

## MEMORANDUM

Agenda Item No. 11(A)(6)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

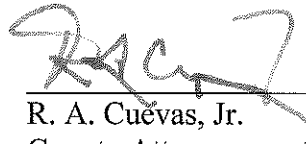
**DATE:** March 4, 2014

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

**SUBJECT:** Resolution directing the Mayor  
to monitor and track the  
successes and failures of  
Property Assessment Clean  
Energy (PACE) programs in  
Florida  
Resolution No. R-235-14

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** March 4, 2014

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

**SUBJECT:** Agenda Item No. 11(A)(6)

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 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. 11(A)(6)  
3-4-14

RESOLUTION NO. R-235-14

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S  
DESIGNEE TO MONITOR AND TRACK THE SUCCESSES  
AND FAILURES OF PROPERTY ASSESSMENT CLEAN  
ENERGY (PACE) PROGRAMS IN FLORIDA

**WHEREAS**, the citizens of Miami-Dade County may wish to improve energy efficiency, install energy improvements or retrofits, and improve water conservation for commercial and residential properties; and

**WHEREAS**, a Property Assessment Clean Energy (PACE) financing program is a financing structure by which commercial or residential property owners may voluntarily opt into a special assessment district to receive a loan to finance energy improvements and retrofits, where those loans are repaid through an annual assessment on the property owner's property tax bill; and

**WHEREAS**, on April 30, 2010, the Florida Legislature created Florida Statute 163.08 which (1) authorizes local governments, such as Miami-Dade County, to levy non-ad valorem assessments to fund qualifying energy conservation and efficiency, renewable energy and wind resistance improvements to real property; (2) authorizes property owners to apply for funding and voluntarily enter into financing agreements with local governments to finance a qualifying improvement; and (3) authorizes local governments to collect moneys, with specific collection requirements, for such purposes through non-ad valorem assessments; and

**WHEREAS**, a Miami-Dade County Property Assessment Clean Energy (PACE) program in could accelerate and add to Miami-Dade County's ongoing efforts to implement energy conservation initiatives and provide a boost to the local construction industry and the growth of "green" jobs; and

**WHEREAS**, in 2012, the Board of County Commissioners passed Resolution No. R-932-12 which directed the Mayor to prepare a report that included recommendations related to the implementation of a Property Assessment Clean Energy (PACE) program; and

**WHEREAS**, the Mayor issued that report on November 13, 2013 and it is attached to this Resolution and incorporated herein; and

**WHEREAS**, the Mayor's November 13, 2013 report recommends that the County monitor and track the successes and failures of newly implemented Property Assessment Clean Energy (PACE) programs in Florida,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the Mayor or designee is hereby directed to monitor and track the successes and failures of newly implemented Property Assessment Clean Energy (PACE) programs in Florida and submit a report to this Board within 6 months of the effective date of this Resolution.

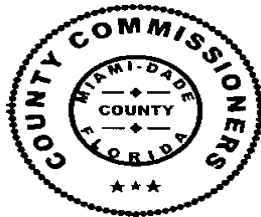
The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. It was offered by Commissioner **Dennis C. Moss** , who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman		<b>aye</b>
	Lynda Bell, Vice Chair		<b>absent</b>
Bruno A. Barreiro	<b>aye</b>	Esteban L. Bovo, Jr.	<b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>absent</b>
Sally A. Heyman	<b>absent</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez	<b>aye</b>
Juan C. Zapata	<b>absent</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of March, 2014. 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Abbie Schwaderer-Raurell

**Date:** November 13, 2013

# Memorandum



**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

**Subject:** Resolution No. R-932-12: Implementation of Voluntary Property Assessment Clean Energy (PACE) Program

The attached report responds to Resolution No. R-932-12, sponsored by Commissioner Jose "Pepe" Diaz and co-sponsored by Commissioner Lynda Bell, directing the Mayor to prepare a report which includes recommendations related to implementation of a voluntary Property Assessment Clean Energy (PACE) Program pursuant to County Code.

Enclosed please find the final report completed by staff from the Regulatory and Economic Resources (RER) Department and the Finance Department. The report provides: (1) background information of legislation approved by the Board of County Commissioners addressing Property Assessment Clean Energy (PACE); (2) status update on several existing programs in the State of Florida; and (3) recommendations for creating and implementing a voluntary Property Assessment Clean Energy Program tailored to Miami-Dade County's needs.

It is important to note that most programs highlighted in the attached report offer insulation from liability for member jurisdictions and do not rely upon the County's financial contributions, as they have arranged private financing. In addition, these programs have been set up so that significant use of staff time is not necessary to establish the program.

Based on research, staff recommends a competitive solicitation process to determine the most beneficial Property Assessment Clean Energy (PACE) or PACE-like program for Miami-Dade County. A voluntary Property Assessment Clean Energy Program will help facilitate economic development, job creation and wide implementation of energy efficiency projects and renewable energy projects, and therefore facilitate reduction of greenhouse gas emissions. The Property Assessment Clean Energy (PACE) model addresses and overcomes challenges that both borrowers and lenders have identified in seeking to use traditional finance mechanisms to fund energy efficiency improvements.

County staff from RER/Office of Sustainability, Finance Department (including County financial advisors) and Internal Services Department (ISD)/Procurement will draft a single solicitation for a turnkey program based on criteria found in the Next Steps section of the attached report. The solicitation will allow respondents to offer comprehensive solutions without financial exposure on the part of the County.

