

**ESCAMBIA COUNTY
MUNICIPAL SERVICES BENEFITS UNITS
GUIDELINES AND PROCEDURES**



Adopted by the Board of County Commissioners
October 18, 2018

INTRODUCTION

The Escambia County Board of County Commissioner's Municipal Services Benefit Unit (MSBU) Program is a community self-help program. It provides a process by which communities may secure quality construction/installation of essential improvements and a financing mechanism to pay for the improvements. Success of the program is directly related to the cooperative effort of residents, neighborhoods, vendors, and various County Departments and Agencies.

The MSBU program is available to fund services, such as:

- Street Lighting
- Roadway Improvements
- Drainage Improvements
- Dirt Road Paving/Resurfacing
- Holding Pond Maintenance
- Neighborhood Enhancements (traffic calming measures, landscape maintenance...etc.)

This guide discusses separate guidelines/steps to follow for 3 broad types of MSBU district improvements:

- Street lighting
- Improvements that will become County owned and County maintained
- Improvements that will remain privately owned with no on-going County maintenance

There are also services/improvements funded through MSBUs that are generally not citizen initiated, and these services are not the subject of these Guidelines and Procedures. Examples include fire protection, holding pond maintenance, endangered species habitat management, code and law enforcement efforts, natural resource protection, and safety related measures.

TABLE OF CONTENTS

MSBU Basics & Highlights	4
Costs - General	6
Detailed Procedures by Type of MSBU:	
Street Lighting Districts	
Establishing a New District	7
Modifications or Enhancements to Existing District	9
Construction Districts:	
Improvements Intended For County Assumption (Public Use, County Owned)	11
Improvements to Private Property	16
Dissolution of MSBUs	20
Application Form	21

Basics & Highlights

Municipal Services Benefits Units (MSBU) Defined:

Municipal Services Benefits Units (MSBU) are special assessment districts created by the Board of County Commissioners under the authority of Florida Statutes 125.01. Under this Statute the Board has the authority to create special districts to provide a variety of services including fire protection, street lighting, transportation and drainage, etc. The services or improvements within the designated district specially benefit the property to be assessed for the improvements or services.

Chapter 197.3632 of the Florida Statutes provides for the levy, collection and enforcement of special assessments (non-ad valorem assessments) through the Uniform Method. Non-ad valorem assessments are not based on millage but on the cost to provide the improvement(s) and the corresponding benefit to the assessed property. They are collected through the tax bill method, are subject to the same collection and enforcement efforts as Ad-Valorem taxes, and can become a lien against a homestead.

Primary Agencies/Staff Participating in the MSBU Process:

The Board of County Commissioners (BCC) acts as the governing body of the districts. The BCC must adopt the MSBU budget, establish the level of services to be provided, and levy the special assessment to pay for the services. BCC staff is responsible for overseeing improvement projects, writing resolutions and ordinances, scheduling required public hearings, publishing required legal and display notices in the newspaper, and ensuring assessments are billed correctly.

The Property Appraiser provides the BCC information from its database necessary to determine which properties to include in the MSBU district, and details about those properties such as ownership, address, values, front footage, size and type of structures, section maps, etc. The Property Appraiser has no further role in the levy or collection of non-ad valorem assessments.

The Tax Collector's Office is responsible for the annual billing of non-ad valorem assessments on the Uniform Tax bills each November, and also for processing tax deed applications to enforce unpaid assessments.

The Clerk of the Circuit Court is responsible for recording and administering liens on unpaid assessments, and for sale of tax deeds for unpaid assessments.

Program Highlights

The funds raised are public funds and must be collected, accounted for and spent in accordance with applicable laws regarding public funds.

The most commonly requested and established MSBU district is for street lighting within subdivisions. Following street lighting are construction and maintenance type improvements such as roadway or drainage facility improvements, holding pond maintenance, and neighborhood enhancements.

A petition process is usually used in establishing MSBUs to ensure community awareness and involvement in the decision-making process. A petition communicates all the estimated costs involved, informs property owners of their estimated share of those costs, and their responsibility for paying their share in the form of special assessments (non-ad valorem assessment) on their future tax bills. Each project type has a required minimum percentage of signatures that must be met for the project/MSBU process to proceed.

