MEMORANDUM

Agenda Item No. 14(A)(2)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	December 15, 2015
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution supporting the Floridians for Solar Choice ballot initiative which if successful would present before the voters of Florida the opportunity to decide if the Florida Constitution should be amended to allow non-utility companies to provide solar energy directly to customers

This item was amended at the 12-8-15 Unincorporated Municipal Service Area Committee to replace the term "third party financing and lease arrangements" with the term "solar power purchase agreements" in the third to last "whereas" clause to accurately describe the sale of solar power directly to a customer.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava and Co-Sponsor Commissioner Barbara J. Jordan.

Abigail Price-Williams
County Attorney

APW/smm

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 15, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 14(A)(2)

Please note any items checked.

_____ **"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**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(2)
12-15-15

RESOLUTION NO. _____

RESOLUTION SUPPORTING THE FLORIDIANS FOR SOLAR CHOICE BALLOT INITIATIVE WHICH IF SUCCESSFUL WOULD PRESENT BEFORE THE VOTERS OF FLORIDA THE OPPORTUNITY TO DECIDE IF THE FLORIDA CONSTITUTION SHOULD BE AMENDED TO ALLOW NON-UTILITY COMPANIES TO PROVIDE SOLAR ENERGY DIRECTLY TO CUSTOMERS

WHEREAS, solar energy is an abundant, clean, and carbon-free energy source; and

WHEREAS, unlike fossil-fuel-derived power generation, rooftop solar photovoltaic power generates electricity with zero air emissions and no water use; and

WHEREAS, according to the Florida Solar Energy Association, the State of Florida has the third greatest solar rooftop energy generation potential, but is 13th in installed capacity; and

WHEREAS, Florida is one of only four states that prohibits residents from buying electricity from anyone other than a utility company; and

WHEREAS, this prohibition limits customer choice and restricts the growth of solar energy; and

WHEREAS, a Solar Power Purchase Agreement ("SPPA") is a financial arrangement in which a third-party developer owns, operates and maintains a solar power system, and a host customer agrees to site the system on its roof or elsewhere on its property and purchases the system's electric output from the solar services provider for a predetermined period; and

WHEREAS, permitting non-utility solar energy providers to enter into SPPAs with customers could remove the cost-barrier to entry for many homeowners by reducing or eliminating the upfront cost to install solar energy systems on homes and businesses; and

WHEREAS, the Floridians for Solar Choice Coalition was founded by Christian Coalition of America, Conservatives for Energy Freedom, Florida Alliance for Renewable Energy, Florida Retail Federation, Florida Solar Energy Industries Association, Libertarian Party of Florida, Republican Liberty Caucus of Florida, Republican Liberty Caucus of Tampa Bay, Southern Alliance for Clean Energy, and WTEC, and is supported by at least 53 environmental, civic, religious, and business organizations; and

WHEREAS, the Floridians for Solar Choice ballot initiative seeks to place a question on the 2016 general election ballot asking voters to decide on expanding solar choice to Florida's families and businesses; and

WHEREAS, the municipalities of North Bay Village, Pinecrest, South Miami, and Surfside in Miami-Dade County have passed supporting resolutions for the Floridians for Solar Choice ballot initiative; and

WHEREAS, the petition, if passed, will expand solar choice by allowing Floridians the option to power their homes or businesses with solar power and decide who provides it to them; and

WHEREAS, according to the Environmental and Energy Study Institute and the Solar Foundation, more than 173,000 Americans are employed in the solar energy industry, which is experiencing greater than 20 percent growth with nearly 90 percent of the new jobs in the installation sector; and

WHEREAS, United States Military Veterans comprise 10 percent of the solar energy workforce in this country; and

WHEREAS, a significant source of industry growth is due to >>solar power purchase agreements<<[1] [[~~third-party financing and lease arrangements~~]] now prohibited in Florida; and

WHEREAS, Miami-Dade's economy would benefit greatly by tapping into this growing industry through new business opportunities already available in 46 other states; and

WHEREAS, this Board supports the Floridians for Solar Choice ballot initiative,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board supports the Floridians for Solar Choice ballot initiative which if successful would present before the voters of Florida the opportunity to decide if the Florida Constitution should be amended to allow non-utility companies to provide solar energy directly to customers.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava and the Co-Sponsor is Commissioner Barbara J. Jordan. It was 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. MP

Matthew Papkin