If you have any questions, please contact Mark Woerner, Assistant Director, RER at (305) 375-2835.

c: Ed Marquez, Deputy Mayor/Director, Finance  
Jack Osterholt, Deputy Mayor/Director, RER  
Lester Sola, Director, ISD  
Mark Woerner, Assistant Director, RER

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# **Miami-Dade County Energy Efficiency and Renewable Energy Finance Program**

## **Update of Existing Programs**

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**November 2013**

Office of Sustainability, Department of Regulatory and Economic Resources

**Miami-Dade County**  
**Energy Efficiency and Renewable Energy Finance Program**  
**Update of Existing Programs**

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**INTRODUCTION**

The attached report responds to Resolution No. R-932-12, sponsored by Commissioner Jose “Pepe” Diaz and Co-Sponsored by Commissioner Lynda Bell, directing the Mayor to prepare a report which includes recommendations related to implementation a voluntary Property Assessment Clean Energy (PACE) Program pursuant to County Code.

This report was prepared by staff from the Regulatory and Economic Resources Department and Finance Department. The report provides: (1) background information of the many pieces of legislation approved by the Board of County Commissioners addressing PACE; (2) status update on several existing programs in the State of Florida; and (3) recommendations for creating and implementing a voluntary Property Assessment Clean Energy Program tailored to Miami-Dade County’s needs.



# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

### Update of Existing Programs

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#### BACKGROUND

##### February 2, 2010

- Board approves Resolution R-143-10, expressing the intent to establish a voluntary energy efficiency and renewable energy program (“Energy Savings Program”).
- The Resolution authorizes the County Mayor to recommend legislation relating to the establishment of a voluntary energy finance district, and directs the preparation of a report outlining the framework of a program, including, but not limited to:
  - the details of a voluntary energy finance district
  - the administration of an energy savings program
  - financing mechanisms, including collection of special assessments
  - types of energy efficiency improvements and/or renewable improvements
  - evaluation guidelines
  - other details relevant to an Energy Savings Program
- The Resolution authorizes the County Mayor to continue to pursue all grants or other financing tools which could be used to establish a pilot energy retrofit and/or renewable energy program.

##### March 16, 2010

- On March 16, 2010, Board adopts Resolution R-313-10 urging the Florida Legislature to pass SB 2322 or similar legislation authorizing the creation of “Energy Improvement Districts.”
- The Florida Legislature enacts Section 163.08 of the Florida Statutes, which among other provisions, authorizes counties and cities to establish voluntary energy efficiency and renewable energy programs for the purpose of providing and financing qualifying improvements; levy a non-ad valorem assessment to fund a qualifying improvement; incur debt to provide financing for qualifying improvements; and collect costs incurred from financing qualifying improvements through a non-ad valorem assessment, a municipal or county lien, or through any other lawful method.
- Property Assessed Clean Energy (PACE) programs were brought to a standstill when the federal mortgage finance agencies, Fannie Mae and Freddie Mac, announced they would not purchase mortgages for properties encumbered by a PACE obligation. Their opposition was due to the senior lien status of the Property Assessed Clean Energy (PACE) assessment. This position was backed by the Federal Housing and Finance Agency (FHFA). Specific guidelines have since been developed to address the concerns and the H.R. 2599 Property Assessed Clean Energy (PACE) Assessment Protection Act has been introduced to Congress. To date, neither the mortgage finance agencies nor the regulators have proceeded any further.

##### May 17, 2010

- The “Voluntary Energy Efficiency and Renewable Energy Financing” report, developed by staff from Office of Sustainability (OOS), Finance Department, and County Attorney’s Office, was submitted to the Board. The report, which focuses on Property Assessed Clean Energy (PACE) programs, helped create the framework for the enabling legislation.
  - Report recommendation: Develop and implement a Property Assessed Clean Energy (PACE) program in which the County issues revenue bonds using voluntary special assessments as collateral for the repayment of the bonds (Finance Department has since requested that the County not issue bonds).

##### July 20, 2010

- Board adopts Resolution R-818-10 urging President Obama’s Administration, Congress, the Federal Housing Finance Agency, Fannie Mae, and Freddie Mac to revise policies and enact legislation to clarify the authority of local governments to create Property Assessed Clean Energy (PACE) financing programs for residential property.

## Miami-Dade County

### Energy Efficiency and Renewable Energy Finance Program

### Update of Existing Programs

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#### August 2010

- Miami-Dade County launches Renovation for Energy Efficiency Loan (REEL) Program in partnership with South Florida Regional Planning Council. In July 2011 the program is terminated due to lack of interest from the commercial business sector.

#### November 4, 2010

- Board approves Ordinance No. 10-78 amending County code to include new article entitled *Voluntary Energy Efficiency and Renewable Energy Program* "to provide assistance for voluntary financing of specified energy efficient and renewable energy improvements for residential and commercial property; and providing for definitions, energy audits, agreements, program administration, collection of non-ad valorem assessments pursuant to section 197, Florida Statutes, severability and effective date."

#### November 8, 2012

- Board approves Resolution R-932-12 directing County Mayor to prepare report which includes recommendations related to implementation of a voluntary Property Assessment Clean Energy program pursuant to County Code. The report should: (a) provide an update on the status of the Property Assessed Clean Energy (PACE) program statewide; (b) identify any related issues or concerns which could affect Miami-Dade County; (c) make recommendations as to how Miami-Dade County should proceed pursuant to the County Code, including any amendments to the County Code that may be necessary, to implement a voluntary Property Assessed Clean Energy (PACE) program in Miami-Dade County.

