

AN ORDINANCE CREATING THE SEMINOLE COUNTY FORMER DEER RUN GOLF COURSE PROPERTY STABILIZATION MUNICIPAL SERVICES BENEFIT UNIT (MSBU) FOR THE PURPOSE OF PROVIDING SPECIAL BENEFIT TO THE RESIDENTIAL PROPERTIES SURROUNDING THE FORMER GOLF COURSE PROPERTY WITH THE RIGHT TO USE THE PROPERTY AS A FUTURE PUBLIC PARK AND NEIGHBORHOOD AMENITY; PROVIDING IDENTIFICATION OF PROPERTY INCLUDED IN SAID UNIT; PROVIDING FOR THE GOVERNING OF SAID MSBU BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THE ASSESSMENT FORMULA; PROVIDING A LIST OF PRELIMINARY CAPITAL IMPROVEMENT ASSESSMENT AND PROVIDING FOR A METHOD OF ESTABLISHING FINAL CAPITAL ASSESSMENT: AND INITIAL ASSESSMENT ROLL FOR ASSESSMENT AND COLLECTION BY THE UNIFORM METHOD ADOPTED BY THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS ON FEBRUARY 24, 2009, PURSUANT TO SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, there are adjacent residential properties and non-residential properties with associated right of use to common element former golf course property within unincorporated Seminole County and the City of Casselberry which will benefit from the former golf course property use as a future public park and neighborhood amenity; and

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

30 **WHEREAS**, pursuant to Chapter 125.01(5)(a), Florida Statutes, the City of Casselberry
has established the required city ordinance providing authorization for Seminole County to assess
32 and collect through the uniform method the non-ad valorem assessments assigned to specially
benefited residential parcels within the city’s taxing district consistent with the establishment of
34 this MSBU; and

WHEREAS, the municipal services to be provided by Seminole County on behalf of the
36 Seminole County Former Deer Run Golf Course Property Stabilization MSBU, as herein
authorized by creation of an MSBU, shall consist of assessment levy designated to be assigned to
38 the specially benefited properties and levied as a capital improvement assessment financed and
payable by installment over a multi-year repayment period as identified in Exhibits A, B and C;
40 and

WHEREAS, the referenced municipal services were requested via a community-based
42 application and the required Petition to Create an MSBU distributed and monitored by the MSBU
Program demonstrated a favorable community support percentage [Exhibit D] that met the
44 minimum sixty-five percent (65%) support level required by Section 22.10(N) of the Seminole
County Administrative Code; and

46 **WHEREAS**, the Seminole County Leisure Services Department will maintain decision-
making authority relative to initial and on-going former golf course property services; and

48 **WHEREAS**, community participation and representation is encouraged in support of
certain MSBU activities; representatives of the assessed properties will be provided opportunity
50 to serve as liaisons of the assessed community as per Roles and Responsibilities outlined in
Exhibit E; and

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

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

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

58 **Section 1. Short Title.** This Ordinance shall be known and referred to as the Seminole
County Former Deer Run Golf Course Property Stabilization Municipal Services Benefit Unit
60 (MSBU) Ordinance.

Section 2. Creating Unit; Improvements. There is hereby created within Seminole
62 County the Seminole County Former Deer Run Golf Course Property Stabilization MSBU for the
purpose of providing a general benefit, including stabilization needs, to the residential properties
64 surrounding the former golf course property with the right to use the property as a future public
park and neighborhood amenity, as defined in Exhibit A on behalf of the Seminole County Former
66 Deer Run Golf Course Property that is inclusive of adjacent residential and non-adjacent
residential properties. Said MSBU boundary shall encompass the parcels listed in Exhibit C per
68 the property records maintained by the Seminole County Property Appraiser, all of which are
located within either the City of Casselberry, Florida or unincorporated Seminole County, Florida.
70 As used in this Ordinance, the term “stabilization needs” includes, but is not limited to, renovation
and refurbishment of recreation facilities including renovation of the existing clubhouse and
72 parking area for use as a community center facility, drainage, and other essential facilities.

