

ORDINANCE NO. 2024 - _____

SEMINOLE COUNTY, FLORIDA

2 **AN ORDINANCE CREATING THE TWIN LAKES LAKE MANAGEMENT**
3 **MUNICIPAL SERVICES BENEFIT UNIT (MSBU) FOR THE PURPOSE OF**
4 **PROVIDING LAKE MANAGEMENT TO THE LAKE AREAS WITHIN**
5 **THE MSBU; PROVIDING FOR IDENTIFICATION OF PROPERTY**
6 **INCLUDED IN SAID UNIT; PROVIDING FOR THE GOVERNING OF**
7 **SAID MSBU BY THE BOARD OF COUNTY COMMISSIONERS;**
8 **PROVIDING FOR ANNUAL VARIABLE RATE ASSESSMENT**
9 **AND INITIAL ASSESSMENT ROLL FOR ASSESSMENT AND**
10 **COLLECTION BY THE UNIFORM METHOD ADOPTED BY THE**
11 **SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS ON**
12 **FEBRUARY 24, 2009, PURSUANT TO SECTION 197.3632, FLORIDA**
13 **STATUTES; PROVIDING FOR CODIFICATION IN THE SEMINOLE**
14 **COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING**
15 **AN EFFECTIVE DATE.**

16 **WHEREAS**, the Board of County Commissioners of Seminole County, Florida has the
17 authority to establish a Municipal Services Benefit Unit (MSBU) pursuant to Chapter 125, Florida
18 Statutes; and

19 **WHEREAS**, there are waterfront properties within unincorporated Seminole County and
20 the City of Longwood along the Twin Lakes which will benefit from lake management services;
21 and

22 **WHEREAS**, pursuant to Chapter 163, Florida Statutes, local governments are encouraged
23 to cooperate on the basis of mutual advantage to provide services that will address the needs of
24 local communities; and

25 **WHEREAS**, pursuant to Chapter 125.01(5)(a), Florida Statutes, the City of Longwood has
26 established the required city ordinance authorizing Seminole County to assess and collect, through
the uniform method, the non-ad valorem assessments assigned to specially benefited waterfront
parcels within the City's taxing district; and

28 **WHEREAS**, the municipal services to be provided by Seminole County for the benefit of
Twin Lakes are identified by a distinct phase. As herein authorized by creation of an MSBU, Phase
30 II services shall consist of ongoing lake management funded by an annual non-ad valorem
assessment as identified in Exhibits A, B and C, attached hereto and incorporated herein; and

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

42 **WHEREAS**, Phase II services shall ensure optimal outcome and preservation of the lake
improvements; and,

44 **WHEREAS**, the subject lake management services were requested via a community-based
application and the required Petition to Create an MSBU distributed and monitored by the MSBU
46 Program demonstrated a favorable community support percentage, as shown in Exhibit D, attached
hereto and incorporated herein, that met the minimum sixty-five percent (65%) support level
48 required by Section 22.10(N) of the Seminole County Administrative Code; and

WHEREAS, Phase II variable rate assessment may be adjusted annually due to changes
50 in the number of benefit units, changes in Department of Revenue classification or fluctuations in
operating and/or administrative expenses necessary for lake management services; and

WHEREAS, the initial Phase II variable rate assessment is comprised of one benefit
52 component at a proposed rate of TWO HUNDRED SIXTY DOLLARS AND 76/100 (\$260.76)
54 per waterfront location benefit unit, as provided in Exhibit A; and

WHEREAS, the Seminole County Environmental Services Department will select the
56 service provider(s) for lake management services according to County standard purchasing and
contract provisions; and

WHEREAS, boat access to Twin Lakes is required for the County to provide lake
58 management services; and

WHEREAS, the Seminole County Environmental Services Department will maintain
60 decision-making authority relative to initial and on-going lake management services; and

WHEREAS, community participation and representation is encouraged to support certain
62 MSBU activities; representatives of the assessed properties will be provided the opportunity to
64 serve as liaisons of the assessed properties as per Roles and Responsibilities, attached hereto and
incorporated herein as Exhibit E; and

WHEREAS, an Economic Impact Statement has been prepared for public review in
66 accordance with the provisions set forth in the Seminole County Home Rule Charter; and

WHEREAS, the Board of County Commissioners has approved the hereinafter described
68 MSBU.

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

72 **Section 1. Short Title.** This Ordinance shall be known and referred to as the Twin Lakes
Lake Management Municipal Services Benefit Unit (MSBU) Ordinance.

74 **Section 2. Creating Unit; Improvements.** There is hereby created within Seminole
County the Twin Lakes Lake Management Municipal Services Benefit Unit (MSBU) for the
76 purpose of providing Phase II ongoing lake management services within the MSBU. Said MSBU
shall encompass and include lake management services for Phase II as defined in Exhibit A on
78 behalf of the Twin Lakes. Said MSBU boundary shall encompass the parcels listed in Exhibits C
per the property records maintained by the Seminole County Property Appraiser, all of which are
80 located within unincorporated Seminole County, Florida.

