

MEMORANDUM

Agenda Item No. 11(A)(23)

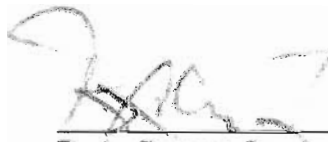
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 5, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging Florida
Legislature to sign into law
legislation reinstating a
property tax exemption for
solar energy systems

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Joe A. Martinez, and Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

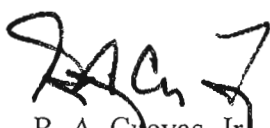


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 5, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(23)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 11(A)(23)

2-5-08

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS AND THE GOVERNOR TO SIGN INTO LAW
LEGISLATION REINSTATING A PROPERTY TAX
EXEMPTION FOR SOLAR ENERGY SYSTEMS AND OTHER
RENEWABLE ENERGY SYSTEMS AND TO STREAMLINE
THE PROCESS FOR APPLYING FOR SUCH AN EXEMPTION

WHEREAS, in 1980, voters amended the Florida Constitution to include a provision that authorizes a property tax exemption for up to ten (10) years for solar and other renewable energy systems installed on real property pursuant to general law; and

WHEREAS, that same year, the Florida Legislature implemented the renewable energy constitutional amendment by passing Section 196.175, Florida Statutes, and authorizing the property tax exemption; and

WHEREAS, the property tax exemption is no longer available for such systems because Section 196.175 contained a sunset at the end of calendar year 1990 and provided that no exemption shall be granted for a renewable energy system that was installed after December 31, 1990; and

WHEREAS, providing a property tax exemption for improvements such as solar energy systems and other renewable energy systems may encourage buyers to make investments in a clean energy future; and

WHEREAS, homeowners who choose to install solar and other renewable energy systems on their real property may have the unforeseen consequence of an increased assessed

value and corresponding property taxes increase that diminishes the savings generated by these systems; and

WHEREAS, reinstating the property tax exemption would be a useful tool to encourage homeowners to install solar energy systems and other renewable energy systems; and

WHEREAS, reinstating the property tax exemption on solar and other renewable energy systems would reward forward-thinking homeowners who are contributing environmentally-sound energy resources to our state's power supply; and

WHEREAS, during the 2007 regular session, the Florida Legislature passed legislation that reinstated the property tax exemption currently authorized in the Florida Constitution for solar and other renewable energy systems as part of an omnibus energy bill, HB 7123, but the bill was vetoed by the Governor,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to pass and the Governor to sign into law legislation that reinstates the property tax exemption currently authorized in the Florida Constitution for solar energy and other renewable energy systems installed on real property and to streamline the process for applying for such an exemption.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2008 state legislative package.

The foregoing resolution was sponsored by Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Joe A. Martinez, and Commissioner Rebeca Sosa and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 5th day of February, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty