

Legislation Text

File #: 2023-615, **Version:** 1

Title:

Public Hearing to enact Resolution confirming the non-ad valorem capital assessment for the East Crystal Chain of Lakes Lake Management MSBU as per Phase I completion and actual cost for Phase I Restoration Services. **MSBU District 4 - Lockhart (Michael A. Eason Jr, MSBU Program Manager)**

Authorized By:

Lorie Bailey-Brown, CFO, Resource Management Director

Division:

Resource Management - MSBU

Contact/Phone Number:

Michael A. Eason Jr, MSBU Program Manager, 407-665-7164

Motion/Recommendation:

The Board approve and authorize the Chairman to execute a Resolution confirming the non-ad valorem capital assessment for the East Crystal Chain of Lakes Lake Management MSBU for Phase I restoration and startup costs.

Background:

The East Crystal Chain of Lakes as related to the created MSBU includes Bel-Air, Deforest, East Crystal, and Pine Lakes. The lake chain is located in the NW quadrant of Seminole County in Commission District 4 and is abutted by properties in the City of Lake Mary taxing districts. Due to the deterioration of these natural lakes over time and a developing presence of Hydrilla (an aggressive exotic aquatic plant species), representatives of the waterfront community submitted an application in May 2020 for assistance with securing restoration and ongoing lake management public services by establishing an MSBU assessment district for funding. The essential need for these public services was confirmed through the County's evaluation of the lake chain and subsequent recommendations of essential service components.

The required petitioning process coordinated by the MSBU Program demonstrated a 71% response in favor of the BCC creating the requested MSBU. An Interlocal Agreement between the City of Lake Mary and the Seminole County Board of County Commissioners was created to establish service coordination and authority for the Seminole County BCC to levy assessment for service costs against the specially benefited properties that are located within the City taxing district.

The adopted governing ordinance set forth the necessary provisions to establish the municipal services for the East Crystal Chain of Lakes in a manner whereby each specially benefited property shares equitably in the cost of services. The assessment boundary of the MSBU includes 168 assessable properties and is comprised of 165 waterfront residential properties and 3 waterfront common element land properties through which 285 associated properties are assigned pro-rata assessment allocations. The assessment allocation is based on two benefit-cost components: (1) Abutting Waterfront and (2) Right of Use. The assessment allocations and cost allocation per cost-benefit component are defined in the ordinance exhibits.

Creation of this MSBU did include approval of essential public services that will be conducted in two phases as directed by the County and funded through a combination of Public Works Department budgeted funds in FY2021 and non-ad valorem assessments levied against specially benefited properties. County resources are required in support of the MSBU administration and for determining and managing the lake management services. The assessment calculation for each phase of service includes coverage of MSBU Program administrative costs. The cost for monitoring conditions and managing services will be funded by the General Fund utilizing Watershed Management Division budgeted resources unless otherwise directed by the Board.

Phase I services are identified as initial restoration activities that were completed in October 2022, at an estimated cost of \$337,049, which is slightly higher than the initial estimate of \$333,500. The initial funding sources for Phase I services include a General Fund contribution of \$17,500 [Public Works Department budget] and a fund advance of approximately \$316,000 from the MSBU Program project funds.

The funds advanced from the County's MSBU project fund can be repaid via a one-time non-ad valorem capital assessment levy or via a 10-year repayment period with installment payments collected by the Seminole County Tax Collector via annual property tax bills to begin tax year 2023. The finalized preliminary capital assessment per benefit unit is \$1,484 which is an increase from the initial forecast of \$1,455. The initial estimate of \$150 for right of use remains unchanged.

The Public Hearing was noticed on May 23, 2023, as a published notice and via written correspondence to the owners of the property included in the assessment boundary set forth in Ordinance 2021-3.

Staff Recommendation:

Staff recommends the Board approve and authorize the Chairman to execute a Resolution confirming the non-ad valorem capital assessment for the East Crystal Chain of Lakes Lake Management Services MSBU for Phase I restoration and startup costs.