

RESOLUTION NO. 2025-R-35

A RESOLUTION OF THE CITY OF EDGEWATER, FLORIDA, PURSUANT TO SECTION 196.1978(3)(o), FLORIDA STATUTES, BASED UPON THE 2024 SHIMBERG CENTER FOR HOUSING STUDIES ANNUAL REPORT; ELECTING TO NOT EXEMPT CERTAIN PROPERTIES FROM AD VALOREM TAXATION UNDER THE LIVE LOCAL ACT PROPERTY TAX EXEMPTION; PROVIDING FOR SEVERABILITY AND EXPIRATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 196.1978(3)(o), Florida Statutes, authorizes a taxing authority, upon adoption of a resolution by a two-thirds vote of its governing body, to elect not to exempt property from ad valorem taxation under section 196.1978(3)(d)1.a., Florida Statutes, provided specific findings are made by the taxing authority and certain conditions are met; and

WHEREAS, Section 196.1978(3)(o) requires a taxing authority to make a finding in the resolution that the most recently published Shimberg Center for Housing Studies Annual Report, prepared pursuant to Section 420.6075, Florida Statutes, identifies that a county within the taxing authority's jurisdiction is part of a metropolitan statistical area or region where the number of affordable and available units exceeds the number of renter households in the category entitled "0-120 percent AMI"; and

WHEREAS, the 2024 Shimberg Center for Housing Studies Annual Report ("Report") provides data necessary for the City Council ("Council") of the City of Edgewater ("City") to determine whether the statutory conditions are met for electing not to exempt property from ad valorem taxation under section 196.1978(3)(d)1.a., Florida Statutes; and

WHEREAS, the City intends to adopt this resolution to meet the statutory deadline while expressly making the required finding contingent upon confirmation from the Report.

NOW, THEREFORE, be it resolved by the City Council of the City of Edgewater, Florida that:

1. Recitals Incorporated. The foregoing recitals are true and correct and are incorporated herein by reference.

2. Required Finding. The City Council hereby makes a finding, pursuant to Section 196.1978(3)(o), Florida Statutes, that the Report confirms that Deltona-Daytona Beach-Ormond Beach, FL MSA, which includes Volusia County, has a surplus of affordable and available units for households in the “0-120 percent AMI” category relative to the number of renter households in the same category.

3. Election to Opt Out of the Live Local Property Tax Exemption. Subject to the finding described in Section 2, the City elects not to exempt properties eligible for the 80 to 120 Tax Exemption under Section 196.1978(3)(d)1.a., Florida Statutes and directs the Volusia County Property Appraiser not to grant such exemptions for the 2026 tax roll or for any subsequent tax year during which this Resolution remains in effect unless such exemption was granted prior to the adoption of this Resolution.

4. Pre-existing Exemptions Not Affected. 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 owners may continue to receive the exemption for each subsequent consecutive year that the property owner applies for and is granted the exemption.

5. Effective Date. This Resolution shall take effect on January 1, 2026, and shall expire on January 1, 2027, unless renewed by the City Council in accordance with Section 196.1978(3)(o), Florida Statutes.

6. Advertising and Delivery to Property Appraiser. 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 Volusia County Property Appraiser no later than January 1, 2026.

7. Severability. If any provision of this Resolution or its application is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application, and to this end, the provisions of this Resolution are declared severable.

PASSED AND DULY ADOPTED by a two-thirds majority vote this ____ day of _____, 2025.

Diezel DePew, Mayor

ATTEST:

Monique Toupin, Acting City Clerk

REVIEWED AND APPROVED: _____
Aaron R. Wolfe, City Attorney