

## RESOLUTION NO. 2023-25

### **A RESOLUTION OF THE VILLAGE OF ESTERO, FLORIDA, CONFIRMING NO OWNERSHIP OF PROPERTY SUITABLE FOR AFFORDABLE HOUSING; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter Law 2023-17, Laws of Florida, commonly referred to as the Live Local Act, amended Florida Statutes § 166.0451 to require that by October 1, 2023, and every three years thereafter, each municipality shall prepare an inventory of all real property within its jurisdiction to which the municipality (or any dependent special district within its boundaries) holds fee simple title which 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**, following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property, which inventory list shall be made publicly available on the municipality's website to encourage potential development; and

**WHEREAS**, the Village staff has examined the Village's real property holdings and has advised the Council that the Village does not own any real property appropriate for affordable housing; and

**WHEREAS**, the Village Council desires to be compliant with this statutory requirement and therefore adopts this Resolution.

**NOW, THEREFORE BE IT RESOLVED** by the Village Council of the Village of Estero, Florida, that:

#### **Section 1.     Inventory List**

The Village of Estero does not own in fee simple any real property which is appropriate for use as affordable housing.

#### **Section 2.     Instructions to Village Manager**


A. Pursuant to the statutory requirement, the Village Manager or designee shall ensure a copy of this Resolution is posted at an appropriate location on the Village's website.

B. Pursuant to the statutory requirement for a review of this law every 3 years, the Village Manager or designee shall schedule adoption of a similar Resolution in the fall of 2026.

**BE IT FURTHER RESOLVED** that if any section, subsection, sentence, clause, provision or word of this Resolution is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Resolution shall not be affected by such invalidity, such that any remainder of the Resolution shall withstand any severed provision, as the Village Council would have adopted the Resolution even absent the invalid part.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

**DULY ADOPTED** with a quorum present and voting this 4<sup>th</sup> day of October, 2023.

  
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Jon McLain, Mayor

Attest:

  
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Carol Sacco, Village Clerk