

RESOLUTION NO. 24- 87

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, PURSUANT TO SECTION 196.1978(3)(o), FLORIDA STATUTES, ELECTING TO NOT EXEMPT PROPERTY UNDER SECTION 196.1978(3)(d)1.a., FLORIDA STATUTES, COMMONLY KNOWN AS THE "LIVE LOCAL ACT PROPERTY TAX EXEMPTION."

WHEREAS, Section 196.1978(3), Florida Statutes (the "Live Local Act Property Tax Exemption") requires the Pinellas County Property Appraiser to exempt certain rental properties from ad valorem taxes if such properties meet the criteria of the Live Local Act Property Tax Exemption; and

WHEREAS, beginning with the 2025 tax roll, Section 196.1978(3)(o), Florida Statutes, allows taxing authorities, upon adoption of an ordinance or resolution approved by a two-thirds vote of the governing body, to "opt-out" of providing the Live Local Act Property Tax Exemption to units in multifamily projects that are used to house natural persons or families whose annual household income is between 80 and 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area ("MSA") or, if not within a MSA, within the county in which the person or family resides (the "80 to 120 Tax Exemption"), if the taxing authority finds that the latest Shimberg Center for Housing Studies Annual Report (published December 2023), prepared pursuant to Section 420.6075, Florida Statutes ("Shimberg Annual Report"), identifies that the number of affordable and available units in the MSA or region is greater than the number of renter households in the MSA or region for natural persons or families who meet the income criteria for the 80 to 120 Tax Exemption.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, at a duly assembled meeting held on this 19th day of November, 2024, as follows:

SECTION 1. The Pinellas County Board of County Commissioners hereby finds that the latest Shimberg Annual Report identifies a surplus of affordable and available units in the Tampa- St. Petersburg- Clearwater MSA, in which Pinellas County is located, for those households that meet the income criteria for the 80 to 120 Tax Exemption.

SECTION 2. The Pinellas County Board of County Commissioners hereby finds that Pinellas County is a taxing authority that is eligible for the election in Section 196.1978(3)(o), Florida Statutes, which allows Pinellas County to not exempt properties that would otherwise qualify for the 80 to 120 Tax Exemption.

SECTION 3. Pinellas County hereby elects not to exempt properties eligible for the 80 to 120 Tax Exemption in Section 196.1978(3)(d)1.a., Florida Statutes, pursuant to the authority in Section 196.1978(3)(o), Florida Statutes, and hereby requests that the Pinellas County Property Appraiser not grant any such exemptions.

SECTION 4. This resolution applies to all ad valorem property tax levies imposed by Pinellas County.

SECTION 5. This resolution will take effect on January 1, 2025, and will expire or be renewed pursuant to the provisions Section 196.1978(3)(o), Florida Statutes (2024).

SECTION 6. This resolution has been duly advertised in accordance with Section 50.011(1), Florida Statutes. A copy of this resolution will be provided to the Pinellas County Property Appraiser prior to January 1, 2025.

SECTION 7. The adoption of this resolution does not constitute an admission by Pinellas County that the Live Local Property Tax Exemption is constitutional or consistent with Section 196.012(7), Florida Statutes, and does not constitute an admission that the Shimberg Annual Report is the best method of determining the current inventory of "affordable and available" housing in Pinellas County. If Pinellas County ceases to qualify for the election in Section 196.1978(3)(o), Florida Statutes in future years, or if this resolution is determined to be invalid or unenforceable by the Pinellas County Property Appraiser or a court of competent jurisdiction, nothing in this resolution will be deemed a waiver of Pinellas County's right to challenge the Live Local Act Property Tax Exemption.

Commissioner Scott offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Eggers, and upon roll call of the seven (7) members of the Pinellas County Board of County Commissioners, the vote was:

Ayes: Peters, Scott, Eggers, Flowers, and Latvala.

Nays: Nowicki and Scherer.

Absent and Not Voting: None.

Statutorily Required two thirds (five) affirmative votes: Yes X No     

APPROVED AS TO FORM  
By: Derrill McAteer  
Office of the County Attorney

PCAO 495426