis; one Commissioner per each of the five commission districts.
<b>BUDGET</b>	Financial operating plan for fiscal year; summary of anticipated revenue and expenditures.
<b>BUILDER</b>	A person or company constructing buildings under contract or as a speculation.

<b>CADASTRAL</b>	Map or survey showing or including boundaries of property lines.
<b>CAPITAL IMPROVEMENT ASSESSMENT</b>	Amount levied for a constructed improvement for which the amount is levied once but may be repaid in annual installments over a period of years.
<b>COMMUNITY COLLECTION LOCATION</b>	A central site that is near multiple residential properties and designated by the County for placement and collection of residential solid waste.
<b>CENTRAL TRANSFER STATION</b>	Solid Waste processing facility where residential waste is unloaded from collection vehicles and is compacted and reloaded onto larger long-distance transport vehicles for shipment to a landfill for disposal or other facilities for recycling.
<b>COLLECTION SERVICE</b>	The contracted service by which residential solid waste is removed and transported to an authorized disposal facility for processing.
<b>COLLECTION LOCATION</b>	Location designated by the County for placement and collection of residential solid waste. Includes curbside to residential property where feasible (most common in developed subdivisions) and central/community collection locations when necessitated by less developed conditions.
<b>CONSOLIDATED STREET LIGHTING ORDINANCE</b>	Declaration/document established by the Seminole County Board of County Commissioners for the purpose of defining the governing parameters of the street lighting non-ad valorem assessment districts in unincorporated Seminole County.
<b>CONTINGENCY FUNDS</b>	Funds set aside or reserved to cover unforeseen events that occur during fiscal periods or improvement projects.
<b>CULVERT</b>	A drain pipe or masonry structure under a road or embankment.
<b>DEVELOPER</b>	A person/entity that invests in and develops the urban or suburban potentialities of real estate, especially by subdividing the land into home sites and then building houses and selling them.
<b>DISTRICT</b>	A division of territory (such as a county) marked off for administrative, electoral, or other purposes.
<b>DISTRICT BOUNDARY</b>	The geographic area and/or properties included in an area identified as a district.
<b>DRAINAGE</b>	Conveying water from one place to another to dry the former and prevent water from accumulating.
<b>EASEMENT</b>	A limited right of use over the property of another, such as any strip of land legally dedicated or conveyed for public or other private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.

<b>EMERGENT</b>	In the process of coming into being or becoming prominent; aquatic plant risen or standing out of water, surrounding leaves, etc.
<b>EMERSED</b>	Denoting or characteristic of an aquatic plant reaching above the surface of the water; leaves or stems of aquatic plants protruding above the surface of the water
<b>ENGINEERING REPORT</b>	A written report prepared by a licensed engineer describing the project background, findings, assumptions, permit recommendations, and probable cost to complete a specific MSBU project.
<b>FINANCE (INSTALLMENT) FEE</b>	The charge assigned by the County to provide and manage installment payments for MSBUs with capital project assessment; generally expressed as a percentage rate over a period of time. A portion of the fee is interest calculated on principal balance; a portion is administrative fees calculated on amount of annual payment.
<b>FISCAL YEAR</b>	A twelve month time period designated for managing and monitoring financial aspects of a business, government or other organizations; includes budgeting and financial performance tracking. (Seminole County Fiscal Year: October 1 through September 30).
<b>GARBAGE RECEPTACLE</b>	Any commonly available light gauge steel, plastic or galvanized container of nonabsorbent material, closed at one end and open at the other, furnished with a closely fitted top or lid and handle(s); may also be defined as a waterproof plastic bag of heavy mill construction which can be safely and securely closed. For collection purposes, a garbage receptacle and contents shall not exceed 50 gallons in capacity or 50 pounds in weight.
<b>HAULER</b>	A contracted service provider hired to collect residential solid waste such as household garbage, yard waste and recycle material from residents and to provide delivery of refuse to designated disposal facilities.
<b>HERBICIDE</b>	A substance or chemical that will destroy or kill vegetation.
<b>INTEREST EARNED</b>	Favorable financial gain on revenue, savings or investment.
<b>INSTALLMENT (FINANCE) FEE</b>	The charge assigned by the County to provide and manage installment payments for MSBUs with capital project assessment; generally expressed as a percentage rate over a period of time. A portion of the fee is interest calculated on principal balance; a portion is administrative fees calculated on amount of annual payment.
<b>LAKE MANAGEMENT</b>	Long-term integrated approach for restoring, developing and/or maintaining waterbody conditions that will enhance the water quality and overall health of the waterbody. Requires compliance with federal, state and local agency regulations.

