

RESOLUTION 2025-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, IDENTIFYING CERTAIN REAL PROPERTY OWNED BY THE CITY WHICH MAY BE USED FOR AFFORDABLE HOUSING PROGRAMS IN THE CITY OF PALM BAY; PROVIDING A SURPLUS PROPERTY DETERMINATION AND FOR THE DISPOSITION OF SAID PROPERTY FOR THE BENEFIT OF AFFORDABLE HOUSING IN THE CITY OF PALM BAY; PROVIDING FOR THE REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.0451, Florida Statutes, provides that each City shall 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 each such property and specify whether the property is vacant or improved, and

WHEREAS, the City Council must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing, and

WHEREAS, the City Council may offer the properties for sale and the proceeds may be used to purchase land for the development of affordable housing or to increase the City's fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing, and

WHEREAS, City Council may otherwise make the property available for use for the production and preservation of permanent affordable housing.

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

SECTION 1. It is hereby deemed, determined and declared that the properties more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, may be used by the City for affordable housing purposes, as the term "affordable" is defined in section 420.0004(3), Florida Statutes, and as provided in Section 3 of this Resolution. The City Council reserves the rights to revise Exhibit "A" as deemed necessary.

SECTION 2. It is hereby declared that the City may offer the properties for sale and the proceeds may be used to purchase land for the development of affordable housing or to increase the City's fund earmarked for affordable housing; or may be sold by negotiated agreement with a buyer with a restriction that requires the development of the property as permanent affordable housing and such other terms and conditions required by the City Council; or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

SECTION 3. The City Manager may negotiate terms and conditions of the disposition of the properties described on Exhibit "A" subject to the City Council's approval.

SECTION 4. No provision of this Resolution shall be construed or interpreted to require the City to require that the properties described in Exhibit "A" be used for affordable housing.

SECTION 5. All Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

SECTION 6. If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful, or unconstitutional, said determination shall not be

held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2025-XX, of the City Council of the City of Palm Bay, Brevard County, Florida, held on _____, 2025.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK