

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, AUTHORIZING PARTICIPATION IN THE "FLORIDA GREEN ENERGY WORKS PROGRAM," THE "CLEAN ENERGY GREEN CORRIDOR PROGRAM," AND THE "FLORIDA PACE FUNDING AGENCY," VOLUNTARY PROGRAMS PROVIDING INTERESTED PROPERTY OWNERS WITH THE OPPORTUNITY TO FINANCE ENERGY EFFICIENCY IMPROVEMENTS ON THEIR PROPERTY BY REPAYMENT THROUGH NON-AD VALOREM ASSESSMENTS ON THEIR PROPERTY TAX BILL; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A PARTY MEMBERSHIP AGREEMENT WITH THE FLORIDA GREEN FINANCE AUTHORITY AND THE CITY OF MARGATE, AN INTERLOCAL AGREEMENT BETWEEN THE CLEAN ENERGY GREEN COORIDOR DISTRICT AND THE CITY OF MARGATE, AND A NON-EXCLUSIVE INTERLOCAL SUBSCRIPTION AGREEMENT WITH THE FLORIDIA PACE FUNDING AGENCY FOR ADMINISTRATION OF THESE PROGRAMS IN THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, home and business energy consumption accounts for a large portion of the overall usage of energy in a community; and

WHEREAS, there is a vast quantity of existing structures in the City of Margate with many years of remaining life before replacement, and these structures are not as energy efficient as today's standards, nor do many existing building have renewable energy systems installed to provide some or all of their electric energy needs and many buildings are in need of improvements to protect them against damage from storm events; and

WHEREAS, installing energy efficiency, renewable energy and wind resistance improvements on existing structures can provide significant progress towards increased energy conservation and protection of properties in the City and statewide; and

WHEREAS, the upfront costs of these improvements are a hurdle to installing them and existing financing options may be insufficient for property owners to access cost-effective financing for energy-saving or wind-resistance property improvements due to requirements associated with traditional debt or equity financing options; and

WHEREAS, the expected life of energy efficiency, renewable energy or wind resistance projects may require a longer term payback period than offered by traditional financing, which may necessitate alternative options to fund installation of the improvements; and

WHEREAS, local governments within Florida and nationally have either formed, or are contemplating the formation of, programs to provide alternative financing options allowing a property owner to voluntarily finance energy efficiency and renewable energy improvements through non-ad valorem assessments repaid through their property taxes; and

WHEREAS, the State of Florida has declared it the public policy of the State to develop energy management programs aimed at promoting energy conservation and protecting properties from wind damage; and

WHEREAS, the financing provided to these participating property owners will be repaid through non-ad valorem assessments levied on their property tax bills and only those property owners who want to participate will be levied the assessments; and

WHEREAS, the benefits of these energy financing programs include improved air quality, lowered fossil fuels use, creating energy independence and security, promoting the creation of jobs and economic development by stimulating "green industries" and saving citizens money by reducing energy consumption; and

WHEREAS, Section 163.08, F.S. authorizes local governments in Florida to either form individually, or in partnership with other local governments, programs to allow property owners to voluntarily finance energy efficiency, renewable energy or wind resistance improvements; and

WHEREAS, programs created pursuant to Florida Statute Section 163.08 are generally referred to as Property Assessed Clean Energy (PACE) programs; and

WHEREAS, the City is aware of three PACE programs operated in Florida, each of which appears to be operated by responsible entities, and wishes to approve them by adopting this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the above declarations are true and accurate, and are incorporated herein.

SECTION 2: That the City Commission of the City of Margate hereby authorizes participation in the Florida Green Energy Works Program, the Clean Energy Green Corridor, and the Florida Pace

Funding Agency Program.

SECTION 3: That the City Commission of the City of Margate, a municipal corporation, hereby approves and authorizes execution of the attached Party Membership Agreement between the Florida Green Finance Authority and the City of Margate to implement the Florida Green Energy Works Program, the attached interlocal agreement between the Clean Energy Green Corridor District and the City of Margate to implement the Clean energy Green Corridor Program, and the attached non-exclusive interlocal subscription agreement between the Florida Pace Funding Agency and the City of Margate to implement the Florida Pace Funding Agency Program.

SECTION 4: SEVERABILITY.

If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of the Resolution.

SECTION 5: The City Commission hereby directs the City Manager and City Attorney to finalize the "Party Membership Agreement" with the Florida Green Finance Authority, an "Interlocal Agreement" between the Clean Energy Green Corridor District and the City of Margate, and a "Non-Exclusive Interlocal Agreement" with the Florida Pace Funding Agency, and further authorizes the Mayor and City Manager to execute the above agreements on behalf of the City.

SECTION 5: The City Commission hereby directs the City Manager and City Attorney to begin creating the levy and collection process for the voluntary non-ad valorem assessments with the Florida Green Finance Authority, the Clean Energy Green Corridor District, and the Florida Pace Funding Agency, and Broward County Property Appraiser and Tax Collector.

SECTION 6: This Resolution shall take effect immediately upon adoption.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____, 2015.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

JOANNE SIMONE
MAYOR

RECORD OF VOTE

Peerman	_____
Talerico	_____
Bryan	_____
Ruzzano	_____
Simone	_____