<b>LAKE MANAGEMENT PLAN</b>	The goals and methodology developed by professional biologists for addressing the needs and aquatic conditions of a waterbody. Requires compliance with governing ordinances, budgetary parameters, and community support.
<b>LAKE RESTORATION</b>	Specific and often extensive environmental efforts directed toward improving a waterbody so that deterioration is corrected. Restoration efforts are often supplemented with a long-term management plan inclusive of aquatic weed control and shoreline replanting.
<b>LAKE VEGETATION INDEX (LVI)</b>	A scientific methodology for evaluating the condition of a waterbody based on the vegetation growing in or in the vicinity of the waterbody. Developed and regulated by FDEP; requires certification (individual audit) to execute.
<b>LEASEHOLD</b>	Land or property held under a contract (lease) that conveys certain property rights to another person or entity for a specific period of time.
<b>LEVY</b>	To impose taxes, assessments or service charges for funding public services and public property; an amount imposed by local authority.
<b>LIAISON</b>	A person submitting an application for establishing an MSBU, or an owner of property within the MSBU boundaries that voluntarily serves as a spokesperson for the community during the various phases of the MSBU process.
<b>LIEN</b>	A legal claim of one person/entity upon the property of another person to secure the payment of a debt or the satisfaction of an obligation.
<b>LINEAR FOOT</b>	A one dimensional measurement pertaining to length and equal to twelve inches.
<b>MILLAGE RATE</b>	The property tax rate; levied in mills per dollar of taxable property value.
<b>MUNICIPAL</b>	Of or relating to the local government or civic unit.
<b>MUNICIPAL SERVICE</b>	Activity performed by a local government that serves a public purpose; <b>such</b> as providing utilities, environmental management, and constructed facilities and other infrastructure essential to the public.
<b>MUNICIPAL SERVICE BENEFIT UNIT (MSBU)</b>	An assessment district created and managed by a local government for the purpose funding an essential public service that offers special benefit to certain properties. The properties included in the district (unit) are assessed a cost share assigned on an equitable basis for the service [Refer to <i>Assessment Base</i> and <i>Benefit Unit</i> .]
<b>MUNICIPAL SERVICE TAX UNIT (MSTU)</b>	A tax district established for funding a public service and/or improvement provided on behalf of a specific geographic area or sector of the County. Amount per property is allocated based on property value and millage.

<b>MUNICIPALITY</b>	Political unit usually having powers of self government. Seminole County municipalities (cities) include: Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs.
<b>NON-AD VALOREM</b>	As related to assessment; cost allocation and levy is according to a unit of measure other than property value. “Ad valorem” “according to value”; non-ad valorem indicates “not according to value”. [Refer to <i>Assessment Base</i> and <i>Benefit Unit</i> .]
<b>NON-AD VALOREM ASSESSMENT (NAVA)</b>	Cost share amount levied on a property by criteria other than property value; typically assigned by units of benefit. [Refer to <i>Capital Improvement Assessment</i> and/or <i>Variable Rate Assessment</i> ]
<b>OPERATING CONTINGENCY</b>	Funds set aside or reserved to cover unforeseen or future events that may occur during project implementation or during any given fiscal period.
<b>ORDINANCE</b>	An authoritative order or legislative enactment by the governing board of a municipality or other political subdivision. As related to the MSBU Program, a declaration document authorized by the Seminole County Board of County Commissioners for the purpose of (a) creating a special assessment district [MSBU] (b) defining the governing parameters of the MSBU and (c) adopting the initial and/or preliminary assessment roll for the MSBU.
<b>PETITION TO CREATE AN MSBU</b>	A document prepared and distributed by the MSBU Program and used to determine the level of community support for creating an MSBU to fund a requested public service.
<b>PETITION [or SURVEY] OF INTEREST</b>	An informal communication to/from property owners distributed to determine preliminary interest in pursuing services or improvements through an MSBU.
<b>PLATTED LAND</b>	Land that is described by <u>lot</u> , <u>block</u> , and <u>tract</u> . A <u>plat</u> (map) is filed in public land book records. After the filing of a plat, legal descriptions can refer to block and lot-numbers rather than portions of <u>sections</u> .
<b>PRELIMINARY ENGINEERING REPORT</b>	A written report prepared by a licensed engineer describing the anticipated conditions, requirements, methods, permits, and estimated costs to be addressed to complete a specific project.
<b>PRIVATE LAKE OR WATERWAY</b>	A body of water that is surrounded by land that is privately owned and/or without provisions for public access.
<b>PRIVATE ROAD</b>	Privately owned land designated as a roadway.
<b>PRO-RATA</b>	A proportionate allocation.
<b>PROJECT MANAGER</b>	A person whose responsibilities include managing the activities, resources, and scheduling of a project.