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

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

78 (b) To provide for coordination and preparation of all plans, specifications, and other
professional services necessary to establish, inspect and maintain recreational opportunities, as
80 well as recreational facilities, drainage, and other essential facilities for the former Deer Run Golf
Course Property as set forth in Section 2.

82 (c) To levy non-ad valorem assessments upon property abutting, adjoining and
contiguous to such Former Deer Run Golf Course Property Stabilization Needs when such
84 property is specially benefited by such services.

(d) To levy non-ad valorem assessments upon any property which is specially benefited
86 and/or abuts, adjoins and is contiguous to the Former Deer Run Golf Course and those properties,
as defined in the MSBU assessment area, with the right of use of the former golf course property
88 or a property fronting on former Deer Run Golf Course, or which may have been omitted from the
hereinafter described assessment listing, upon giving sufficient notice to the owners of such
90 property and holding a public hearing to consider any comments, objections or other relevant
information to arrive at such decision to levy such non-ad valorem assessments.

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

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

Section 5. Assessment Formula. The benefit unit base for determining assessment
98 allocation is “per parcel” with consideration for parcel location relative to the resulting public park.
Parcels fronting and abutting and/or contiguous will be assessed two (2) benefit units; other parcels
100 will be assessed one (1) benefit unit.

Section 6. Common Element Land. The assessed boundary of this MSBU includes
102 residential parcels that are under individual ownership and parcels classified as common element
land. Common element land is defined as land designated and retained for the exclusive benefit of
104 a group of properties, generally designated to be a subdivision. The assessment allocated to a
common element land parcel will be collected through assignment of an equal pro-rata amount to
106 each parcel associated with the common element parcel. The prorated allocation of the assessment
will be calculated by dividing the benefit unit cost allocation by the number of associated parcels.
108 Associated parcels that are also assessed as a parcel will be assigned a maximum of one (1) right
of use benefit unit and that benefit unit assignment will be included with the parcel assessment.
110 All associated parcels that are not also parcels will be assigned a right of use benefit unit of one (1).

Section 7. Assessment and Collection. The funding structure from these MSBU services,
112 as described in Section 2, is provided in Exhibit B. A list of the properties specifically benefited
from the stabilization needs services, along with the respective benefit unit allocation, is provided
114 in Exhibit C. A preliminary non-ad valorem assessment as listed in Exhibit C is hereby assigned
to each property specially benefited from the stabilization needs services. Final assessment will be
116 established by Board Resolution adopted at a public hearing and will be based on actual cost of

property stabilization needs, less the supplemental funding provided by the County. Payment in
118 full of the final adjusted assessment without assignment of financing fees will be accepted by the
County within thirty (30) days following the final public hearing. Assessments not paid in full will
120 be assigned an annual financing fee and will be collected by up to fifteen (15) equal annual
installments billed and collected through the annual property tax bills. Financing fees are subject
122 to financing terms available at the time of project completion and establishment of the final
adjusted assessment.

124 The annual assessment shall be derived each year by allocating the total annual budgeted
costs of the MSBU equitably to each benefit unit per the assessment matrix provided in Exhibit B.
126 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
128 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
130 the MSBU hereby created, and the County will be reimbursed to such extent at such time
assessments are collected.

132 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
134 Commissioners, pursuant to Section 197.3632, Florida Statutes.

Section 8. Minimum Duration. Unless otherwise authorized by the Board, dissolution
136 of Seminole County Former Deer Run Golf Course Property Stabilization MSBU will not be
granted until the Ordinance has been in effect for a minimum of fifteen (15) assessment years
138 following the effective date of the ordinance creating the MSBU.