#### December 4, 2012

- Board adopts Resolution R-1059-12 authorizing execution of the Intergovernmental Cooperation Agreement between Green Corridor Property Assessment Clean Energy District and Miami-Dade County to provide services to Green Corridor Property Assessment Clean Energy District (PACE District) in accordance with Section 197.3632, Florida Statutes, uniform method for the levy, collection and enforcement of non-ad valorem assessments. Resolution was submitted by the Property Appraiser for the December 4, 2012 Miami-Dade County Board of County Commissioners meeting.

# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

### Update of Existing Programs

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#### UPDATE OF EXISTING PROGRAMS IN FLORIDA

There are several options for how to structure a program that finances energy efficiency retrofits and renewable energy systems in Miami-Dade County. Large financial institutions, environmental consultancies, and other specialty outfits are promoting various renditions of programs. Because all existing energy efficiency/renewable energy financing programs are young or nascent, there is a lack in quantity and quality of data from which to predict how a program will fare in the economic climates and sub-climates in Miami-Dade County.

For the past several years Regulatory and Economic Resources/Office of Sustainability, Finance and Internal Services/Procurement staff have been closely monitoring and collecting information on active programs, following the impact of the programs stalled by Fannie Mae/Freddie Mac, and tracking lawsuits and proposed legislation. In addition, staff has spoken with several third party administrators and financial institutions to explore potential programs and to inform the final recommendations. Status updates on existing programs in the State of Florida are provided below in no particular order (note: this is not a comprehensive list).

#### 1. Clean Energy Green Corridor

Website: [http://ygrene.us/fl/green\\_corridor/home](http://ygrene.us/fl/green_corridor/home)

##### Program description:

- The Town of Cutler Bay passed its "Financing Initiative for Renewable and Solar Technology (FIRST)" to allow their citizens to voluntarily opt into a program in which they can take out loans for installing renewable energy systems. However the Green Corridor is not Cutler Bay's program instead Cutler Bay took the lead on the negotiations to establish such program.
- Municipalities can join by adopting the interlocal agreement that governs the program. Once a local municipality has adopted the program, Ygrene (see Administrator information below) integrates them by customizing printed marketing materials, website and social media that is branded specifically for their county or city.
- All local governments in the district have the same say and power in the program.
- There is no penalty fee for a municipality that decides to end the agreement with the Clean Energy Corridor.
- The Clean Energy Corridor is comprised of the following municipalities:
  1. Miami Shores
  2. Pinecrest
  3. Cutler Bay
  4. Palmetto Bay
  5. South Miami
  6. Miami (Commercial and Multi-family only)
  7. Coral Gables (Commercial only)
- Surfside, Bay Harbor Islands and Biscayne Park have come together to form the Clean Energy Coastal Corridor Property Assessed Clean Energy (PACE) district.
- Miami Lakes has also adopted the program and is now working to form a third district in Northwest Miami-Dade. On July 1<sup>st</sup> the Town of Medley voted to join Miami Lakes in setting up this district.
- Leon County and Lee County, both in Florida, are now negotiating contracts with Ygrene.

##### Program status:

- Program has judicial validation by the Florida Courts for the bonding and financial agreements. The bonds are in private placing (Ygrene). Funds will be disbursed on a project by project basis: Ygrene to assessment district to property owner; bond ceiling \$500 million.
- Under some circumstances assessment district documents can be subject to legal challenge. To mitigate the risk that a legal challenge would be successful, the jurisdiction files a lawsuit in Superior Court to establish the legality of the program documentation. Adjudication in favor of the program validates the program, its

## Miami-Dade County

### Energy Efficiency and Renewable Energy Finance Program

### Update of Existing Programs

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assessments and assessment contracts and any bond authorizations or issuances – thereby providing security for the lenders and the jurisdiction within the State of Florida.

- As of June 19, 2013 the program has received approximately \$13 million worth of applications. Most of the applications are for commercial sites.
- The program is ready to sign assessments now. However, as established by law, the projects need to be affixed to the property before the assessment is disbursed. To that end contractors are already working with financial institutions to provide bridge loans in order to finance the construction of the projects. Other contractors are expected to provide their own financing for the construction phase.
- Ygrene Energy Fund Florida announced on June 10, 2013 that it has funded the first Property Assessed Clean Energy (PACE) project in the state: “In Miami, the Ygrene program has funded its first hurricane resiliency project on a commercial property owned by urban development company Barlington Group, which worked with New Holland Property Assessed Clean Energy (PACE) Consulting, Inc. on the project”. (Source: <http://online.wsj.com/article/PR-CO-20130610-903916.html>).

#### Administrator:

- On July 26, 2011 Cutler Bay selected a third party administrator, Ygrene Energy Fund Florida LLC.
- Ygrene Energy Fund Florida LLC will undertake activities, furnish professional services, perform tasks, and provide deliverables of a Property Assessed Clean Energy (PACE) program for the District.
- Ygrene has a business partnership with Lykes Bros Inc, which formed Ygrene Energy Fund Florida LLC.
- Ygrene will assign a sales associate to each project.

#### Financing:

- Ygrene has a consortium of banking relationships committed to providing short- and long-term capital funding for eligible property improvements in Ygrene Clean Energy districts.
- Ygrene will provide property owners a choice of 5, 10, or 20 year assessments which are tied to the useful life or initial cost of the improvement.

