

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

**SUBJECT: PUBLIC HEARING – TWIN PINES WATER & WASTEWATER
IMPROVEMENT MSBU**

DEPARTMENT: Fiscal Services **DIVISION:** MSBU Program

AUTHORIZED BY: Lisa Spriggs *LS* **CONTACT:** Kathy Moore *KM* **EXT.** 7179

Agenda Date <u>05/09/06</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Adopt ordinance creating the Twin Pines Water & Wastewater Improvement Municipal Services Benefit Unit for the purpose of providing water service for drinking and household purposes and wastewater transfer within the unit, and authorize Chairman to execute.

BACKGROUND:

Property owners have expressed their desire to enter into an MSBU for water and wastewater improvements in the Twin Pines subdivision. The Petition for Improvement distributed on January 18, 2006, demonstrated an 81.2% support rate relative to the eleven properties subject to benefit from the improvements.

To service the Cub Cove Water & Wastewater MSBU an 8-inch water transmission line with service taps, and connection extensions for accessing an existing sewer conveyance line Connecting to the County's facilities is proposed.

Notification of Public Hearing was mailed to property owners on April 10, 2006. In accordance with statute 125.66 (2)(a) the notice of intent to consider such ordinance was given at least 10 days prior to said meeting by publication in a newspaper of general circulation in the county. Public Hearing notice was advertised on April 20 and April 27, 2006.

The proposed improvement is located in Commission District 3.

Reviewed by: <i>[Signature]</i> Co Atty: <i>[Signature]</i> DFS: _____ Other: _____ DCM: <i>[Signature]</i> CM: <i>[Signature]</i> File No. <u>PHFSM02</u>

ORDINANCE

AN ORDINANCE CREATING THE TWIN PINES WATER & WASTEWATER IMPROVEMENT MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING WATER SERVICE FOR DRINKING AND HOUSEHOLD PURPOSES AND WASTEWATER TRANSFER WITHIN THE UNIT; PROVIDING BOUNDARIES OF SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID UNIT BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THE METHOD OF FINANCING TO BE ADVANCED BY SEMINOLE COUNTY FROM ENVIRONMENT SERVICES WATER DIVISION FUNDING; PROVIDING FOR PAYMENT IN FULL OR FIFTEEN (15) ANNUAL INSTALLMENTS FOR CONSTRUCTION IMPROVEMENTS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A PRELIMINARY LIST OF ASSESSMENTS FOR ASSESSMENT AND COLLECTION BY THE UNIFORM METHOD PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, INCLUSION IN SEMINOLE COUNTY CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County, Florida has the authority to establish a Municipal Services Benefits Unit pursuant to Chapter 125, Florida Statutes; and

WHEREAS, the Board of County Commissioners has adopted administrative procedures for the establishment of Municipal Services Benefits Units, and the proposed TWIN PINES WATER & WASTEWATER IMPROVEMENT MUNICIPAL SERVICES BENEFITS UNIT will be administered under the criteria as established by the Board of County Commissioners for said Municipal Services Benefits Units, and

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

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

Section 1. SHORT TITLE. This Ordinance shall be known and referred to as the TWIN PINES WATER & WASTEWATER IMPROVEMENT MSBU Ordinance.

Section 2. CREATING UNIT; IMPROVEMENTS. There is hereby created within Seminole County, the TWIN PINES WATER & WASTEWATER IMPROVEMENT MSBU for the purpose of providing water service for drinking and household purposes and wastewater transfer within the unit. Said unit shall encompass the following described area of Seminole County, Florida:

The following properties located within Twin Pines and abutting Baker Avenue within Section 17, Township 21, Range 29, Seminole County, Florida.

Parcels [further detailed in Exhibit A]:

17-21-29-515-0000-0010, 17-21-29-515-0000-0020,
17-21-29-515-0000-0030, 17-21-29-515-0000-0040,
17-21-29-515-0000-0050, 17-21-29-515-0000-0060,
17-21-29-515-0000-0070, 17-21-29-515-0000-0080,
17-21-29-515-0000-0090, 17-21-29-515-0000-0100,
and 17-21-29-515-0000-0120.

The improvements consist of providing a central water system for drinking and household purposes, and wastewater transfer through construction of a water and wastewater distribution system within Twin Pines. Construction will include approximately 515 linear feet of a 8" water line, required fire hydrants, access to existing wastewater conveyance system, and site preparation and restoration. The water and wastewater distribution systems will provide potable water service and wastewater conveyance to each property owner's property line. The property owners will be responsible for the installation of the water service line and wastewater delivery system from the connection point [to be located at the property lines] to their homes. The cost estimated for these improvements do not include connection fees, meter

fees, account deposits or service charges that must be paid prior to actually obtaining water service.

Section 3. POWERS AND DUTIES OF BOARD. The unit shall be governed by the Board of County Commissioners of Seminole County, Florida, which board shall have the following powers and duties:

(a) To provide for the collection and disbursal by the County of such funds as may be necessary to pay the expenses for improvements within the unit.