<b>PROPERTY TAX</b>	A debt imposed by a government for funding general public services and public improvements; levied according to authorized millage rate and taxable value of property value.
<b>PUBLIC</b>	Available or pertinent to the people as a whole; open to all members of a <u>community</u> ; may be provided by local <u>authorities</u> and supported by money from <u>taxes</u> /assessment
<b>PUBLIC HEARING</b>	A special meeting which allows the public to comment on proposed plans and projects before the local government makes a final decision.
<b>PUBLIC LAKE OR WATERBODY</b>	A body of fresh water that must be sovereignty land that includes provisions for public access by way of an established, improved boat ramp or a direct navigable connection, and/or associated with submerged lands owned by the state by right of its sovereignty in navigable freshwater lakes, rivers, and streams. [Refer to Florida Statute 253.12 and Florida Administrative Code 68F-54.0035]
<b>PUBLIC PURPOSE</b>	Available or pertinent to the people as a whole; open to all members of a <u>community</u> ; may be provided by local authorities and supported by money from taxes, fees or assessment.
<b>PUBLIC ROAD</b>	Publically owned land/property used or designated as roadway (travel route)
<b>PUBLIC SERVICE</b>	Activity performed by a local government that serves a public purpose; <b>such</b> as providing utilities, environmental management, and constructed facilities and other infrastructure essential to the public.
<b>RECONSTRUCTION</b>	Replacement of an existing structure.
<b>RECYCLE MATERIAL</b>	Product components that can be salvaged for reuse. Includes items such as pasteboard, brown paper grocery bags, corrugated cardboard, newspaper, magazines, catalogs, telephone books, plastic containers, glass bottles/jars, aluminum cans and steel cans.
<b>RESERVE FUND</b>	An amount set aside in the operating budget, usually on a long-term basis for the purpose of meeting future planned or unplanned expenses.
<b>RESOLUTION</b>	A written motion adopted by a governing body. Relative to MSBU Program activity, resolution action is used to confirm variable rates, assessment roll certification, administrative code provisions, and adopting of final assessments associated with capital improvement projects
<b>RETENTION POND</b>	An artificial waterbody designed to manage <u>stormwater runoff</u> , to prevent <u>flooding</u> and downstream <u>erosion</u> , and improve <u>water quality</u> in an adjacent <u>river</u> , <u>stream</u> , <u>lake</u> or <u>bay</u> .

<b>RETENTION POND RENOVATION</b>	Re-establishing functionality of an existing retention pond through site cleanup, dredging, aquatic weed control and other restorative efforts.
<b>RIGHT OF WAY</b>	A type of <u>easement</u> granted or reserved over the land for <u>transportation</u> purposes, such as for a road, <u>trail</u> , <u>driveway</u> , or <u>navigational aid</u> . A right-of-way is reserved for the purposes of maintenance or expansion of existing services with the right-of-way.
<b>RIPARIAN</b>	Relating to or living or located on the bank of a natural river/waterbody
<b>RIPARIAN STEWARDSHIP</b>	Responsible protection and preservation of a river/waterbody by an owner of waterfront property; actively protecting water and environment qualities; pursuing use of land in a manner that will yield optimal positive environmental influence on water quality and healthful condition of waterbody; includes activities such as planting shoreline with desirable native plants, avoiding use and runoff of chemicals that negatively impact water quality or are detrimental to wildlife, reducing or eliminating use of certain fertilizers, proper disposal of grass clippings and leaves, and many other responsible practices. [ <i>For additional information, contact the Seminole County Lake Management Program or other public environmental agencies.</i> ]
<b>SATISFACTION OF LIEN</b>	Fulfillment of all obligations under a lien to the acceptance of a lien holder; assessment paid in full.
<b>SCOPE OF SERVICE/WORK</b>	The number, type, and intensity or complexity of services being provided.
<b>SERVICE LEVEL</b>	Specific to the collection of residential solid waste, the service level identifies the frequency of household garbage collection (once or twice per week) and the collection services (with or without yard waste collection) selected by the property owner; also referred to as service option.
<b>SERVICE YEAR</b>	Specific to residential solid waste management, the calendar year to which the annual assessment is applied.
<b>SEWER LINE</b>	Wastewater line; utility system components that connect dwelling/building facilities to centralized wastewater processing facilities.
<b>SHORELINE</b>	The line where shore and water meet.
<b>SOLID WASTE</b>	Garbage, rubbish, yard waste, white goods, furniture and recycle materials generated by the normal activities of a household. Household generated recycle items are included in this broad definition; however, such items are identified and processed per material recovery guidelines.
<b>SOLID WASTE ASSESSMENT</b>	An annual levy allocated on a per dwelling and service level basis that provides funding for current and long-term management of residential solid waste in the unincorporated areas of the County. [ <i>Refer to Variable Rate Assessment</i> ]