#### Liability for member jurisdictions:

- A separate legal entity, “The Clean Energy Green Corridor”, was created to protect local governments from risk. This separate legal entity is responsible for signing the special assessment financing agreements, thus they are held responsible for the liability of bonds.

#### Applicability:

- Applicable projects may include building envelope and insulation, renewable energy, windows and doors, Heating, Ventilation and Air Conditioning (HVAC) systems, lighting systems and wind resistance for storm protection.
- Program may apply to eligible residential and commercial projects. Ygrene will offer Miami-Dade County total control and authority over whether the Clean Energy Miami-Dade Property Assessed Clean Energy (PACE) program will apply to commercial property owners only or to commercial and residential property owners. If residential properties are included, property owners will make a determination as to whether the Fannie Mae/Freddie Mac issues are of concern to them or not prior to opting into the program.

#### Eligibility requirements:

- Owners must comply with all program standards.
- Properties must be within the Property Assessed Clean Energy (PACE) district boundaries.
- Owners must execute the financing agreement.
- Only completed, approved qualifying improvements are funded.
- Owners must be current on all property taxes for 3 years.
- Owners must have been current on mortgage payments for the last 3 years, with no more than one late payment.

# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

### Update of Existing Programs

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- Owners must not have any declared bankruptcy for 3 years.
- Pre-lien loan-to-value (LTV) must not exceed 85% of property value.
- Liens in excess of 20% of just value must be supported by energy cost savings in excess of project cost.
- Owners must provide written notification of the proposed special assessment lien to all secured lenders of record.

#### Liability for property owners:

- Energi Insurance, a risk management and insurance provider based in Massachusetts with offices throughout the United States, may sell an eligible contractor an Energy Savings Warranty contract that insures 90% of the property owner's projected savings for 10 years at a cost that will vary between 2% and 5% of the gross value of the property improvement. This insurance is available on larger commercial projects from Energi through insurance agencies that represent Energi in the State of Florida.

#### Contractor requirements:

- Contractors need to register, attend a mandatory training session and become a Clean Energy Green Corridor contractor (Ygrene certified).
- There are no fees attached to the certification and training requirement.
- Contractors will pay Ygrene a 3% program fee when they successfully sell their products or services as a result of the Property Assessed Clean Energy (PACE) solution. In return for this fee, Ygrene provides contractors access to proprietary software to handle documentation, prequalify properties and support energy audits, sales and marketing. In addition contractors receive free training for all aspects of the program.
- As of June 19, 2013 the program has trained over 200 contractors both at the City of Miami Green Lab and their own training facility. Ygrene built a training lab in Coconut Grove to facilitate contractors training and implementation of the program.

#### Fees:

Fee type	Residential	Commercial
Initial Application (Reimbursed at time of financing)	\$50	\$250
Processing & Underwriting	\$125	\$250
Energy Audit (not required for wind and hardening projects)	\$50	Varies depending on project size
Jurisdiction Cost Recovery	\$125	\$225
Recording & Disbursement	\$100	\$250
Escrow	TBD	TBD

\*Other charges as required by Local Government's tax collector may apply.

#### Considerations:

- Private financing has been arranged by a private firm (no interest rate risk to County).
- Municipalities within the County are on board.
- If the County decides to join the existing Clean Energy Green Corridor; the County will not have decision-making power regarding the details of the program since the program has already been established.
- However if the County takes the lead in forming a separate district, the County would have complete control and input into its policies and procedures for the program.
- The contract for a program administrator has already been awarded. Since Miami-Dade County did not have a hand in this process, the County was unable to impact selection criteria, etc.

## Miami-Dade County

### Energy Efficiency and Renewable Energy Finance Program

### Update of Existing Programs

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#### 2. Florida PACE Funding Agency

Website: <http://www.floridapace.gov/>

##### Program description:

- The Florida PACE Funding Agency was created in June 2011 by general law through an interlocal agreement as a public service for other local governments in Florida. The initial incorporators are Flagler County and the City of Kissimmee. Incorporators receive no revenues for their creation of the Agency, and are reimbursed only for their expenses, if and when such funds are available.
- The Agency's mission is to facilitate the implementation, planning, development, funding, financing, marketing and management of a uniform statewide platform so that counties and cities can easily and economically take advantage of a scalable program for their property-owning constituents.
- The Agency, as an independent legal entity, public body and special unit of local government, is subject to and fully compliant with Florida Sunshine Law.
- The Florida PACE Funding Agency (Agency) Program is presently pursuing two distinct organizational paths:
  - Engaging thought-leaders and stakeholders in all counties across Florida to educate them on the advantages that a state-wide, scalable and standardized Property Assessed Clean Energy (PACE) program can offer to members.
  - Negotiated with a broad range of Financial Service Providers to provide project funding.
- The subscription process for a local government (county or city) requires the passage of a resolution and execution of a Subscription Agreement with the Agency. The agreement is exclusive and precludes participating local governments from contracting with other entities offering Property Assessed Clean Energy (PACE) financing. Loan-based or grant-funded programs may co-exist if specified by the participating local government.
- There is no cost for the County to subscribe to the program. The county has the right to terminate its subscription agreement without cost or obligation up to the recordation of the first assessment. Each county Board of Commissioners has direct access to the Agency to resolve any issues or concerns.