Section 9. MSBU Liaisons. Representatives of the assessed properties shall be provided
140 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 properties, monitoring conditions and
142 reporting observations, disseminating relevant information, and encouraging communitywide
awareness and participation respective to environmental stewardship recommendations as outlined
144 in Exhibit E.

Section 10. Codification. It is the intention of the Board of County Commissioners that
146 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
148 or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such
intention; providing, however, that Sections 10, 11 and 12 of this Ordinance shall not be codified.

Section 11. Severability. If any provision of this Ordinance or the application thereof to
150 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
152 be given effect without the invalid provision or application and, to this end, the provisions of this
Ordinance are declared severable.
154

Section 12. Effective Date.

156 (a) The County will provide a certified copy of this Ordinance to the Florida Department
of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66,
158 Florida Statutes.

(b) This Ordinance will take effect upon filing a copy of this Ordinance with the
160 Department of State by the Clerk of the Board of County Commissioners; provided, however, that
the effective date of the MSBU set forth in this Ordinance will be no earlier than the day after the

162 acquisition of the Former Deer Run Golf Course Property by Seminole County, Florida. If the Former
Deer Run Golf Course Property is not acquired by Seminole County, Florida, then this Ordinance
164 shall be void and of no effect.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this
166 _____ day of _____, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

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

BOB DALLARI, Chairman

Attachments:

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

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Exhibit A

Scope of Services and Cost Estimates

PROJECT SCOPE

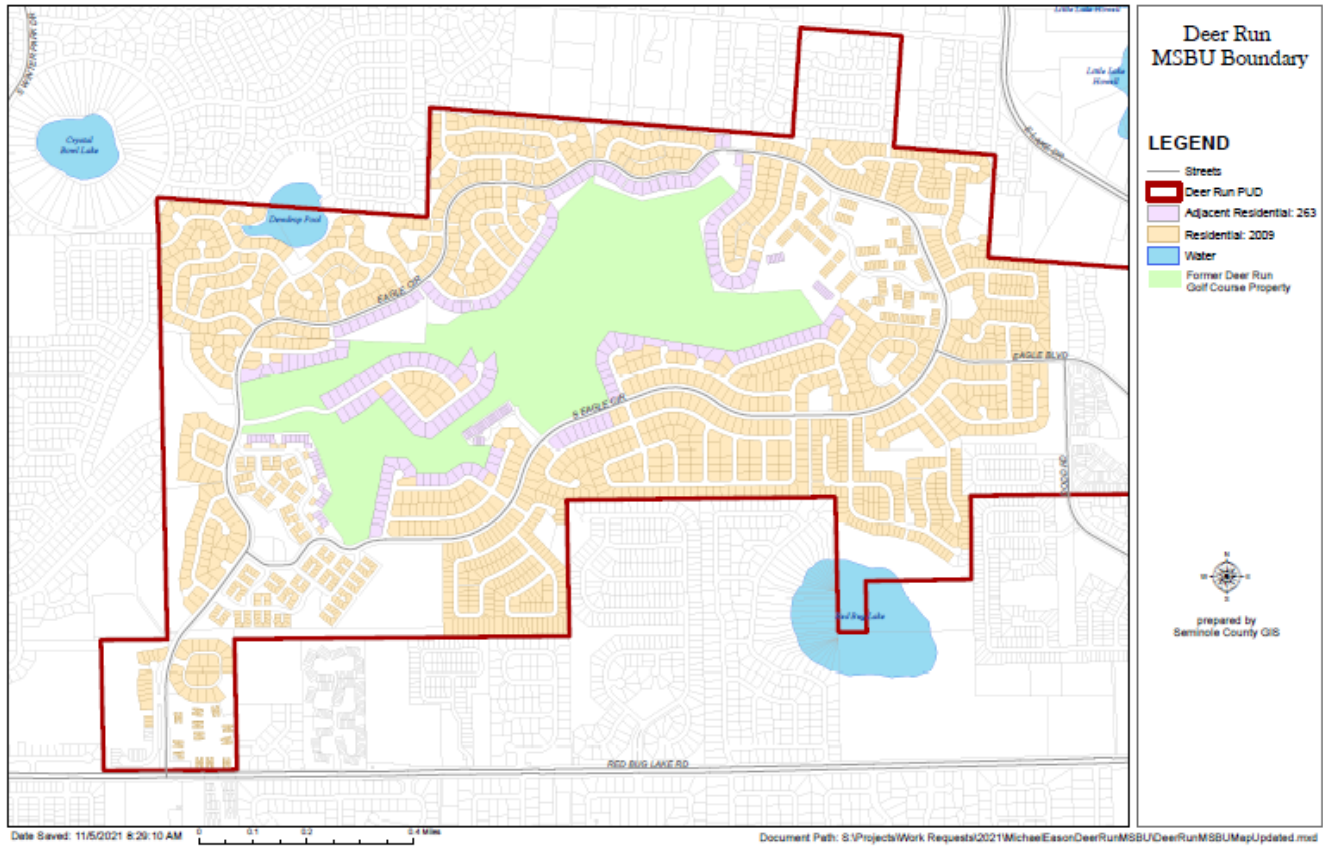
The project may include, but not limited to stabilization of the existing clubhouse and parking area as well as removal of items which could be deemed as a safety hazard if left in place. This includes removal or stabilization of existing constructed elements once used in the operation of the golf course. A more detailed architectural and structural assessment will be completed for the clubhouse building and immediate grounds. Renovation of the building may include but are not limited to the following: painting and aesthetic improvements inside and outside the building; removal of the existing pool and equipment; replacement and reconfiguration of ADA ramps; roof repairs; servicing and/or replacement of the building's HVAC system; update fire alarm system; kitchen renovations; mold abatement; renovated restrooms for ADA accessibility; replacement of fixtures as needed; lighting replacement as needed. Servicing and assessment of the building's existing utilities will also be performed. Exterior renovations would include repair and renovation of the existing parking lot and sidewalks for a safe use by the public.

