

## **MEMORANDUM**

Agenda Item No. 11(A)(14)

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

**DATE:** March 16, 2010

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

**SUBJECT:** Resolution urging the Florida  
Legislature to pass SB  
2322 or similar legislation  
authorizing the creation of  
Energy Improvement Districts

Resolution No. R-313-10

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson.

  
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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 \_\_\_\_\_

Agenda Item No. 11(A)(14)  
3-16-10

RESOLUTION NO. R-313-10

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
PASS SB 2322 OR SIMILAR LEGISLATION AUTHORIZING  
THE CREATION OF ENERGY IMPROVEMENT DISTRICTS

**WHEREAS**, the Board has adopted Resolution No. R-143-10 seeking to create a voluntary Energy Finance District and to recommend State and County Legislation regarding the establishment of such districts; and

**WHEREAS**, SB 2322 sponsored by Senator Mike Bennett (R – Bradenton) provides explicit authority for the creation of “Energy Improvement Districts” that is consistent with Resolution No. R-143-10 for the creation of such voluntary energy improvement financing; and

**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 percent of 2010 level emissions by 2050; and

**WHEREAS**, this Board also has adopted Resolution No. R-124-09 supporting the Governor and Public Services Commission’s goal of achieving 20 percent of Florida’s energy from renewable sources by 2020; and

**WHEREAS**, the Board finds that SB 2322 would provide clear tools for local government to create Energy Improvements Districts which would lead to a greater investment in energy efficiency and renewable energy improvements by its citizens, and advance the public interest of energy conservation, renewable energy development, and greenhouse gas emissions reduction; and

**WHEREAS**, such energy districts permit property owners to invest in energy efficiency and renewable energy improvements through loans to property owners who agree to repay such loans through a special assessment on their ad valorem tax bill,

**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 SB 2322 or similar legislation creating voluntary Energy Finance District and the establishment of such districts.

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

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2010 State Legislative Package.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 16<sup>th</sup> day of March, 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.

A handwritten signature in black ink, appearing to read "JAE for JMM", is written over a horizontal line.

Jess M. McCarty