OFFICIAL FILE COPY CLERK OF THE BOARD OF COUNTY COMMISSIONERS MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

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

то:	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		

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

R. A. Cuevas, Jr. County Attorney

RAC/up



MEMORANDUM

(Revised)

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

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

SUBJECT:

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

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		
<u> </u>	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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RESOLUTION NO. R-143-10

RESOLUTION EXPRESSING INTENT TO ESTABLISH VOLUNTARY ENERGY EFFICIENCY AND RENEWABLE ENERGY PROGRAM; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO RECOMMEND COUNTY TO ESTABLISHMENT LEGISLATION RELATING 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

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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,

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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.

<u>Section 2.</u> 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.

<u>Section 3.</u> 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:

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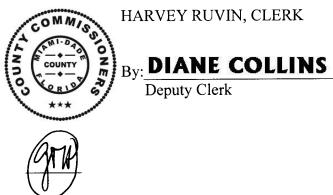
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Dennis C. Moss, Chairman absent Jose "Pepe" Diaz, Vice-Chairman nay							
Bruno A. Barreiro	absent	Audrey M. Edmonson	absent				
Carlos A. Gimenez	aye	Sally A. Heyman	aye				
Barbara J. Jordan	aye	Joe A. Martinez	nay				
Dorrin D. Rolle	aye	Natacha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

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd 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



Approved by County Attorney as to form and legal sufficiency.

Gerald T. Heffernan