Timelines for creating MSBUs vary greatly by type and complexity of improvement. Once property owners have successfully obtained signatures on a petition, it generally will be 1 month before ordinance adoption and project start, depending on BCC meeting schedules. Some projects will have a delayed start date due to the need to obtain easements, draft memorandums of understanding, etc.

The term of assessments (number of years it will be on the tax bill) will depend on the type of improvement. Maintenance type MSBUs can/will be perpetual, while improvements with limited lifespans will only be billed through the expected useful life of the improvement.

MSBUs may be established within municipalities upon approval of the respective city government in accordance with Florida Statutes 125.01(1)(p).

This guide discusses separate guidelines/steps to follow for:

- **Street lighting**
- **Improvements that will become County owned and County maintained**
- **Improvements that will not become County owned or County maintained (private ownership and no on-going County responsibility)**

Each project is unique and will have individual challenges that may require diversion from the basic steps included in this guide. The BCC has the authority to waive any portion of the policy, and to establish MSBU districts without a citizen request or first obtaining citizen approval through the MSBU petition process described in this guide (ex. issues involving safety, emergencies, essential funding).

General Costs of Most MSBU Improvement Projects

Project Specific	Cost of Improvement – provided by contractor/Gulf Power/vendor/etc.
\$100	Application Fee – non refundable, subject to change
10%	Administrative Fee – added to project estimate (staff time, postage...)
2%	Tax Collector Commission
10%	Reserves in Year 1 - for projects with an on-going maintenance element
20%	Contingency on construction MSBUs
Project Specific	Capitalized Interest – on construction type projects that span several years

When deemed reasonable by staff or the BCC, fees can be adjusted on a case by case basis. This list is not all-inclusive for all projects.

STREET LIGHTING DISTRICTS DETAILED PROCEDURES

Street lights can be installed and managed by the County using funding provided by an MSBU district. The County pays the monthly lighting bills for the property owners with special assessment funds collected from property owners. MSBU street lights are intended to primarily illuminate roadways for the benefit of all in the district, and not intended to illuminate yards or houses. Property owners who want yards or houses lit will be required to pay for those lights individually.

Neighborhoods that have existing lighting already can become an MSBU district and have the lighting management/payment responsibility transferred to the County.

Assessments are perpetual, until the district desires to dissolve the MSBU using the procedures in this guide.

Requests for street lighting within a community (subdivision/neighborhood/single roadway) should be made to:

Escambia County Office of Management and Budget (OMB)
221 Palafox Place, Suite 440
Pensacola, FL 32502
(850) 595-4960/budget@myescambia.com

Creating the New MSBU Lighting District:

The threshold for proceeding with MSBU creation is **55%** of property owners expressing support on a petition.

The utility company installing the lighting will devise a lighting plan that includes costs, number of lights necessary, location of lights, and recommendation for best fixture type for the area.

The lighting district boundaries will be continuous and not skip parcels or lots. Enclaves are not allowed simply for the purpose of excluding a parcel owned by a property owner who objects to the lighting or district. If a petition indicates 55% approval, then the desire of the majority rules and all benefitting parcels will be assessed. Districts must contain a minimum of 2 distinct taxable parcels.

- Tracts for drainage, buffer zones, etc. are usually included in the district but not assessed.
- The district can be an entire subdivision or just a portion that materially benefits.

MSBU Process Steps:

1. Application and Fee

- Complete application (last page of this Guide) and submit to OMB at above address along with the non-refundable application fee. Make checks payable to Board of County Commissioners, Escambia County
- Any party with ownership in the area where lights are to be installed can make the request, including individual property owner, developer, HOA, or commercial enterprise that will benefit. A Primary Contact person(s) must be named and be willing to receive calls/emails and lead the petition process for the district.
- **Note/Tip:** Primary Contact may obtain the Step 2 estimate before submitting the application and fee if they would like an idea of costs before proceeding. This can avoid loss of the non-refundable application fee if costs are considered unacceptable.

2. OMB Requests Lighting Plan from Utility Company

- The lighting utility company will visit the area to discuss the needs with the Primary Contact, recommending best locations and types of lighting. The utility company will provide a written estimate/plan to OMB to be included on a petition. This estimate/plan will be considered the “original lighting plan” when future modifications/enhancements are considered.
- For neighborhoods with existing lighting, the utility company will include the current costs along with any additions or revisions the property owners desire.

3. Petition Preparation by OMB

- The BCC has determined that a petition may serve as an indicator of the amount of community interest for the proposed lighting. Only petitions prepared by OMB will be accepted.
- Petitions will include all costs for the lighting as provided by the utility company, plus County added fees, estimated annual assessments to be paid by property owners, and a list of names and addresses that will make up the assessment district. The addresses listed are all deemed to benefit from the future lighting and are obtained from the Property Appraiser records.

Note: If any entity (developer/builder/individual) owns greater than 55% of the parcels to be included in a lighting district, the petition process is not necessary. A Letter of Request on the majority owner’s letterhead and signed by an authorized signer will be accepted in lieu of petition.

4. Petition Circulated for Signatures

- This is the responsibility of the Primary Contact and his/her designees. An attempt must be made to give all property owners on the signers list an opportunity to read and sign.
- In determining eligible signatures, all of the non-related current owners of a parcel or the designated trustee must sign for the owner to count towards the 55% requirement. Renters cannot sign. Once submitted, names may not be withdrawn from the petition.

5. Petition with \geq 55% Signers is Submitted to OMB for Final Approval Steps

- OMB/Legal Department will write the lighting ordinance that officially creates the lighting district and schedule a public hearing for consideration of adopting the ordinance. Note that once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the BCC to proceed (or not) with the project.
- Notification of the public hearing date and time will be mailed to all property owners within the proposed district, and legal notices will be published in the newspaper.
- At the public hearing, the BCC will consider comments, objections, and information relevant to the creation of the district. A vote will be taken to adopt (or not) the ordinance, and **if adopted, the MSBU officially exists and lights can be installed.** The ordinance will be recorded in the official records, Escambia County Clerk's Office.
- Assessments on tax bills will begin after installation and will be perpetual. In September of the year when the first assessment will be billed, Florida Statutes require another public hearing be held before first-time MSBU assessments can be billed. Property owners will again receive a notice by mail of this public hearing. This public hearing is regarding the assessments, and not the MSBU itself.

Modification or Enhancement of Lighting Within an Existing MSBU District

Contact OMB when modifications or enhancements to lighting within a district are desired. Modifications/enhancements must be approved by the County because the County is the owner of record of MSBU lighting accounts.

Modifications/enhancements include adding or relocating lights, removal of nuisance lights, switching fixtures to LED, redirecting where lights shine, etc.

OMB will have the utility company provide an estimate for the modification.

OMB will give approval for the change if:

- Change is determined to be reasonable by the utility company
- Its cost impact will require less than 10% increase over the current year's annual assessment
- OMB determines funding is/will be available
- No extreme objections are voiced by property owners to OMB

For changes that will cause a greater than 10% increase over the current year's assessments:

- If the requested modification/enhancement was part of the original lighting plan at the time the MSBU ordinance was adopted but just has not been implemented to date, OMB will approve the change with no further action by the property owners. The next year's assessments will be increased to cover the change and all property owners will be notified of the increase before tax bills are mailed.

This is applicable in instances such as subdivision developments being built in phases over time, causing the original lighting plan to be slow to be completed (i.e. all the planned lights have not yet been installed and are now being requested).

- If the requested modification/enhancement was NOT part of the original lighting plan at the time the MSBU ordinance was adopted, a petition will be necessary to show property owners support the change and cost increase. 55% signers will be required.

Note: If it is determined by OMB from discussions with various property owners in a district that there is disagreement among owners about modifications/enhancements outside of the original lighting plan, OMB will take no action towards modification until disagreements are settled. Evidence of conflicting opinions being settled may be required in the form of petitions that show majority desires, or HOA meeting minutes that show discussions and votes for/against modification/enhancement.