##### Program status:

- The Agency directed Tallahassee-based law firm Bryant Miller Olive to validate its ability to issue up to \$2 billion in bonds on an as-needed basis to fund financing agreements in support of statewide Property Assessed Clean Energy (PACE) program initiatives. Real Estate Research Consultants (RERC) Strategic Advisors performed an economic analysis that found that 3,132,600 buildings in Florida are over 20 years old and likely candidates for retrofit or energy-related or wind-resistant improvements. The \$2 billion amount is based on the assumption that if 5% of the owners of these buildings voluntarily apply for retrofit improvements over the next several years, the necessity for potential aggregate of bonds issued in several series on an as-needed basis could easily equal or exceed \$2.35 billion.
- Counties that have joined the program include:
  1. Flagler County - November 2012
  2. Nassau County - March 2013
- The Agency will make financing applications available to property owners once final contractual documents for the Trustee have been finalized and the Bond Purchase Agreement has been executed in the second quarter of 2013.

##### Administrator:

- Science Applications International Corporation (SAIC) Energy, Environment and Infrastructure LLC.
- Science Applications International Corporation (SAIC) administers energy incentive programs for states and utilities in New York, Pennsylvania, Ohio, Illinois, Wisconsin, Maryland, Delaware and Hawaii. These programs offer incentives for the installation of energy efficiency and renewable energy generation improvements.
- Science Applications International Corporation (SAIC) maintains a strong presence in Florida with over 62 offices statewide.

# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

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#### Financing:

- The Florida PACE Funding Agency is authorized to issue up to \$2 billion in bonds to finance qualifying improvements avoiding encumbering local government bonding capacity.
- The Florida PACE Funding Agency's Board has established a financing program that integrates short-term revolving funds and the placement of long-term debt by engaging Samas Capital as the Financial Services Provider.
- The Florida PACE Funding Agency has also engaged First Southwest, Southeastern Investment Securities, and Public Financial Management Inc. (PFM) to serve as co-financial advisors.
- Property owner, through acceptance of the voluntary special assessment, covers entire upfront costs and obligation is attached to the property.
- The maximum amount of funding is limited to 20% of the "just" value of the property with lender notice. Funding in excess of 20% is available for non-residential property owners and requires an energy simulation, validation from a licensed professional and lender consent.
- Repayment of the financing is made through a non-ad valorem assessment on the property tax bill; subject to same rights and requirements as for the payment of taxes. The special assessment stays with the property upon title transfer (assignable) or may be retired as a negotiable term of sale.
- Financing is subject only to the statutory financing requirements and is not credit score based.
- Qualifying Improvements are financed over the lesser of 25 years or the average useful life of the qualifying improvement(s).

#### Liability for member jurisdictions:

- All financing provided by the Florida PACE Funding Agency will be fully secured by the recorded special assessment included on the property tax bill.

#### Applicability:

- Energy efficiency improvements that reduce consumption through the efficient use of electric, natural gas, propane and other forms of energy.
- Renewable energy projects in which electrical, mechanical, or thermal energy is produced using hydrogen biomass, biogas, geothermal energy, ocean, wind, or solar energy.
- Wind resistance improvements that strengthen the structure against wind and water intrusion.
- Applies to qualifying residential, industrial and commercial property owners.
- Minimum Financing is \$2,500 – Residential and \$10,000 Commercial.
- Energy audits which include a computer simulation are only required when a property owner elects to exceed the Tier 1 financing cap of 20% of the property's assessed value (in such case, lender consent is also required). The audit must demonstrate the annual savings are equal to or greater than the annual assessment.
- Third party State Certified Energy Raters may participate in the program and those authorized will be posted on the Florida PACE Funding Agency's website for Property Owners to access. The cost of the Energy Rating may be included in the financing. While property owners are encouraged to obtain an Energy Rating, it is not a program requirement.

#### Eligibility requirements:

- Applicant must be a property owner of record.
- Qualified improvement must be less than 20% of the assessed property value.
- Property tax payments must be current with no delinquencies during the last 3 years, or period of ownership, whichever is less.
- Mortgage payments must be current with no delinquencies during the last 3 years, or period of ownership, whichever is less.
- No outstanding involuntary liens on the property.
- Proposed improvement is a "qualified improvement".

# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

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- If there is a mortgage on the property, a 30-day notice of the impending special assessment must be provided to mortgagor.

**Liability for property owners:**

- Property owners will be encouraged to engage their utility and/or an energy rater to provide guidance as to the various energy efficiency and renewable generation measures that will be ranked from most to least in cost effectiveness.
- The estimated energy savings from implemented measures will be tracked by the Science Applications International Corporation (SAIC). For those property owners who decline to engage the services of an energy rater, Science Applications International Corporation (SAIC) will apply engineering best practice methods of estimating energy savings for reporting to the Florida PACE Funding Agency. This information may be provided in summary form to subscribing local governments for their energy savings and wind mitigation reporting requirements.
- If the work has been completed as indicated by the building permit being signed by the local building official and the contractor has provided the required information to the Property Owner, then the Property Owner will sign the Project Approval form required as a condition of final payment.
- The Florida PACE Funding Agency will work with property owners and contractors in identifying insurance providers and supporting the contractor's efforts in securing the best coverage terms, however the Florida PACE Funding Agency will not require this structure.

