

## **RESOLUTION 2024-46**

### **A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, ELECTING TO NOT EXEMPT CERTAIN PROPERTY UNDER SECTION 196.1978(3)(o), FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 196.1978(3), Florida Statutes, contains the “Live Local Act Property Tax Exemption,” which requires the county property appraiser to exempt rental properties from ad valorem taxation if the properties meet certain requirements under the Live Local Act, and

**WHEREAS**, the Florida Legislature passed HB 7073 during the 2024 legislative session, and

**WHEREAS**, on May 7, 2024, Governor Ron DeSantis signed HB 7073, which became Chapter 2024-158, Laws of Florida, and

**WHEREAS**, Chapter 2024-158, Laws of Florida, provides an exemption from ad valorem taxation for certain properties deemed affordable housing for persons or families whose annual household income is between 80 and 120 percent of the median annual adjusted gross income for households within the Palm Bay-Melbourne-Titusville Metropolitan Statistical Area (MSA), and

**WHEREAS**, Chapter 2024-158, Laws of Florida, provides that a taxing authority (the city) is authorized to opt out of providing the 80 to 120 tax exemption if certain conditions are met, starting with the 2025 tax roll, if the city finds that the latest Shimberg Center for Housing Studies Annual report identifies that the number of affordable and available units in the MSA is greater than the number of renter households in the MSA in the 80 to 120 income group, and

**WHEREAS**, the latest Shimberg Annual Report is provided as an attachment to this Resolution and is hereby incorporated by reference, and

**WHEREAS**, the City Council of the City of Palm Bay hereby finds that the latest Shimberg Annual Report identifies a surplus of affordable and available units in the Palm Bay-Melbourne-Titusville MSA, which includes the City of Palm Bay, for those households that meet the income criteria for the 80 to 120 tax exemption, and

**WHEREAS**, the City Council of the City of Palm Bay hereby finds that the city is a taxing authority that is eligible to adopt a resolution to not exempt properties that would otherwise be eligible for the Live Local Property Tax Exemption.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The foregoing recitals are true and correct and are incorporated in this Resolution by reference.

**SECTION 2.** The City Council finds that the City of Palm Bay is within the Palm Bay-Melbourne-Titusville MSA, and that, based on the Shimberg Annual Report, the number of affordable and available units in the MSA is greater than the number of renter households in the MSA for the category entitled “0-120 percent A.M.I.”

**SECTION 3.** Pursuant to Section 196.1978(3)(o), Florida Statutes, the City of Palm Bay hereby elects not to exempt properties eligible for the 80 to 120 Tax Exemption otherwise allowed for under Section 196.1978(3)(d)1.a., Florida Statutes, and directs the Brevard County Property Appraiser not grant any such exemptions.

**SECTION 4.** This resolution applies to the ad valorem property tax levies imposed within the City of Palm Bay.

**SECTION 5.** This resolution has been duly advertised in accordance with Section 50.011(1), Florida Statutes. A copy of this Resolution shall be provided to the Brevard County Property Appraiser prior to January 1, 2025.

**SECTION 6.** This resolution does not impact a property owner of a multifamily project which was granted an exemption pursuant to Section 196.1978(3)(d)1.a., Florida Statutes, prior to the adoption of this resolution. Such property owner may continue to receive the exemption for each consecutive year that the property owner applies for and is granted the exemption.

**SECTION 7.** If any provision of this resolution or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared severable.

**SECTION 8.** This resolution shall take effect on January 1, 2025, and shall expire on January 1, 2027. This Resolution may be renewed prior to its expiration date in accordance with Florida law.

This resolution was duly enacted at Meeting 2024-XX, of the City Council of the City of Palm Bay, Brevard County, Florida, held on \_\_\_\_\_, 2024.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK