

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, EXTENDING THE CITY'S APPROVAL OF THE INCLUSION OF A PORTION OF THE CITY OF EDGEWOOD WITHIN THE LAKE MARY (JESS) MUNICIPAL SERVICE TAXING UNIT ("LAKE MARY (JESS) MSTU"); EXTENDING THE CITY'S CONSENT TO THE INCLUSION OF A PORTION OF THE CITY OF EDGEWOOD WITHIN THE BOUNDARIES OF THE LAKE MARY (JESS) MSTU; ACKNOWLEDGING AND CONSENTING TO THE IMPOSITION OF AD VALOREM TAXES UPON PROPERTY WITHIN THE LAKE MARY (JESS) MSTU; PROVIDING FOR CONTINUING CONSENT FOR A TERM OF YEARS FROM THE CITY PURSUANT TO SECTION 125.01(1)(q), FLORIDA STATUTES, FOR PROPERTIES WITHIN THE LAKE MARY (JESS) MSTU TO BE INCLUDED IN THE MSTU, INCLUDING ANY LANDS IN THE MSTU ANNEXED INTO THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SUNSET; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 125.01(1)(q), Florida Statutes, provides specific legislative authorization for counties to establish a municipal service benefit unit of any part or all of the unincorporated areas within its boundaries, or within the municipal boundaries of an incorporated area upon consent of the governing body of such municipality, within which may be provided certain essential facilities and improvements; and

WHEREAS, Orange County on May 20, 1980, converted the Lake Mary (Jess) Special Taxing District to a municipal service taxing unit (MSTU) pursuant to the authority of the Florida constitution and pursuant to Section 125.01, Florida Statutes, which MSTU was intended to continue the taxing unit function originally established by creation of a special district by Orange County on September 24, 1974, for the purpose of general improvement and enhancement of Lake Mary (Jess); and

WHEREAS, the City on August 6, 2002 and July 20, 2010 consented to the inclusion of the areas shown on Exhibit "A" in the Lake Mary (Jess) MSTU for a period which expires on December 31, 2020; and

WHEREAS, it is the intent of the City of Edgewood to extend its consent to the inclusion of the property shown on Exhibit "A" in the Lake Mary (Jess) MSTU and that this Ordinance be interpreted to simplify the MSTU collection process for the general enhancement of Lake Mary (Jess); and

WHEREAS, the Edgewood City Council has determined that the extended inclusion of certain properties in the Lake Mary (Jess) MSTU is in the best interests of the owners of property to be located therein, including the owners of property within the corporate limits of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, THAT:

SECTION 1. CONSENT. The City of Edgewood hereby extends its consent, pursuant to Section 125.01(1)(q), Florida Statutes, to the inclusion of the areas shown on Exhibit “A” which are now annexed into the jurisdictional boundaries of the City of Edgewood but which are properties originally included in boundaries of the Lake Mary (Jess) MSTU. Exhibit “A” is attached hereto and incorporated herein by reference into this Ordinance. The property described on Exhibit “A” was included in the Lake Mary (Jess) MSTU. As specifically authorized pursuant to Section 125.01(1)(q), Florida Statutes, the City further acknowledges and consents to the inclusion of the lands described on Exhibit “A” in the Lake Mary (Jess) MSTU and acknowledges said MSTU will impose taxes for the purpose of implementing water quality projects to benefit Lake Mary (Jess), which taxes will be assessed by the Orange County Property Appraiser and collected by the Orange County Tax Collector in accordance with State law and paid over to the County for the purposes established by the MSTU. The City hereby consents to the imposition of ad valorem taxes upon said taxable real and personal property located within the jurisdictional boundaries of the City of Edgewood and also located within the Lake Mary (Jess) MSTU, which shall not be in excess of 3 mills per annum, which millage constitutes a portion of the 10 mills otherwise available to the City for municipal purposes for the affected properties. This consent shall be effective for the period commencing on the effective date of this Ordinance.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 3. EFFECTIVE DATE AND TERM. This Ordinance shall take effect upon its passage and shall continue for a period of five years from the date of passage. This Ordinance and the consent given therein shall automatically be renewed for subsequent five year periods unless the City Council shall adopt an ordinance prior to the expiration of any five year term withdrawing its consent.

PASSED AND ADOPTED this **19th** day of August, 2020, by the City Council of the City of Edgewood, Florida.