Submission of complete property owner petitions and developer requests including requests for changes, additions or deletions are accepted any time during the year, but must be completed by June 1 to be assessed on that year's tax bill mailed in November. Timing of completion can cause the first-year assessments to be delayed until the following year and to be for greater than 12 months.

**INFRASTRUCTURE IMPROVEMENTS INTENDED FOR
COUNTY ASSUMPTION
(IMPROVEMENT WILL NO LONGER BE PRIVATELY OWNED)
DETAILED PROCEDURES**

Examples of Improvements:

- **Roadway Improvements such as resurfacing/paving - dedicated to County after completion**
- **Sewer Facility Improvement such as lift station reconstruction - dedicated to County or water utility company after completion**
- **Holding Pond Improvements – dedicated to County after completion**

Non-County maintained or private property such as roadways, sewer/drainage facilities or water bodies can be improved and maintained using funding provided by an MSBU district, however for on-going County maintenance purposes the property/improvements must become public with open access to all members of the public equally.

- Easements or property dedications must be provided if needed for the County to access the property during construction and when maintenance is necessary.
- Because these improvements will eventually be County owned, they are required to be in compliance with County standards at project completion.
- Term of assessments (number of years billed on tax bill) will usually be between 3 and 10 years, but can continue beyond this time in order to fund maintenance.
- Property owners will primarily work with OMB and County Engineering on these projects.

Requests for County maintained improvements should be made to:

Escambia County Office of Management and Budget (OMB)
221 Palafox Place, Suite 440
Pensacola, FL 32502
(850) 595-4960/budget@myescambia.com

Creating the New MSBU Improvement District:

The threshold for proceeding with improvements that will be dedicated to the County is **66%** of property owners expressing support on a petition. 66% can represent 66% of total parcels or ownership of total front footage, measured consistent with an agreed upon method of assessment.

The improvement district to be assessed will consist of all parcels that will benefit from the improvement, and boundaries will be continuous with no skipped parcels. Enclaves are not allowed simply for the purpose of excluding a parcel owned by a property owner who objects to the improvement or district. If a petition indicates 66% approval, then the desire of the majority rules and all benefitting parcels will be assessed. Districts must contain a minimum of 2 distinct taxable parcels.

- Tracts for drainage, buffer zones, ROWs, etc. are usually included in the district but not assessed.
- The district can be an entire subdivision or just a portion that materially benefits.

Infrastructure/Construction Improvement MSBU Process Steps:

1. Contact OMB or County Engineering to discuss type of project and general steps.

Projects can be complex with many issues to resolve before beginning work, so it is important to have initial discussions regarding scope and feasibility with the appropriate staff prior to applying or paying application fee.

- OMB's Role – to lead the multi-step MSBU creation process to ensure funding is available, determine final assessments, and manage the MSBU requirements after project completion.
- County Engineering's Role - to lead the actual project work, to include assisting with scope of work, bid process, securing easements, drafting MOUs, etc.

2. Submit Scope of Services to County Engineering and OMB as Initial Application

- A Primary Contact person(s) must be named and be willing to receive calls/emails, lead a petition process, assist with gaining maximum neighborhood input and on-going coordination between district and County.
- The County encourages community participation in the development of the scope of services.
- The Office of the County Engineer will confirm the adequacy of the scope of services description, and will copy it to appropriate departments for review.

- Letters may be mailed to each property owner advising of the application and imminent petition process. The District Commissioner might request an informative meeting with the property owners to discuss the MSBU process. Notification to property owners of any County-sponsored meeting will be coordinated through OMB or County Engineering.
- **Note:** There should be a reasonable level of certainty that property owners who would be required to dedicate rights-of-way or easements will be willing to do so.

3. Once scope of services is clear and deemed feasible, a Preliminary Engineering report prepared by an independent firm will be required.

The Preliminary Engineering report shall include, but not be limited to, engineering design services, geotechnical services, environmental services, other professional services as necessary, permit fees, estimated construction cost, conceptual plans, etc. A 10-20% contingency fee shall be applied to the construction estimate and a 10% reserve if deemed necessary. County staff can outline what the report should include and can provide a list of firms upon request.

- The property owners must pay for the preliminary engineering report as well as contract with the engineering firm. This will not be part of the MSBU final costs.
- If the improvements are not constructed, the cost of preliminary engineering will not be refunded.
- This report provides the estimate that will be reflected on a petition that gauges community support.
- If a project is delayed and cost estimates become greater than 12 months old, updated estimates may be required.
- **Note:** There should be a reasonable level of certainty that property owners who would be required to dedicate rights-of-way or easements will be willing to do so.

4. Application Fee – After determining the improvement is feasible in scope, can be completed in compliance with County standards, and is appropriate for MSBU funding, the last page of this Guide should be submitted to OMB at the above address along with the non-refundable application fee. Make checks payable to Board of County Commissioners, Escambia County.

5. Petition Preparation by OMB

- The BCC has determined that a petition may serve as an indicator of the amount of community interest for a proposed improvement. Only petitions prepared by OMB/County staff will be accepted.
- Petitions will include an estimate of all costs to complete the improvement to County standards as provided by the engineering study or other estimate, County added fees,

estimated annual assessments to be paid by property owners, and a list of names and addresses that will make up the assessment district. All addresses listed are deemed to benefit from the future improvement and are obtained from the Property Appraiser records.

6. Petition Circulated for Signatures

- This is the responsibility of the Primary Contact and his/her designees. An attempt must be made to give all property owners on the signers list an opportunity to read and sign.
- In determining eligible signatures, all the non-related current owners of a parcel or the designated trustee must sign for the owner to count towards the 66% requirement. Renters cannot sign. Once submitted, names may not be withdrawn from the petition.
- **A petition will not be accepted without the signatures of all property owners who would be required to dedicate rights-of-way or easements to the County.**

7. Petition with \geq 66% signers is Returned to OMB for Final Approval Steps

- MSBU ordinance is written by OMB/Legal Department, and a public hearing is scheduled to consider adoption by the BCC. It will contain project details, assessment procedures, County responsibilities, etc.
- Note that once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the BCC to proceed (or not) with the project.
- Notification of the public hearing date and time will be mailed to all property owners within the proposed district, and legal notices will be published in the newspaper.
- At the public hearing, the BCC will consider comments, objections, and relevant information. A vote will be taken to adopt (or not) the ordinance, and **if adopted, the MSBU officially exists and project work can begin.** The ordinance will be recorded in the official records, Escambia County Clerk's Office.

8. Implementation

- Engineering plans are required for all district improvements. The engineering plans are prepared by independent engineering consultants (not County staff) and reviewed by the County Engineering Division of Public Works. Property owners are responsible for the cost of engineering services and will be charged for the cost of the plans whether or not the improvements are constructed.
- Upon approval of the plans, the appropriate process will begin to award a construction bid.
- Construction estimates **equal to or less than \$300,000** may be constructed utilizing the current General Paving and Drainage Pricing Agreement Contract, while estimates **greater than \$300,000** will be solicited by the Office of Purchasing.
 - Primary Contact(s) will be provided a qualified contractor list and copy of the bid tabulation
 - If the lowest responsive bid amount represents an increase of 20% or more than the preliminary estimate that property owners supported on the petition, an additional petition process will be conducted and an additional public hearing will be held.
 - Primary Contact(s) is notified of award recommendation and bid is awarded by the BCC. All awards must be in conformance with the Escambia County Code.
 - After awarding the bid, a work order and/or Notice to Proceed will be issued to the contractor and construction will begin.

Be advised that outside financing may be required in order to implement the engineering and construction of the improvements. The interest rate shall be quoted by the commercial source(s). Interest expense on funds borrowed during the engineering and construction of the project will be included in the assessments.

All engineering and construction shall proceed in accordance with the Policies and Procedures of the Engineering Division of Public Works.

9. **Assessments will begin on tax bills after project is 100% complete and all costs are compiled by OMB.**

Property owners may prepay their assessments in full or choose to have them collected through the Tax Collector on their tax bills.

