



OFFICE OF COMPTROLLER

INTEROFFICE MEMO

ORANGE COUNTY FLORIDA

Phil Diamond, CPA
County Comptroller
Finance and Accounting Department
Special Assessments
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10-21-19P 12:02 RCVD

Date: October 18, 2019
To: Katie Smith, Deputy Clerk
Through: Cheryl Gillespie, Agenda Development
From: Eric Gassman, Chief Deputy Comptroller
Contact: Ann Dawkins, 407-836-5770
Subject: Request Number M19-039 to abolish a MSTU for Asbury Park 1st Addition Canal

Handwritten signature of Eric Gassman

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OCT 21 19 12:01 PM

Applicant: Elizabeth R. Johnson and Tim Hull
Environmental Protection Division (EPD)
Type of Hearing: To abolish a Municipal Service Taxing Unit (MSTU) for aquatic weed control and general maintenance and improvement.
Hearing Required by F. S.# Florida Statute Sections 125.01(1)(q) and (r), 200.066 and 200.071. This public hearing may be scheduled any time prior to December 31, 2019.
Advertising Requirements / Timeframe: Publish only one (1) time and must be published at least twenty (20) days prior to the public hearing with the tentative advertisement date as Sunday, November 10, 2019.
Notify Abutters: Special Assessments will mail public hearing notices to all of the affected property owners.
Estimated Time Required: One (1) minute
District: Commisioner Moore, District 2
Hearing Controversial: No.

LEGISLATIVE FILE # 19-1622

December 3, 2019 @ 2pm

Report: At the request of Elizabeth R. Johnson, Assistant Manager and Tim Hull, Environmental Programs Administrator, Environmental Protection Division, the public hearing is being requested to terminate the resolution that established the Municipal Service Taxing Unit for aquatic weed control and general maintenance and improvement for Asbury Park 1st Addition Canal.

This MSTU was limited to services on a single canal and did not cover services in the main waterbody, Lake Weston. Approximately 50% of Lake Weston is located within the City of Eatonville. In 2012, an attempt to expand the MSTU to include the lake failed. The millage was reduced to zero and the account balance was fully expended. The Asbury Park 1st Addition Canal MSTU is unnecessary and is recommended for abolishment.

Materials being submitted as backup for public hearing request:

1. Resolutions – one (1) copy of the proposed resolution for abolishment of the Municipal Service Taxing Unit for Asbury Park 1st Addition Canal

ADDITIONAL SPECIAL INSTRUCTIONS TO CLERK:

1. Notify Special Assessments Section / Finance and Accounting Department of public hearing date(s) to prepare public hearing notice. Special Assessments will e-mail the public hearing notice to the Clerk.
2. **Send the original adopted resolution(s) to the Special Assessments Section / Finance and Accounting Department.**
3. Send 1 (one) certified copy of the adopted resolution(s) to the Special Assessments Section / Finance and Accounting Department.

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
ABOLISHMENT
OF A
MUNICIPAL SERVICE TAXING UNIT
FOR
AQUATIC WEED CONTROL AND
GENERAL MAINTENANCE
AND IMPROVEMENT FOR
ASBURY PARK 1ST ADDITION CANAL

WHEREAS, Subsection 125.01(1)(q), Florida Statutes, grants Orange County, Florida ("County") the power to establish or abolish Municipal Service Taxing Units ("MSTU") for any part of the unincorporated area of the County; and

WHEREAS, the Board of County Commissioners of Orange County, Florida ("Board") is the governing board of the County pursuant to its charter; and

WHEREAS, by a Resolution adopted October 8, 1984, the Board established the Asbury Park 1st Addition Canal MSTU for purposes of general maintenance, improvement, and the enhancement of said canal; and

WHEREAS, the properties subject to the MSTU are no longer subject to the ad valorem assessment and the MSTU is unnecessary as a substantial portion of the lake is within City of Eatonville jurisdiction, and there was a failed attempt in 2012 to expand the MSTU to encompass the whole lake beyond the limited canal; and

WHEREAS, the Board has, pursuant to notice duly given both by mail and by publication, held a hearing at which all interested persons who appeared were heard or were given an opportunity to be heard on the matter of the Board abolishing the MSTU, which was created for general maintenance, improvement, and the enhancement of Asbury Park 1st Addition Canal.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS
OF ORANGE COUNTY, FLORIDA:

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL

Section 1. That the Asbury Park 1st Addition Canal Municipal Service Taxing Unit for purposes of general maintenance, improvements, and the enhancement of said canal, the boundaries of which include the parcels of property described as follows:

Asbury Park 1st Addition Plat Book Y Page 80, Block B Lots 20 thru 53, in Section 34
Township 21 Range 29

is hereby abolished effective immediately upon adoption of this resolution.

Section 2. Each property owner affected by this abolishment resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

ADOPTED THIS ____ DAY OF _____, 2019.

ORANGE COUNTY, FLORIDA

By: _____
ORANGE COUNTY MAYOR

Date: _____

ATTEST: Phil Diamond, County Comptroller
as Clerk to the Board of County Commissioners

By: _____
DEPUTY CLERK