



OFFICE OF COMPTROLLER

INTEROFFICE MEMO

ORANGE  
COUNTY  
FLORIDA

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Date: November 12, 2019

To: Mayor Jerry L. Demings  
and  
Board of County Commissioners

From: Eric Gassman, Chief Deputy Comptroller

Contact: Ann Dawkins, 407-836-5770

Subject: Public Hearing to Abolish a Municipal Service Taxing Unit (MSTU) for Aquatic Weed Control and General Maintenance and Improvement

MSTU District: **Asbury Park 1<sup>st</sup> Addition Canal**

Applicant: Elizabeth R. Johnson and Tim Hull  
Environmental Protection Division (EPD)

District: Commissioner Moore, District 2

Report: The attached resolution will abolish a MSTU for aquatic weed control and general maintenance and improvement for Asbury Park 1<sup>st</sup> 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 1<sup>st</sup> Addition Canal MSTU is unnecessary and is recommended for abolishment.

Effective Date: The abolished MSTU would be effective immediately upon approval of the resolution.

Action Requested: Approval of attached resolution for abolishing a MSTU for aquatic weed control and general maintenance and improvement for Asbury Park 1<sup>st</sup> Addition Canal.

**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 1<sup>ST</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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