

## **MEMORANDUM**

Amended  
Agenda Item No. 11(A)(9)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** February 2, 2010


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

**SUBJECT:** Resolution expressing intent  
to establish voluntary energy  
efficiency and renewable  
energy program

**Resolution No. R-143-10**

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The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Katy Sorenson and Commissioner Rebeca Sosa.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/up



**MEMORANDUM**  
(Revised)

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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
- Ordinance creating a new board requires detailed County Manager'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 \_\_\_\_\_

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Agenda Item No. 11(A)(9)  
2-2-10

RESOLUTION NO. R-143-10

RESOLUTION EXPRESSING INTENT TO ESTABLISH VOLUNTARY ENERGY EFFICIENCY AND RENEWABLE ENERGY PROGRAM; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECOMMEND LEGISLATION RELATING TO ESTABLISHMENT OF RELATED VOLUNTARY ENERGY FINANCE DISTRICT; DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE REPORT FOR SUBMISSION TO BOARD OUTLINING DETAILS OF SUCH ENERGY EFFICIENCY AND RENEWABLE ENERGY PROGRAM INCLUDING SUCH VOLUNTARY ENERGY FINANCE DISTRICT FOR CONSIDERATION BY THIS BOARD; AND APPROVING PURSUIT OF ANY RELATED GRANTS AND/OR FINANCING MECHANISMS

**WHEREAS**, pursuant to Resolution No. R-1431-08, the County has committed to participate in the U.S. Cool Counties Program and has agreed to pursue the region-wide goal of reducing greenhouse GHG emissions to 80% of 2010 level emissions by 2050; and

**WHEREAS**, the Board has adopted R-124-09 supporting the Governor and Public Service Commission's goal of achieving 20% of Florida's energy from renewable sources by 2020; and

**WHEREAS**, the Board finds that the installation of energy efficiency improvements and renewable energy improvements by its citizens to reduce overall emissions ("Energy Savings Program") is an important strategy to advance the public interest of energy conservation, renewable energy development, and greenhouse gas emissions reduction; and

**WHEREAS**, the Board acknowledges that there are barriers to its citizens who own property and wish to participate in an Energy Savings Program by installing energy efficiency

and renewable energy projects, including the high upfront cost, difficulty in financing the costs using traditional financing methods and the disincentive to making the upfront capital investment in consideration of the frequency of turnover of properties; and

**WHEREAS**, local governments throughout the United States are devising creative financing mechanisms to help their citizens overcome barriers to the deployment of renewable energy and energy efficiency in their homes and businesses; and

**WHEREAS**, renewable energy and energy efficiency are a significant component of the Federal Government's job creation focus; and

**WHEREAS**, this Board wishes to express its intent to establish an Energy Savings Program that will assist such citizens and therefore, directs the County Mayor or County Mayor's designee to prepare a report setting forth the details of an Energy Savings Program for implementation by this Board; and

**WHEREAS**, the Board finds that it would serve an important public purpose for the County to establish a voluntary energy finance district for the implementation of an Energy Savings Program ("Energy Efficient District") through which the County would encourage its citizens to facilitate energy efficiency retrofits and renewable energy installations; and

**WHEREAS**, such districts have been established in other parts of the country to fund energy efficiency improvements and/or renewable energy improvements through loans to property owners who agree to repay such loans through a special assessment on their ad valorem tax bill; and

**WHEREAS**, this Board wishes to encourage the County Mayor or County Mayor's designee to continue to pursue any and all renewable energy, energy efficiency, and related "green jobs" Federal and State grants,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board authorizes the County Mayor or County Mayor's designee to recommend legislation at the State and/or County level, whichever is necessary and legally permissible, after consultation with the County Attorney's office, regarding the establishment of a voluntary Energy Finance District and to bring it back to this Board for approval.

Section 3. The County Mayor or County Mayor's designee is directed to prepare a report outlining an Energy Savings Program and submit it to this Board within sixty days of the effective date of this resolution which shall set forth the framework and general description of the Energy Savings Program including, but not limited to, (i) the details of a voluntary Energy Finance District; (ii) the administration of the Energy Savings Program; (iii) financing mechanisms, including collection of special assessments, (iv) types of energy efficiency improvements and/or renewable improvements; (v) evaluation guidelines; and (vi) such other of details that are essential to an Energy Savings Program.

Section 4: The Board authorizes the County Mayor or County Mayor's designee to continue to pursue all potential grants or other financing tools which can be used to establish a pilot energy retrofit and/or renewable energy program.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson and the Co-Sponsor is Commissioner Rebeca Sosa. It was offered by Commissioner **Katy Sorenson** who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

**Resolution No. R-143-10**

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	Dennis C. Moss, Chairman	<b>absent</b>		
	Jose "Pepe" Diaz, Vice-Chairman	<b>nay</b>		
Bruno A. Barreiro	<b>absent</b>	Audrey M. Edmonson	<b>absent</b>	
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>	
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>nay</b>	
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>nay</b>	
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>	
Sen. Javier D. Souto	<b>aye</b>			

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of February, 2010. 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Gerald T. Heffernan