<b>SOLID WASTE MANAGEMENT (Residential)</b>	Daily and ongoing administration of activities and facilities necessary to accommodate the processing of residential solid waste. The integrated approach adopted by Seminole County includes collection, transportation, sorting and separation, transfer, and disposal of solid waste.
<b>SOVEREIGN WATERS/LAND OF THE STATE</b>	Those lands waterward of the ordinary or mean high water line, submerged beneath navigable fresh water (i.e., inland lakes). Such sovereign land includes all submerged land to which title is held by the Board of Trustees of the Internal Improvement Trust Fund, who provides by statute the acquisition, administration, management, control, supervision, conservation, protection, and disposition of state-owned lands under its control. Activities on and sales of, sovereign submerged lands must not be contrary to public interest.
<b>STATUTE</b>	A written law enacted by an official legislative body.
<b>STORM DEBRIS (Vegetation)</b>	Large size or volume vegetative debris generated by winds, rain and other storm conditions. Typically requires direct disposal by owner at County disposal facilities.
<b>STORMWATER SYSTEM</b>	Natural or manmade conditions that provide management of rain water so that flooding is reduced; water is absorbed and filtered before reaching waterbodies. Stormwater systems come in a variety of shapes, sizes and forms, but basically there are four types: stormwater retention basin, stormwater swale, dry detention, and wet detention. Additional information: <a href="http://www.ircstormwater.com/documents/Neighborhood_Guide.pdf">http://www.ircstormwater.com/documents/Neighborhood_Guide.pdf</a>
<b>STREET LIGHTING</b>	Lighting equipment system intended to provide enhanced roadway lighting that offers quick, accurate, and comfortable visibility at night that will safeguard and facilitate both vehicular and pedestrian traffic. Within the structure of individual MSBUs, the authorized services may extend to ancillary lighting and electrical expenditures, such as entrance lighting and flood lights in common areas and metered account services that are considered to be part of the overall street lighting plan within a specific geographic area.
<b>STREET LIGHTING ASSESSMENT</b>	An annual cost share levy on property to fund the street lighting system located in the vicinity or along the access route to the property. [ <i>Refer to Variable Rate Assessment</i> ]
<b>TAX COLLECTION FEE</b>	The amount paid by the MSBU Program to the County Tax Collector for providing the billing and collection services associated with the non-ad valorem assessments levied by County.
<b>TAX ROLL</b>	Formal listing of property tax records as prepared annually by the Property Appraiser and certified to the Tax Collector for collection.
<b>TROPIC STATE INDEX (TSI)</b>	A classification system designed to "rate" individual lakes, ponds and reservoirs based on the amount of biological productivity occurring in the water.