First Reading: **July 21, 2020**

Second Reading/Public Hearing: **August 19, 2020**


Richard A. Horn, Council President

ATTEST:



Bea Meeks, City Clerk

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ORANGE COUNTY JURISDICTION

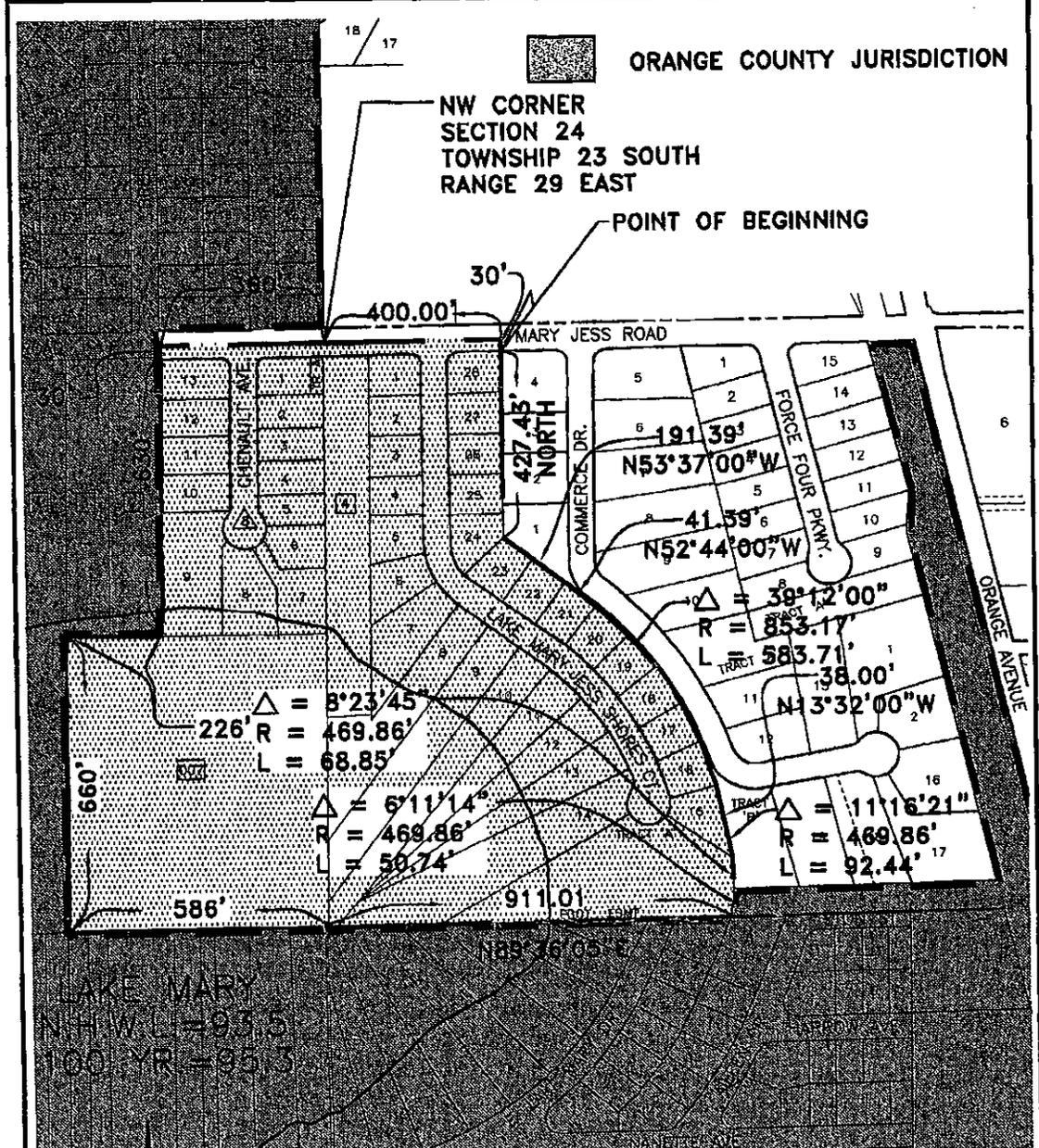
NW CORNER
SECTION 24
TOWNSHIP 23 SOUTH
RANGE 29 EAST

POINT OF BEGINNING

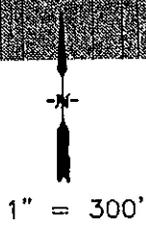
30'

400.00'

MARY JESS ROAD



ACAD FILE: LK MARY MTSU



CITY OF EDGEWOOD
LAKE MARY M.T.S.U.
EXHIBIT A

SHEET 2 OF 2	
DATE:	5/20/02
JOB NO.	0327-00
CHECKED BY:	A.R.M.
DRAWN BY:	E.R.E.