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

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

(d) To levy special assessments upon any property which is specially benefited and abuts, adjoins and is contiguous to such improvement, but which may have been omitted from the hereinafter described preliminary assessment listing, upon giving sufficient notice to the owners of such property and holding a public hearing to consider any comments, objections or other relevant information to arrive at such decision to levy such special assessments.

(e) Method of financing to be from a commercial source as required by the administrative procedures for Municipal Services Benefits Units.

Section 4. INTEREST AND ADMINISTRATIVE COSTS. All property owners desiring to pay in fifteen (15) annual installments will be assessed interest at a projected rate of 5.5%. An administrative cost of ten (10) percent of construction cost will be included total project cost calculation. Final interest rates are subject to financing arrangements available at time construction phase is completed.

Section 5. ASSESSMENT FORMULA. The assessment formula used to determine the amount to be assessed is the per parcel method.

Section 6. PRELIMINARY LIST OF ASSESSMENTS. The amounts set forth in Exhibit B are preliminary assessments on the property being improved and are based on estimated costs of improvements detailed in Section 2 above. Construction costs shall not exceed twenty percent [20%] of the projected construction cost (estimated at \$61,000) without continued support from the property owners as demonstrated through a secondary petition process inclusive of participating property owners.

Section 7. METHOD OF ASSESSMENT AND COLLECTION. All special assessments which may result as herein provided for in Exhibit A shall be assessed and collected by the uniform method pursuant to Section 197.3632, Florida Statutes.

Section 8. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid

provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 9. INCLUSION IN CODE. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Code and the word "ordinance" may be changed to "section", "article" or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish such intention; providing, however, that Sections 8, 9 and 10 shall not be codified. Sections 1,2,3,4,5,6 and 7 of this Ordinance shall be codified until all levied special assessments are collected by Seminole County.

Section 10. EFFECTIVE DATE. This Ordinance shall take effect upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State.

ENACTED this 9th day of May 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton Henley, Chairman

Exhibit A

Exhibit A

Parcel/Owners/Property Address/Legal Description as of 05/09/2006

Parcel	Owner	Property Address	Legal Description
17-21-29-515-0000-0010	GOSNEY SCOTT W & HOLLY H & PARTIN WILLIAM W SR & REGINA	1325 MC NEIL RD	LEG LOT 1 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0020	GOSNEY SCOTT W & HOLLY H &	VACANT	LEG LOT 2 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0030	GOEDE ARMAND & MAUREEN	421 BAKER AVE	LEG LOT 3 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0040	TOLLMAN PERRY E & PATRICIA S	441 BAKER AVE	LEG LOT 4 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0050	NOLDER CYNTHIA & JACK S	451 BAKER AVE	LEG LOT 5 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0060	NOLDER CYNTHIA	451 BAKER AVE	LEG LOT 6 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0070	POLESHUK NICHOLAS	460 BAKER AVE	LEG LOT 7 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0080	MEAD DENISE	450 BAKER AVE	LEG LOT 8 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0090	PARTIN WILLIAM W & REGINA	440 BAKER AVE	LEG LOT 10 + 1/2 of LOT 11 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0100	HICKS DANIEL S & DORI L	420 BAKER AVE	LEG LOT 1 TWIN PINES SUBD PB 11 PG 58
17-21-29-515-0000-0120	RICHARDS BILLY D & BARBARA J	1331 MC NEIL RD	LEG LOT 12 + 1/2 of LOT 11 TWIN PINES SUBD PB 11 PG 58

Exhibit B

Exhibit B

The proposed improvements and estimated cost include:

1. Installation of approximately 515 feet of 8" water main along Baker Avenue as a central water system for drinking and household purposes with optional use of the water supply for residential irrigation purposes with water service connection point at each owner's front property line
2. Installation of approximately 515 feet of sewer lateral gravity line along Baker Avenue for connection to central sewer system; approximately 515 feet with sewer service point at each owner's front property line
3. Installation of fire hydrant(s)
4. Site preparation & Restoration

The cost estimate for the proposed improvements does not include:

1. The installation of the water/sewer system from meter connection location to residential unit. Each homeowner will be independently responsible for these modifications.
2. Water/sewer connection impact fees, meter fees, account deposits or service charges required prior to obtaining water/sewer services. Each homeowner will be independently responsible for these expenses unless financing is requested and authorized.

Project cost projection for water and sewer line installation:

Estimated Construction, Engineering & Contingency	\$ 60,000.00
Estimated Administrative Fee	\$ <u>6,000.00</u>
Estimated Total Cost for both water and sewer	\$ 66,000.00

The estimated individual property cost share can be determined by dividing the total estimated project costs by the number of assessable lots or parcels [11].