COST ESTIMATES

Through the establishment of a Municipal Services Benefit Unit [MSBU], the residential properties (2,273) surrounding the former golf course will contribute 15% of the property stabilization cost through an annual assessment. Based on proximity to the former golf course, two categories of assessments were calculated with the first being those properties adjacent to the area, and the second being nonadjacent residential properties. Those properties adjacent to the former golf course area (Category A) consists of 263 parcels and have been assigned two benefit units at \$971 per benefit unit resulting in an assessment of \$1,942.00. The nonadjacent properties (Category B) consist of 2009 parcels and have been assigned one benefit unit which resulted in an assessment of \$971.00. Financing arrangements to accommodate installment payments will be available. A 15-year repayment term with installment payments collected annually by the tax Collector via the annual property tax bill is proposed. Based on the preliminary assessment and the proposed installment terms, the **annual** installment payment is estimated at \$130 for Category A parcels, and \$65 for Category B parcels. Preliminary assessments are inclusive of a Tax Collector fee as well as an Administrative fee.

EXHIBIT B
ASSESSMENT BOUNDARY
AND
ASSESSMENT MATRIX

ASSESSMENT BOUNDARY



COST ALLOCATION – PRELIMINARY ASSESSMENT BENEFIT UNIT ASSIGNMENT

BENEFIT CATEGORY	ASSESSMENT	INSTALLMENT AMOUNT	INSTALLMENT SCHEDULE Annually 15 Years
CATEGORY A Benefit Units Per Parcel: <u>2</u> [Adjacent]	\$1,942.00	\$130.00	<i>Installment billing to begin after the property stabilization is complete.</i> <i>Estimated as tax year 2022</i>
CATEGORY B Benefit Units Per Parcel: <u>1</u> [Other]	\$971.00	\$65.00	
Description of Public Service			
The assessment will fund the property stabilization of the Seminole County Former Deer Run Golf Course Property MSBU, which will be converted into a future public park/neighborhood amenity for residents. Total Assessment Revenue: <u>\$2,460,000</u> Total Assessed Parcels: <u>2273</u> Assessment Per Benefit Unit: <u>\$971.00</u>			

