

# City of South Daytona

Community Development Dept.

Post Office Box 214960 • South Daytona, FL 32121 • 386/322-3020 • FAX 386/322-3029



## Memorandum

To: James L. Gillis, P.E., City Manager

From: John Dillard, Community Development Director *J*

Date: January 15, 2019

Re: City owned real property inventory list – per requirements of F.S. 166.0451

**AGENDA ITEM**

# 90 DATE 1/21/19

.....

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 February 2016 via Resolution 16-02).

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.

The prepared inventory listed all real property owned by the City of South Daytona. 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.”

City Council consideration and approval of Resolution No. 19-01, for compliance with F.S. 166.0451 is requested.

**RESOLUTION NO. 19-01**

**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; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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 THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**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 clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 4.** That all resolutions made in conflict with this Resolution are hereby repealed.

**Section 5.** This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA THIS \_\_\_\_\_ DAY OF FEBRUARY, 2019.

CITY OF SOUTH DAYTONA, FLORIDA

BY: \_\_\_\_\_  
William C. Hall, Mayor

ATTEST:

BY: \_\_\_\_\_  
James L. Gillis, Jr., City Manager