In September of the year when the first assessment will be billed, Florida Statutes require another public hearing be held before first-time MSBU assessments can be billed. Property owners will again receive a notice by mail of this public hearing. This public hearing is regarding the assessments, and not the MSBU itself.

**IMPROVEMENTS TO PRIVATE PROPERTY
(PROPERTY TO REMAIN PRIVATELY OWNED)
DETAILED PROCEDURES**

Examples of Improvements:

- **Roadway Improvements such as resurfacing/paving – no County maintenance after completion**
- **Sewer Facility Improvement such as lift station reconstruction – no County maintenance after completion**
- **Traffic Calming Measures - installing speed signs or speed tables in neighborhoods, when equipment is no longer owned by the County after pay-off**

MSBUs can be utilized to improve privately owned property such as roadways and sewer/drainage facilities, and to provide for various neighborhood amenities. These improvements can remain privately owned with the County having no on-going maintenance responsibilities after project completion or after a set time period, determined on a case by case basis. These projects will generally be less costly in scope compared to projects that will be dedicated to the County and publicly owned.

- ALL costs related to the improvements will be borne by the property owners that will benefit from the improvement. Any and all public dollars utilized to accomplish the project will be repaid to the County in the form of special assessments paid by the property owners that benefit.
- Because the County will not have on-going responsibility, the improvement will not be required to meet County standards the way that County assumed improvements will.
- Permanent easements or property dedications are not necessary for these one-time projects.
- Engineering reports are usually not necessary since compliance with County standards is not a goal.
- The term of the MSBU assessments (# of years on tax bill) will not exceed the useful life of the improvement. For example, a roadway that is resurfaced with materials that have a lifespan of 5 years will require that the project costs be repaid in 5 years.
- Property owners will work with OMB and other County departments appropriate for the improvement type.

Requests for one-time improvements to private property should be made to:

Escambia County Office of Management and Budget (OMB)
221 Palafox Place, Suite 440
Pensacola, FL 32502
(850) 595-4960/budget@myescambia.com

Creating the New MSBU Improvement District

The threshold for proceeding with improvements that will not become public is **80%** of property owners expressing support on a petition. 80% can represent 80% of total parcels or ownership of total front footage, measured consistent with an agreed upon method of assessment.

The improvement district to be assessed will consist of all parcels that will benefit from the improvement, and boundaries will be continuous with no skipped parcels. Enclaves are not allowed simply for the purpose of excluding a parcel owned by a property owner who objects to the improvement or district. If a petition indicates 80% approval, then the desire of the majority rules and all benefitting parcels will be assessed. Districts must contain a minimum of 2 distinct taxable parcels.

- Tracts for drainage, buffer zones, ROWs, etc. are usually included in the district but not assessed.
- The district can be an entire subdivision or just a portion that materially benefits.

Private Improvement MSBU Steps:

1. **Contact OMB to discuss project type and general steps.** OMB will direct the Primary Contact(s) to the County department that specializes in the type of improvement being requested.
 - Roadway improvement projects will discuss details with the County Road Department and/or County Engineering.
 - Traffic calming projects will discuss details with County Traffic Division.
2. **Submit the MSBU application and application fee (last page of this guide).** The application names a Primary Contact person(s) who must be willing to receive calls/emails, lead a petition process, and assist with gaining maximum neighborhood input.
3. **Primary Contact(s) Obtains 3 Estimates from Contractors/Vendors, and Makes a Selection.**
 - The County will not participate in vendor selection, but can assist in review of estimates and comment on deficiencies.
 - Exception: Some improvement/maintenance projects will have vendors or equipment already chosen by County staff, in which case the Primary Contact will not need to obtain estimates. An example is traffic calming devices. The County Traffic Division sources equipment and will provide what they deem most appropriate for a community.
 - For projects that are estimated to cost greater than \$49,999, the County will follow existing Purchasing policies which include obtaining BCC approval to award the bid. This may cause delays in project start dates. County staff will schedule approval and notify Primary Contact. This process will happen only after the petition is circulated and obtains sufficient signatures.

- Project delays of greater than 12 months may require estimates to be updated.