Exhibit D
Petition Results and Sample Petition

Deer Run: LS MSBU Petition		
PETITION DEADLINE OCTOBER 08, 2021 5:00PM		
Total Responses	1630	71.7%
For	1529	67.3%
Against	101	4.4%
Total Outstanding	643	28.3%
Total Properties Petitioned	2273	



PETITION TO CREATE AN MSBU [Municipal Services Benefit Unit]

Deer Run former Golf Course Property Acquisition

This *Petition to Create an MSBU* defines basic expectations for the non-ad valorem assessment district [MSBU] proposed for Seminole County Deer Run former golf Course property acquisition. The *Petition* serves to communicate property owner support or opposition respective to creation of the MSBU by the Seminole County Board of County Commissioners. The *petition* results will determine if the application to create the MSBU will be presented to the Board of County Commissioners [BCC] for further consideration.

MSBU SCOPE: Seminole County desires to establish a municipal services benefit unit (MSBU) to fund the Deer Run former Golf Course Property acquisition which will benefit such properties located in Seminole County as well as the City of Casselberry. The establishment of this MSBU will provide both recreational as well as subsequent financial benefits to residents of the Deer Run community. Seminole County shall be responsible for the coordination and preparation of all plans, specifications, and other professional services to establish, inspect, and maintain recreational activities for the Deer Run former golf course property.

COST & ALLOCATION: The assessment boundary for the proposed MSBU does contain 2272 residential properties that are in proximity to the golf course property. The cost share per property is assigned according to proximity with Category A properties being designated as those dwellings that are directly adjacent to (abutting) and have access to the golf course. Those properties directly abutting the golf course property are assigned 2 Benefit Units. Category B properties in this proposed MSBU are designated as those dwellings that are not directly adjacent (non-abutting) the golf course property, but are within 0.5 miles walking distance (with a direct connection via streets). Those properties not directly abutting the golf course property are assigned 1 Benefit Unit.

CAPITAL ASSESSMENT: Based on estimated costs, the capital assessment for Deer Run former Golf Course property is calculated per the following values: (1) Abutting \$1,942.00 and (2) Non-Abutting \$971.00. The Capital Assessment will be levied in 2022 and may be paid in full any time after approval by the BCC. As an alternative, the assessment may be paid in annual installments billed via the property tax bill. A 15-year repayment period with equal annual installments is proposed. *The preliminary capital assessment for this parcel is \$ The annual installment amount would be \$*

Category	Benefit Units	Estimated Assessment	Annual Installment
A	2	\$1,942.00	\$130.00
B	1	\$971.00	\$65.00

ASSESSMENT LIEN & EARLY PAYMENT DISCOUNT: Assessment boundaries are documented in county land records. The proposed capital assessment will constitute a lien against the property until paid in full. Assessments and installments collected via the property tax bill are eligible for the same early payment discounts (up to 4%) as property taxes.

DISSOLUTION OF MSBU: After creation, an MSBU may be dissolved in a manner similar to MSBU creation (application, *petition*, and BCC approval). If the County provides funding assistance, then a minimum duration of up to 10 years may be imposed on the continuance of services.

PUBLIC HEARING: Upon determination that at least 65% of the assessable properties in the proposed assessment boundary have responded in support of MSBU creation, along with confirmation of Interlocal Agreement with the City of Casselberry, a public hearing will be held by the Board of County Commissioners to consider establishing the requested MSBU. Notice of the hearing will be mailed to the owners of all property included in the assessment boundary. If the proposed MSBU is created by the BCC, all properties listed in the assessment boundary will be assessed.