Estimated cost per parcel for both water and sewer if paid at project completion	\$ 6,000.00
Estimated annual assessment per parcel if financed (15 years @ 5.5%)	\$ 610.00

ECONOMIC IMPACT STATEMENT

DATE: May 9, 2006

DEPT./DIVISION: Fiscal Services

CONTACT PERSON: Kathy Moore

EXTENSION: 7179

DESCRIBE PROJECT/PROPOSAL:

Creating the Twin Pines Water and Wastewater Improvement MUNICIPAL SERVICES BENEFITS UNIT for the purpose of providing water service and sewer conveyance within the unit.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE OPERATION OF THE COUNTY:

Creation of this MSBU will necessitate coordination of public bid process, selection of construction vender, and coordination of service connections by the Environmental Services Department. Total Impact to the County will be minimal. The administrative fee to be included in the project cost total will be sufficient to cover resource allocation requirements.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE PROPERTY OWNERS/TAX PAYERS/CITIZENS WHO ARE EXPECTED TO BE AFFECTED:

The ordinance will set forth the necessary provisions to establish the requested construction/installation of water and wastewater service lines. The cost of construction is estimated to yield a per parcel cost share of \$6000.00. Property owners may pay cost share allotment in single payment or may participate in financing options proposed with a 15 year pay back period.

IDENTIFY ANY POTENTIAL INDIRECT ECONOMIC IMPACTS, POSITIVE OR NEGATIVE WHICH MIGHT OCCUR AS A RESULT OF THE PROJECT PROPOSAL:

Positive impacts are realized in terms servicing customers through centralized water and wastewater systems in lieu of individual wells and septic systems.

NOTICE

NOTICE is hereby given that the Board of County Commissioners of Seminole County, Florida, intends to hold two public hearings to consider :

(1) The adoption of ordinance entitled: AN ORDINANCE CREATING THE LAKE AMORY AQUATIC WEED CONTROL MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING AQUATIC WEED CONTROL TO LAKE WITHIN THE UNIT; PROVIDING IDENTIFICATION OF PROPERTY INCLUDED IN SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID UNIT BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A LIST OF ESTIMATED ANNUAL ASSESSMENTS FOR ASSESSMENT AND COLLECTION BY THE UNIFORM METHOD ADOPTED BY THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS, PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, INCLUSION IN SEMINOLE COUNTY CODE, AND AN EFFECTIVE DATE. The following property will be included within the boundaries of the Lake Amory Aquatic Weed Control Municipal Services Benefits Unit with a first year proposed assessment of \$280.00 with annual an ongoing assessment not to exceed \$300.00 per parcel: 03-20-30-506-0100-0130, 03-20-30-506-0100-0120, 03-20-30-506-0100-0110, 03-20-30-300-0080-0000, 03-20-30-506-0100-0090, 03-20-30-506-0100-0070, 03-20-30-506-0100-0060, 03-20-30-506-0100-0040, 03-20-30-505-0000-00A0, 03-20-30-506-0100-0020, 03-20-30-506-0100-0010, 03-20-30-505-0000-0130, 03-20-30-505-0000-0110, 03-20-30-505-0000-0100, 03-20-30-505-0000-0090, 03-20-30-505-0000-0080, 03-20-30-505-0000-0070, 03-20-30-505-0000-0060, 03-20-30-505-0000-006A, 03-20-30-505-0000-0050, 03-20-30-505-0000-002A, 03-20-30-505-0000-0010, 03-20-30-505-0000-001A

(2) The adoption of ordinance entitled: AN ORDINANCE CREATING THE TWIN PINES WATER & WASTEWATER IMPROVEMENT MUNICIPAL SERVICES BENEFITS UNIT FOR THE PURPOSE OF PROVIDING WATER SERVICE FOR DRINKING AND HOUSEHOLD PURPOSES AND WASTEWATER TRANSFER WITHIN THE UNIT; PROVIDING BOUNDARIES OF SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID UNIT BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THE METHOD OF FINANCING TO BE ADVANCED BY SEMINOLE COUNTY FROM ENVIRONMENT SERVICES WATER DIVISION FUNDING; PROVIDING FOR PAYMENT IN FULL OR FIFTEEN (15) ANNUAL INSTALLMENTS FOR CONSTRUCTION IMPROVEMENTS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A PRELIMINARY LIST OF ASSESSMENTS FOR ASSESSMENT AND COLLECTION B Y THE UNIFORM METHOD PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, INCLUSION IN SEMINOLE COUNTY CODE, AND AN EFFECTIVE DATE. The following property will be included within the boundaries of the Twin Pines Water & Wastewater Improvement MSBU with an estimated assessment of \$6,000 with a 15 year financing term proposed: 17-21-29-515-0000-0010, 17-21-29-515-0000-0020, 17-21-29-515-0000-0020, 17-21-29-515-0000-0030, 17-21-29-515-0000-0040, 17-21-29-515-0000-0050, 17-21-29-515-0000-0060, 17-21-29-515-0000-0070, 17-21-29-515-0000-0080, 17-21-29-515-0000-0090, 17-21-29-515-0000-0100, 17-21-29-515-0000-0120.

at 1:30 P.M., or as soon thereafter as possible, at its regular meeting on the 9th of May, 2006 at the Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida. **For additional information regarding this notice, please contact the MSBU Program at 407-665-7178.** Persons with disabilities needing assistance to participate in any of these proceedings should contact the Employee Relations Department ADA Coordinator 48 hours in advance of the meeting at 407-665-7941. Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and, for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per section 286.0105, Florida Statutes.

ATTEST:



Maryanne Morse, Clerk to the Board
of County Commissioners in and for
Seminole County, Florida

Publish: April 20 and 27, 2006

