

City of South Daytona

Office of the City Manager

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3014



MEMORANDUM

To: James L. Gillis Jr., City Manager
From: Becky Witte, Deputy City Clerk
Re: Council Consideration of Resolution 2022-02, the City owned real property inventory list - per requirements of F.S. 166.0451
Date: January 3, 2022

The Disposition of Municipal Property for Affordable Housing Law, Florida Statute 166.0451, requires the City to prepare an inventory every three years of all real property within our jurisdiction to which the City holds fee simple title and to determine if any are appropriate for use as affordable housing. (The Council reviewed and adopted a similar list in February 2019 via Resolution 19-01).

If properties are identified and declared as affordable housing opportunities, they may:

- be offered for sale and the proceeds may be used to purchase land for the development of affordable housing, or
- be sold with a restriction that requires development of the property as permanent affordable housing, or
- be donated to a non-profit housing organization for the construction of permanent affordable housing.

City staff has reviewed the various parcels, and we are of the opinion that South Daytona does not have any City owned vacant parcels that can be identified for use as affordable housing. Therefore, the attached Resolution has been prepared stating that "No municipally-owned property is appropriate for use as affordable housing."

Florida Statute 166.0451 requires the Council to "review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property."

Staff requests the City Council approve Resolution No. 2022-02 for compliance with F.S. 166.0451 following the Public Hearing.

RESOLUTION NO. 2022-02

**A RESOLUTION OF THE CITY OF SOUTH DAYTONA, FLORIDA
APPROVING AN INVENTORY LIST OF MUNICIPALLY OWNED
PROPERTY THAT IS APPROPRIATE FOR USE AS AFFORDABLE
HOUSING PURSUANT TO SECTION 166.0451, FLORIDA STATUTES;
PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE
DATE.**

WHEREAS, Section 166.0451, Florida Statutes requires that municipalities in the State of Florida prepare an inventory list of all real property within its jurisdiction to which the City holds fee simple title that is appropriate for use as affordable housing; and

WHEREAS, the inventory list must include the address and legal description of the property and specify whether the property is vacant or improved. The City Council must then review the inventory list at a public hearing, and revise the inventory if necessary. Following the public hearing, the City Council must adopt a resolution that includes the inventory list of the property; and

WHEREAS, City Staff has reviewed the inventory of City owned property, and has determined that the City does not own any property that is appropriate for use as affordable housing; and

WHEREAS, pursuant to City staff's review of the inventory of City owned property, the City Council accepts City staff's review, and hereby finds that the adoption of this Resolution is in conformance with the requirements of Section 166.0451, Florida Statutes; and

WHEREAS, the City Council of the City of South Daytona finds and declares that adoption of this Resolution is necessary, appropriate, and in the public interest of the citizens of the City of South Daytona.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:

Section 1. The City Council of the City of South Daytona finds and declares that adoption of this Resolution is necessary, appropriate, and in the public interest of the citizens of the City of South Daytona.

Section 2. The following inventory list of City owned property that is appropriate for use as affordable housing is hereby adopted pursuant to Section 166.0451:

INVENTORY LIST

No municipally owned property is appropriate
for use as affordable housing.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not the validity of the remaining portions or application hereof.

Section 4. That all resolutions made in conflict with this Resolution are hereby repealed.

Section 5. That this Resolution shall become effective immediately upon its adoption.

THIS RESOLUTION APPROVED ON FIRST AND ONLY READING this 11th day of January 2022 by the City Council of the City of South Daytona, Florida.

CITY OF SOUTH DAYTONA, FLORIDA

William C. Hall, Mayor

ATTEST: _____
James L. Gillis Jr, City Manager

APPROVED AS TO FORM AND LEGALITY:

Wade Vose, City Attorney