Keep this page for your records. Return Petition Signature Page to register your response.

PETITION SIGNATURE PAGE

Return completed signature page to register your petition response.

I/We the undersigned acknowledge and attest to the expectations communicated by petition contents in regards to the proposed MSBU. I/We hereby submit this petition signature page and attest to being the true and current property owner(s) of the parcel identified below. The box checked below communicates whether I/we support or oppose creation of the MSBU.

PID: x

Check one box only – either “FOR” or “AGAINST”

FOR

By checking the “FOR” box and signing below, I/We communicate support for the creation of an MSBU to fund Seminole County Deer Run former golf course property and hereby petition the Seminole County BCC to create the proposed MSBU. The undersigned acknowledge(s) that I/we are committing to this project and may not subsequently withdraw support. I/We understand the assessments proposed for the referenced property are as noted below:

Capital Assessment: \$x.xx^{1, 2}. *Installment Amount: \$x.xx*

¹Although a variety of factors have been applied to cost estimates, the proposed cost is contingent on factors that cannot be controlled by the County. **The final assessment will be adjusted according to actual cost – whether higher or lower than the estimated cost.**

²Proposed assessments are contingent on Interlocal Agreement with City of Casselberry with cost share allocation to specially benefited properties within the taxing district of the city.

AGAINST

By checking the “AGAINST” box, I/we communicate opposition for the creation of an MSBU to fund the Seminole County Deer Run former golf course property acquisition and hereby petition the Seminole County BCC to deny creation of the proposed MSBU.

ADDRESS: x OWNER(s): x

Signature _____ Date _____, 2021 OWNER 1

Signature _____ Date _____, 2021 OWNER 2

Signature _____ Date _____, 2021 OWNER 3

Petition Deadline & Filing Requirements

Petitions are complete when one box is checked and all owners have signed the petition. The filing deadline may be extended at the discretion of the MSBU Program. In the event a response is not received for a property, the petition status for the property will be noted as “UNKNOWN” and will be counted as an “AGAINST” response. Please be certain to submit your completed petition for receipt by the MSBU Program on or before the deadline. Petition results will be posted to the MSBU Program website within three business days following closure of petition. Return your completed petition to:

MSBU PROGRAM

By email to:

MSBUProgram@seminolecountyfl.gov

OR by mail to:

1101 East First Street, Sanford, FL 32771-1468

====> RETURN FOR RECEIPT BY September 17, 2021 <====

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Exhibit E

Roles and Responsibilities

ROLES & RESPONSIBILITY

General Outline

COUNTY

Seminole County will

- ✓ Govern the MSBU
- ✓ Provide financial management of MSBU fund and assessment levy
- ✓ Ensure activities conducted with assessment funding align with the scope of services documented in the governing ordinance
- ✓ Ensure the lake is monitored and services are appropriately rendered
- ✓ Maintain decision-making authority relative to the public services to be provided and will defer to best lake management practices when making such decisions
- ✓ Provide an ongoing lake management plan based on the defined service scope, permitting, conditions at the lake, funding parameters, and best lake management practices. The Lake Management Plan will be developed and maintained by the Lake Management Program with liaison participation
- ✓ Initiate and manage service contracts, monitor results, and communicate updates on a routine basis
- ✓ Conduct annual meetings that offer opportunity for liaison discussion as to prior, current, and future action plans
- ✓ Encourage liaisons and assist with educational outreach efforts to protect the health and water quality of the waterbody

LIAISONS

Liaisons will

- ✓ Encourage communitywide awareness and participation relative to environmental stewardship recommendations and opportunities
- ✓ Provide communitywide communication and assist the County in the distribution of relevant lake information
- ✓ Attend annual lake management and budget planning sessions conducted by the County
- ✓ Serve as representatives of the community on lake issues; representing the respective lake community as a whole
- ✓ Monitor lake conditions and provide feedback to the County as to observations