4. Petition Prepared by OMB

- The BCC has determined that a petition may serve as an indicator of the amount of community interest for a proposed improvement. Only petitions prepared by OMB/County staff will be accepted.
- It will include the chosen estimate/vendor, County added fees, and estimated annual assessments to be billed on tax bills. A list of property owner names and addresses that will benefit from the improvements will be included, along with a signature space. Property Appraiser records are the source of property owner names and addresses.

5. Petition Circulated for Signatures

- This is the responsibility of the Primary Contact and his/her designees. An attempt must be made to give all property owners on the signers list an opportunity to read and sign.
- In determining eligible signatures, all the non-related current owners of a parcel or the designated trustee must sign for the owner to count towards the 80% requirement. Renters cannot sign. Once submitted, names may not be withdrawn from the petition.

6. Petition with $\geq 80\%$ signers is Returned to OMB for Final Approval Steps

- MSBU ordinance is written by OMB/Legal Department, and a public hearing is scheduled to consider adoption by the BCC. It will contain project details, assessment procedures, County responsibilities, etc.
- Note that once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the BCC to proceed (or not) with the project.
- Notification of the public hearing date and time will be mailed to all property owners within the proposed district, and legal notices will be published in the newspaper.
- At the public hearing, the BCC will consider comments, objections, and relevant information. A vote will be taken to adopt (or not) the ordinance, and **if adopted, the MSBU officially exists and project work can begin.** The ordinance will be recorded in the official records, Escambia County Clerk's Office.

7. Implementation

County staff will contract with the chosen contractor and, in coordination with the Primary Contact, issue the notice to proceed.

- If the project estimate was greater than \$49,999, the BCC must first approve the bid award before issuing an official contract/purchase order. County staff will schedule approval at a BCC meeting.
- Work will be supervised/inspected by County staff, but the County will not be liable.

8. Assessments will begin on tax bills after project is 100% complete.

- Property owners may prepay their assessments in full or choose to have them collected through the Tax Collector on their tax bills.

In September of the year when the first assessment will be billed, Florida Statutes require another public hearing be held before first-time MSBU assessments can be billed. Property owners will again receive a notice by mail of this public hearing. This public hearing is regarding the assessments, and not the MSBU itself.

DISSOLUTION PROCEDURES FOR MSBUs

Contact OMB.

The district can only be dissolved after having first been created by ordinance at a public hearing. The steps to take in requesting dissolution of a district are similar to steps necessary to create an MSBU district:

- Submission of an application to dissolve the district and payment of application fee. See last page of this guide.
- Submission of a petition signed by property owners including the outstanding financial obligations and credits of the district. Only petitions prepared by OMB/County staff will be considered valid.

The petition, to be considered, must be signed by a set minimum percentage of property owners. The minimum percentage shall be the same as needed to create the district, and is based on MSBU type (see Guide sections).

- Public Hearing will be held by the Board of County Commissioners to consider dissolution and establish final assessments.

OMB will notify all property owners of the public hearing by mail and by advertisement in a newspaper.

If the BCC votes to dissolve, property owners will pay final assessments on the next tax bill.

EXCEPTIONS TO THE GUIDELINES

The Board of County Commissioners may address exceptions to any of the guidelines on a case-by-case basis.

QUESTIONS?

Contact the Office of Management and Budget, (850) 595-4960.

APPLICATION FOR MSBU DISTRICT CREATION/DISSOLUTION

PLEASE SUBMIT APPLICATION ALONG WITH *NON-REFUNDABLE* APPLICATION FEE TO:

Office of Management and Budget (OMB)
221 Palafox Place, Suite 440
Pensacola, FL 32502

Description of Improvement: _____

(ex: street lighting/road paving....)

General Location: _____

(ex: name of subdivision, street name...)

Primary Contact:

Name _____

Street Address _____

City/Zip Code _____

Email Address: _____

Phone Numbers – _____

Back-up Contact:

Name _____

Street Address _____

City/Zip Code _____

Email Address: _____

Phone Numbers – _____

Application Fee Submitted? _____yes _____no