Section 3. Powers and Duties of Board. The MSBU shall be governed by the Board of
82 County Commissioners of Seminole County, Florida, which Board shall have the following
powers and duties:

84 (a) To provide for the collection and disbursal by the County of such funds as may be
necessary to pay the expenses for lake management services within the MSBU.

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

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

92 (d) To levy non-ad valorem assessments upon any property which is specially benefited
and/or abuts, adjoins and is contiguous to Twin Lakes, or which may have been omitted from the
94 hereinafter described assessment listing, upon giving sufficient notice to the owners of such

property and holding a public hearing to consider any comments, objections or other relevant
96 information to arrive at such decision to levy such non-ad valorem assessments.

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

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

Section 5. Assessment and Collection. The funding structure for Phase II, as described
102 in Section 2, is provided in Exhibit B. A list of the properties specifically benefited from Phase II
104 services, along with the respective benefit unit allocation, is provided in Exhibit C.

An annual variable rate assessment as listed in Exhibit C for Phase II services is hereby
106 assigned to each property to be specially benefited by Phase II services. The initial assessment roll
proposed for levy via the 2025 assessment roll is provided in Exhibit C. After the initial year of
108 assessment, the assessment amounts may be adjusted annually. The annual assessment shall be
derived each year by allocating the total annual budgeted costs of the MSBU equitably to each
110 benefit unit per the assessment matrix provided in Exhibit B. The assessment amount per benefit
component shall be approved annually by Board Resolution.

Said assessments shall constitute a lien upon the lands assessed. Pending collection by the
112 County of such assessments, as provided herein, the County may spend from its Municipal
Services Benefit Unit Fund such sums as may be necessary to operate, maintain and administer
114 the MSBU hereby created, and the County will be reimbursed to such extent at such time
116 assessments are collected.

All non-ad valorem assessments which may be created through this Ordinance shall be assessed and collected by the uniform method adopted by the Seminole County Board of County Commissioners, pursuant to Section 197.3632, Florida Statutes.

Section 6. Maximum Allowable Assessment. The Phase II assessment developed per Exhibit B and the provisions of the Twin Lakes Lake Management Municipal Services Benefit Unit Ordinance may be adjusted annually. An assessment increase in any given year is limited to an amount no greater than fifteen percent (15%) above the prior year rate. An assessment increase amount greater than fifteen percent (15%) in any given year, as set forth in this Ordinance, can be authorized by Board resolution at a public hearing or by Board consent resolution subsequent to an MSBU Program petition process that confirms the owners of at least sixty-five percent (65%) of the assessed properties support the recommended increase. The maximum allowable assessment per waterfront residential parcel for Phase II is capped at TWO HUNDRED NINETY-NINE AND 87/100 DOLLARS (\$299.87). The cap may be increased by Board resolution at a public hearing or by Board consent resolution subsequent to an MSBU Program petition process that confirms the owners of at least sixty-five percent (65%) of the assessed properties support the recommended increase. Assessments will be adjusted to accommodate Department of Revenue classification changes and to include any new parcels derived from a property split, merge or join within the said MSBU.

Section 7. Minimum Duration. A minimum duration of ten (10) years for Phase II ongoing services funded by non-ad valorem assessment is deemed appropriate to ensure continuance of improvement gained. Unless otherwise authorized by the Board, dissolution of the Twin Lakes Lake Management MSBU will not be granted until the Ordinance has been in effect

for a minimum of ten (10) assessment years following the effective date of the ordinance creating
140 the MSBU.

Section 8. MSBU Liaisons. Representatives of the assessed properties shall be provided
142 opportunity to serve as MSBU Liaisons. The role of an MSBU Liaison includes activities such as
providing representation on behalf of all owners of assessed property on lake issues, monitoring
144 lake conditions and reporting observations, attending an annual lake management meeting with
the County, disseminating relevant information, and encouraging communitywide awareness and
146 participation respective to environmental stewardship recommendations, as outlined in the Roles
and Responsibilities under Exhibit E.

Section 9. Codification. It is the intention of the Board of County Commissioners that
148 the provisions of this Ordinance shall become and be made a part of the Seminole County Code,
and that the word “ordinance” may be changed to “section”, “article”, or other appropriate word
150 or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such
intention; providing, however, that Sections 9, 10 and 11 of this Ordinance shall not be codified.
152

Section 10. Severability. If any provision of this Ordinance or the application thereof to
154 any person or circumstance is held invalid, it is the intent of the Board of County Commissioners
that such invalidity shall not affect other provisions or applications of this Ordinance which can
156 be given effect without the invalid provision or application and, to this end, the provisions of this
Ordinance are declared severable.

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

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this

162 _____ day of _____, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

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

JAY ZEMBOWER, Chairman

Attachments:

- Exhibit A – Scope of Services and Cost Estimates
- Exhibit B – Assessment Boundary and Assessment Matrix – Phases II
- Exhibit C – Initial Assessment Roll – Phase II
- Exhibit D – Petition & Summary Results
- Exhibit E – Roles and Responsibilities

NJB/kly
6/28/24

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