<b>UNINCORPORATED</b>	Land/property within the County boundary that is not within the taxing boundary of any incorporated municipality (city).
<b>UNPLATTED LAND</b>	Land that is not defined or described with a legal description inclusive of lot number, or lot and block number as shown in the county records office. ( <i>Refer to Platted Land</i> )
<b>VARIABLE RATE ASSESSMENT</b>	Type of levy that is assigned on an annual basis to fund ongoing municipal services. Assessment amount may be adjusted annually based on budgeted cost for service continuation.
<b>WASTEWATER</b>	Water that has been used in washing, flushing, manufacturing, etc.; sewage.
<b>WATERBODY (or Body of Water)</b>	Stationary accumulations of water, such as <u>lakes</u> , <u>ponds</u> or <u>wetlands</u> ; as well as moving bodies of water such as <u>rivers</u> , <u>streams</u> , and <u>canals</u> .
<b>WATER LINE (Potable)</b>	Part of the County's metered-water system that provides distribution or conveyance of water that (a) has been treated by a facility permitted by the Florida Department of Environmental Protection and (b) meets the requirements of the Florida Safe Drinking Water Act.
<b>WHITE GOODS</b>	Large appliances such as refrigerators, ranges, washers, water heaters, and other similar large domestic appliances.
<b>YARD WASTE</b>	Vegetative matter resulting from residential yard and landscaping maintenance (leaves, grass clippings, shrub trimmings, small branches, etc.). To be eligible for collection service, branches shall not exceed four feet in length and four inches in diameter; yard waste must be tied/bundled, bagged or containerized; no bundle, bag or container shall exceed 50 pounds in weight. [ <i>Refer also to STORM DEBRIS.</i> ]

## Referenced Sources/Documents

Florida Statutes: <http://www.leg.state.fl.us/Statutes/index.cfm>

- [Chapter 125](#) County Commission Powers and Duties  
(Primarily sections .01 and .0101)
- [Chapter 197](#) Tax Collection  
(Primarily sections 197.292, .322, .363, .3631, and .3632)

[Seminole County Administrative Code:](#)

<http://www.seminolecountyfl.gov/ca/admincode>

- [Section 22.10](#) [PDF](#) of MSBU Program
- [Section 20.37](#) [PDF](#) of MSBU Program Fee Schedule

This page is intentionally blank.







## GUIDELINES FOR COMPLETING THE APPLICATION

**Project type:** Check appropriate box(es) that best identifies the service(s) requested.

**Application type:** Is this an initial application to create an MSBU or an application to reactivate a former application for re-petitioning? Check appropriate box. The application fee is noted by each type. If more than one type of service is requested, a single application fee is required. The single fee will be that of the highest amount.

**Attachments:** Check appropriate boxes. If you have additional documentation, describe it in "Other". Including a complete documentation package with the application will result in a more rapid application review.

**Subdivision, Roadways, and Property ID:** Enter name of subdivision and/or roadways where the municipal service is requested. Provide a parcel identification [PID] number that can be used as a reference for identifying location. The referenced parcel PID number may be that of any parcel located within the geographic area where services are requested to be provided. Property ID is available at the Property Appraiser (407-665-7506 or [www.scpafl.org/scpaweb05/index.jsp](http://www.scpafl.org/scpaweb05/index.jsp)).

**Liaison Information:** Enter the requested information for the person that will be the primary representative volunteering to serve as primary contact for the County during the application (and implementation) process. Identifying and including the information for a secondary Liaison is advised and encouraged. The liaison may be the applicant or other individual.

### Supporting Information:

➤ Check the box(es) that best identify current status of area where service is requested.

➤ Provide response to each of the five questions:

- 1. Current Problems/Concerns:** Explain in detail the known problems and deficiencies your are seeking to correct.
- 2. Meetings:** List prior and/or scheduled meeting of the residents to address the concerns noted in question 1.
- 3. Participation:** Check the box that best describes the percentage of property owners who are interested in the requested services and likely to attend relevant meetings.
- 4. Scope of Services:** Be very specific in describing what the community wants to accomplish with assessment funding.
- 5. Funding/Financing Assistance:** State detailed reasons/conditions for requesting assessment-based funding, financing or other assistance that may be available from Seminole County. If other funding options have been attempted, note these attempts and the outcome.

**Applicant Signature:** Enter information and sign the application.

**Attach required documents and processing fee  
and return completed Application to the MSBU Program.**

Seminole County MSBU Program  
1101 East 1<sup>st</sup> Street, Room 3301, Sanford, FL 32771



## **MUNICIPAL SERVICES BENEFIT UNIT PROGRAM**

### **Quality Customer Service**

**Monday through Friday: 8:00 AM to 5:00 PM**

**Telephone: (407) 665-7178**

**Location:** County Services Building, 3<sup>rd</sup> Floor - Room 3301  
1101 East First Street, Sanford, Florida 32771-1468

**Web:** <http://www.seminolecountyfl.gov/msbu>

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