

RESOLUTION 2023-17

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 DISPOSITION OF SAID PROPERTY FOR THE BENEFIT OF AFFORDABLE HOUSING IN THE CITY OF PALM BAY; 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, as follows:

SECTION 1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.

SECTION 2. 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 3. 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 4. 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.

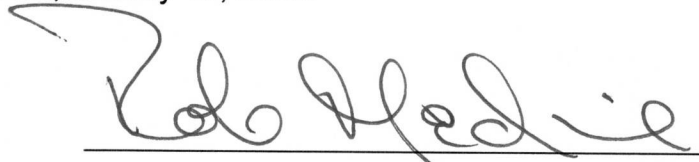
SECTION 5. No provision of this Resolution shall be construed or interpreted to require the City to require that the properties described in Exhibit "A" be used for affordable housing.

SECTION 6. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2023-15, of the City Council of the
City of Palm Bay, Brevard County, Florida, on May 18, 2023.

ATTEST 

Terese M. Jones, CITY CLERK



Rob Medina, MAYOR

CITY OF PALM BAY SURPLUS PROPERTIES FOR AFFORDABLE HOUSING

Tax Parcel	Address	Land Description	Subdivision Name	Vacant or Improved	Parcel ID
2826368	2187 DR HARVEY RILEY ST NE 32905	POWELLS SUBD LOT 23 BLK 10	POWELLS SUBD	VACANT	28-37-14-50-10-23
2827069	2590 SOUTHOVER DR NE 32907	SOUTHOVER LOT 56 BLK 3	SOUTHOVER	VACANT	28-37-14-75-3-56
2866116	2193 NORTHVIEW ST NE 32905	P & M HOUSING DEV N 52 FT EXC E 45 FT OF LOT 1 BLK B A/K/A UNIT C	P & M HOUSING DEV	VACANT	28-37-14-01-B-1.02
2826140	2185 NORTHVIEW ST NE 32905	P & M HOUSING DEV S 48 FT EXC E 45 FT OF LOT 1 BLK B A/K/A UNIT D	P & M HOUSING DEV	VACANT	28-37-14-01-B-1
2826141	2181 NORTHVIEW ST NE 32905	P & M HOUSING DEV N 52 FT EXC E 45 FT OF LOT 2 BLK B A/K/A UNIT E	P & M HOUSING DEV	VACANT	28-37-14-01-B-2
2866115	2189 NORTHVIEW ST NE 32905	P & M HOUSING DEV S 48 FT EXC E 45 FT OF LOT 2 BLK B A/K/A UNIT F	P & M HOUSING DEV	VACANT	28-37-14-01-B-2.02
2861556	2173 NORTHVIEW ST NE 32905	P & M HOUSING DEV E 45 FT OF LOT 1 BLK B A/K/A UNIT A	P & M HOUSING DEV	IMPROVED	28-37-14-01-B-1.01
2861557	2171 NORTHVIEW ST NE 32905	P & M HOUSING DEV E 45 FT OF LOT 2 BLK B A/K/A UNIT B	P & M HOUSING DEV	IMPROVED	28-37-14-01-B-2.01



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Nancy A. Bunt, Community & Economic Development Director

DATE: 5/18/2023

RE: Resolution 2023-17, identifying certain real property within the City to which the City holds fee simple title that is appropriate for permanent affordable housing.

Florida Statutes, Section 166.0451, provides that by July 1, 2007, and every three (3) years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved. The governing body of the municipality must 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 that is appropriate for permanent affordable housing.

In the future, the properties identified as appropriate for use as permanent affordable housing on the inventory list adopted by the City may be offered for sale and the proceeds may be used to purchase land for the development of affordable housing or to increase the local government 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. Alternatively, the City may otherwise make the property available for use for the production and preservation of permanent affordable housing. Approval of the inventory list does not preclude the Council from revising the list in the future if a property (or properties) is determined to be needed for municipal purposes.

The term "affordable" has the same meaning as in F.S. 420.004(3) "Affordable" means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households.

In accordance with the 2022 *Florida Statutes 166.0451 Disposition of municipal property for affordable housing*, the City has prepared 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. The inventory list includes the address and legal description of each such property and specifies whether the property is vacant or improved. Six (6) of the eight (8) properties listed within Exhibit "A" are vacant. It should be noted that the lots along Northview Street NE must be developed for the purposes of permanent affordable housing for veterans and/or elderly as previously approved by City Council on December 16, 2021.

Staff is requesting Council conduct a public hearing to review the inventory list. 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. Alternatively, the City may otherwise make the property available for use of the production and preservation of permanent affordable housing. As stated previously, City Council reserves the right at any time to revise Exhibit "A" as deemed necessary.

Since there has been some interest in various parcels, staff intends to present to the City Manager several parcels for which the City may want to negotiate terms and conditions of the disposition of the properties described on Exhibit "A" subject to the City Council's approval. Alternatively, staff will complete a Request for Qualifications to develop the parcels on Northview Street NE for affordable housing in the future once the City's HOME funds are released later this year. The City's HOME funds will assist the developer in completing the necessary infrastructure, parking and rehab/construction of the units.

REQUESTING DEPARTMENT:

Community & Economic Development

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Motion to approve a Resolution identifying certain real property within the City to which the City holds fee simple title that is appropriate for permanent affordable housing.

ATTACHMENTS:

Description

Attachment 1 - Florida Statutes 166.0451

Resolution 2023-17

Exhibit A