**Contractor requirements:**

- Contractor must provide complete cost proposal.
- The Florida PACE Funding Agency program is open to all construction contractors and design professionals with valid and active licenses to conduct business in their specialty trade, within the jurisdiction for which they are valid, as issued by the Florida Department of Professional and Business Regulation or unit of local government. In addition, residential and commercial energy raters, certified by the State of Florida as prescribed by Florida Statute (§553.990) are eligible to participate in the program.
- Authorized contractors will have their licensure verified at application, assessment imposition and prior to final payment. Licensure must be valid as a condition of payment.
- The Florida PACE Funding Agency will provide collateral materials in support of the marketing efforts and will provide access to property owners to a list of authorized contractors through a searchable online directory that will be regularly cross checked with the Florida Department of Professional and Business regulation.
- Contractors must provide a copy of the signed building permit, material and labor lien waivers, information on available energy rebates and tax credits or deductions, equipment warranties, and equipment operation to the Property Owner prior to receiving payment for services.
- In order to minimize the administrative overhead associated with multiple progress payments, but with sensitivity to the cash flow requirements of smaller contractors, the Florida PACE Funding Agency will allow for aggregated partial payments to facilitate equipment production deposits with the required documentation to ensure equipment and materials are available to property owner projects.

**Fees:**

Fee Type	Amount
Contractor Application Fee	\$50
Contractor Participation Fee	2% of total financed project cost paid to the Agency for participation in its Property Assessed Clean Energy (PACE) Program.
Residential Application Fee	\$25
Commercial and Multi-family Residential Application Fee	\$50



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Fee Type	Amount
Estimated Agency Cost to Property Owner for Assessment and Funding	3.5% of disbursement amount. Includes 2% Origination fee.
Estimated Annual Agency Administration and/or Surcharge Fees	1% included each year in the annual installment of the non-ad valorem assessment
Assessment Recordation Fees (paid to Clerk of Courts)	\$48.50 to include filing of the following documents: Notice of Assessment, Notice of Commencement, Notice of Termination of Commencement and Release of Notice of Financing.
Estimated Interest Rate	6.95% (based upon swap curve and various terms) 5yrs – 5.45% 10yrs – 6.05% 15yrs – 6.70% 20yrs – 6.94%
Annual Tax Collector and Property Appraiser Fees	To Be Determined by agreement with the county tax collector and property appraiser
Capitalized Interest	Amount of interest accruing from the date of the Disbursement amount to the annual Principal Payment Date of the year before the first Tax Year during which the Agency collects an Annual Payment related to the Disbursement Amount. August 31 <sup>st</sup> is the cutoff date for the assessments to be included on the current year tax rolls (e.g. If funding occurs before August 31, then assessment is included on the current year tax roll. If funding occurs after September 1, then assessment is included on the following year's tax roll.
Prepayment	The Property owner may elect to prepay the full amount of the assessment, together with any interest on the Agency bonds to the next payment date, at any time by requesting a payoff amount from the Agency without penalty.

**Considerations:**

- Program offers insulation from liability incurred by the Agency.
- Program has been set up so heavy use of staff time required to put a program together is eliminated.
- Provides a state-wide, uniform and scalable Property Assessed Clean Energy (PACE) program with the benefits of economies of scale associated with the large magnitude of the program.
- Provides access to capital markets without having to implement or deploy individual programs or individually seek capital.
- Local government participation is optional via a subscription agreement where the local government adopts a resolution authorizing the subscription agreement with the Florida PACE Funding Agency.
- There is no debt obligation, credit support or cost to the authorizing local government.
- No special taxing district is required.
- The Florida PACE Funding Agency's statewide platform provides the platform for a single voice in opposition to the Federal Housing and Finance Agency (FHFA) notice of proposed ruling preventing those with conforming loans from free participation.
- Florida PACE funding Agency will own carbon credits produced by funded projects. When and if carbon credits have any market value, the Florida PACE funding Agency will use credits revenues to offset program cost.

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#### 3. Florida Green Energy Works Program

Website: <http://www.floridagreenenergyworks.com/>

##### Program description:

- The Town of Lantana launched the first Commercial Property Assessed Clean Energy (PACE) program in Florida.
- On April 2012 the program was renamed Florida Green Energy Works Program (Program).
- On June 2012 the Town of Lantana and Town of Mangonia Park, both in Palm Beach County, incorporated the Florida Green Finance Authority (FGFA); the "separate legal entity" which any municipality or local government in Florida can join by interlocal agreement.
- The Florida Green Finance Authority (FGFA) operates one commercially-focused Property Assessed Clean Energy (PACE) program in eleven municipalities within Palm Beach, Indian River, Martin and Pinellas Counties.
- If local governments in other regions of the state opt in to the Florida Green Finance Authority (FGFA), they have two options 1) Establish separately branded Property Assessed Clean Energy (PACE) programs, possibly with different features, as selected by the participating local governments or 2) Participate in the Florida Green Energy Works Program directly.
- The Florida Green Finance Authority (FGFA) is the only Property Assessed Clean Energy (PACE) program in Florida offering both regional and statewide structures accessing one financing and web platform.
- Municipalities can opt in free of charge. If a city or county wants to leave the Program, opting out requires 30 days notice. An opt-out fee ranging from \$6,250 - \$22,500 (depending on population) will be charged to a city or county that opts out in the first two years.
- Municipalities that have joined the Program include:
  1. Town of Lantana (Palm Beach County)
  2. Town of Mangonia Park (Palm Beach County)
  3. West Palm Beach (Palm Beach County)
  4. Boynton Beach (Palm Beach County)
  5. Delray Beach (Palm Beach County)
  6. Village of Tequesta (Palm Beach County)
  7. Lake Worth (Palm Beach County)
  8. Fellsmere (Indian River County)
  9. Sebastian (Indian River County)
  10. Gulfport (Pinellas County)
  11. Stuart (Martin County)

##### Program status:

- The Program is currently underwriting their first Property Assessed Clean Energy (PACE) applications, which are at varying stages in the process. The projects represent a mix of small projects and very large projects.
- The Program counsels against offering residential Property Assessed Clean Energy (PACE) at this time until there is clarity regarding Fannie Mae and Freddie Mac's position on Property Assessed Clean Energy (PACE) senior liens. Although the Florida Green Finance Authority has the authority to provide financing for residential as well as commercial properties, at the moment the major secondary mortgage market participants (Fannie Mae and Freddie Mac) are in the process of developing policies relating to Property Assessed Clean Energy (PACE). Because these entities are so influential in the residential mortgage market, they encourage communities to wait on offering residential Property Assessed Clean Energy (PACE) until the uncertainty is resolved and final rules are in effect.

##### Administrator:

- On July 26, 2011, the Town of Lantana approved hiring EcoCity Partners, L3C. EcoCity Partners is organized as an innovative "L3C" - the first "low profit limited liability company" in Florida. EcoCity Partners' primary mission is to benefit the communities they serve.

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- In February 2012, the EcoCity Partners' team expanded to include Demeter Power Group, Inc. which offers the industry's first (and currently the only) form of third-party ownership financing as an additional alternative to traditional Property Assessed Clean Energy (PACE) financing: PACE3P<sup>®</sup>.EcoCity Partners, L3C.
- EcoCity Partners, L3C has offices in St. Petersburg and West Palm Beach.

#### Financing:

- Florida Green Energy Works uses the "open market" funding model and requires commercial property owners to provide notice and receive consent for the Property Assessed Clean Energy (PACE) assessment from their existing mortgage lender. When consent is obtained for a project, any market-based financing can be obtained. Therefore, property owners can use any lender/ funding source, which open market advocates believe will induce competition and ultimately result in lower interest rates and closing costs.
- Florida Green Energy Works is designed to offer property owners multiple financing options. Currently they offer two secured primary options: Property Assessed Clean Energy (PACE) and PACE3P<sup>SM</sup>. Additionally, the Program is incorporating other non-secured financing strategies and alternatives, such as a community's existing revolving loan fund or a low-interest loan program through a community development financial institution (CDFI) for low-income communities.
- Florida Green Energy Works has added new capital provider partners. One such partner is the Solar Energy Loan Fund (SELF), a non-profit, certified Community Development Financial Institution (CDFI), which has funded over \$1 million in energy efficiency loans in Florida (non-exclusive partnership). This partnership enables the Program to offer homeowners unsecured low-interest energy loans, until the Fannie Mae/Freddie Mac regulatory issues are resolved by the Courts. Additional new capital partners include but are not limited to: Grand Bank & Trust, a community bank headquartered in West Palm Beach, which is supporting the financing for small and medium businesses; and Clean Fund in California; and Hannon Armstrong's new energy-efficiency-focused Real Estate Investment Trust (REIT), which are supporting large projects.

#### Liability for member jurisdictions:

- As a separate legal entity, the Florida Green Finance Authority (FGFA) insulates its member jurisdictions from any risk or liability. Additionally, the Florida Green Finance Authority (FGFA) itself has no independent liability for making payments to the capital providers. The capital providers are paid when the Florida Green Finance Authority (FGFA) receives payment of the non ad valorem assessments.

#### Applicability:

- Projects may include energy, water or wind resistance projects appropriate for the building; for energy-saving projects involving alterations to building systems, qualifying improvements should have signed and sealed engineering calculations, accounting for all effects of the modification, or a signed and sealed ASHRAE 90.1, Appendix G compliant energy model demonstrating whole building energy savings.
- The Program counsels against offering residential Property Assessed Clean Energy (PACE) at this time.

#### Eligibility:

- Minimum project size is \$5,000.
- Requires lender consent prior to obtaining funding.
- Requires energy savings audit by either a third party auditor or a qualified contractor. Audit costs can be rolled into project financing. Florida Green Energy Works has established a relationship with Florida Power and Light (FPL) whereby all Florida Power and Light (FPL) customers can take advantage of their free business energy evaluation services and the report prepared by Florida Power and Light (FPL) is usually adequate for supporting the value of improvements for financing purposes.

#### Liability for property owners:

- Liability for failure to meet projected energy savings rests primarily with the vendor whose risks are mitigated by requiring existing lenders to consent to financially sensible projects.

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- The financing agreements between the Florida Green Finance Authority (FGFA) and the property owner make clear that the Florida Green Finance Authority (FGFA) has no liability to the owner in the event the project does not achieve particular savings levels, or if the owner has any sort of dispute with the contractor the owner has chosen to perform the work.
- The Program attempts to positively influence the behavior of participants by (i) including a non-binding conservation pledge as part of the “going away” package and (ii) requiring participants to track their energy consumption after the project is completed using the United States Environmental Protection Agency’s (EPA) Portfolio Manager Software.
- The Program does not currently offer insurance for energy savings performance but is seeking options for insuring large projects over \$50,000.

**Contractor requirements:**

- Contractors are required to register with the Program. Registration requires that the contractor be licensed in Florida to do the work being performed, holds the appropriate insurance naming the Florida Green Finance Authority (FGFA) as an additional insured, and agrees to comply with the Program requirements.
- Training is not required for participation; however, optional contractor training is available if desired through a variety of training providers.
- Proceeds of Property Assessed Clean Energy (PACE) financing are disbursed in a single lump sum upon completion of the improvements. However, progress payments are available for larger projects over \$50,000.

**Fees: Program Costs Borne by Property Owner Users**

Fee	The Florida Green Energy Works Program Advantage
Origination Fees and Closing Costs	Project Fee: 2.5% plus pass-through closing costs.
Servicing Fees	No Yield Spread Premium (YSP) 1% administrative service fee
Year 1 Costs per \$100,000 financed:	\$3,263
Costs over 20 years per \$100,000 financed:	\$4,988

**Considerations:**

- Provides open market approach as opposed to exclusive consortium to stimulate competition among banks, energy service providers and other vendors. There is no cap on the amount of bank financing available in the program.
- Program is open to other municipal and county governments via two options: opt-in to existing interlocal authority administered by third party or create and administer a new custom program.
- Program’s initial funding is from a Florida Clean Energy Grant from the American Recovery and Reinvestment Act of 2009.
- Created a Green Business Certification program in conjunction with Property Assessed Clean Energy (PACE).
- Requires lender consent to protect property owners against default on their mortgages from imprudent projects.
- Counsels against offering residential Property Assessed Clean Energy (PACE) at this time.
- Encourages local capital providers to participate in the Program so that the interest paid by local property owners in their assessments does not leave the community.
- Statewide program platform that does not require the formation of a new district or structure.

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#### 4. Solar & Energy Loan Fund of St. Lucie County

Websites: <http://www.stlucieco.gov/ed/empower.htm> and <http://cleanenergyloanprogram.org/>

##### Program Description

- Saint Lucie County created the Clean Energy Loan Program in 2010 with seed money from state and federal grants but with the intention that the program would operate independently and not as part of the County government. Its primary goal is to assist residents and businesses through a revolving loan program offering terms that are far more favorable than those found at traditional banks and credit unions.
- The Clean Energy Loan Program provides low cost financing options and energy expertise to help lower energy bills.
- The Clean Energy Loan Program is offered through the Solar and Energy Loan Fund (SELF).
- There is no formal mechanism established for other local governments to join the program. The Solar and Energy Loan Fund (SELF) has been expanding to surrounding counties as their resources allow them to do so.

##### Program Status:

- As of June 2013, the Solar and Energy Loan Fund (SELF) has loaned \$1.85 million to 207 property owners and has conducted 810 energy audits (primarily in Saint Lucie County). The Solar and Energy Loan Fund (SELF) has become a model for other energy-related institutions throughout the nation.
- The Solar and Energy Loan Fund was 1 of 20 local programs selected nationally to receive funding (\$1.64 million) from the highly-competitive Energy Efficiency and Conservation Block Grant (EECBG) program. The Solar and Energy Loan Fund (SELF) has used its U.S. Department of Energy grant to “kick-start” the residential energy retrofit program in St. Lucie County, and is now actively working with financial institutions, foundations, and others to invest in the loan pool and expand the Clean Energy Loan Program into 5 counties, including new commercial loans and commercial Property Assessed Clean Energy (PACE) assessments.
- As of February 1, 2013, the Solar and Energy Loan Fund (SELF) has expanded its services into Martin, Indian River, and Okeechobee Counties. In addition the Solar and Energy Loan Fund (SELF) has been working with Brevard County and other cities in the surroundings areas to further expand the program. The Solar and Energy Loan Fund (SELF) may partner with qualified vendors in the future.

##### Administrator:

- The Solar and Energy Loan Fund (SELF) is a Florida non-profit organization, certified Community Development Financial Institution (CDFI) located in St. Lucie County.
- The Solar and Energy Loan Fund (SELF) mission is to provide energy expertise and favorable financing to underserved residents, small businesses and communities in order to yield sustainable community development, local employment and economic development opportunities, enhanced quality of life, greater efficiencies, clean energy alternatives, and energy independence.

##### Financing:

- As a certified Community Development Financial Institution CDFI, the Solar and Energy Loan Fund (SELF) can attract and leverage non-public funds via partnerships with the private sector.
  - Community banks and National banks can invest on Community Development Financial Institutions (CDFIs) to provide capital to underserved markets.
  - Program Related Investments (PRI) from Foundations is another form of funding for Community Development Financial Institutions (CDFIs).
  - Community Development Financial Institutions (CDFIs) may receive funding via community development investments from faith-based organizations.
  - Community Development Financial Institutions (CDFIs) are also eligible for funding from the US treasury. At this time the Solar and Energy Loan Fund (SELF) has a pending application with the US treasury for \$500,000, to cover administration costs (\$90,000) and \$410,000 funding for additional loans.

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## Energy Efficiency and Renewable Energy Finance Program

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- Impact investors or social investors that fund Community Development Financial Institutions (CDFIs) sometimes forgo profits in order to influence in a meaningful way their priority cause (social, economic, environmental) therefore the Community Development Financial Institution (CDFI) may be able to offer a low/zero interest rate to the community.
- As of June 2013 the Solar and Energy Loan Fund (SELF) has secured three new non-governmental investors for a total of \$500,000.

**Liability for member jurisdictions:**

- The Solar and Energy Loan Fund (SELF) is a separate 501c and certified Community Development Financial Institution (CDFI) that insulates government from liability.
- Local governments participating in the Solar and Energy Loan Fund (SELF) are not excluded from participating in other Property Assessed Clean Energy (PACE) programs.

**Eligibility:**

- Homeowner must be the primary applicant. Energy Assessment is required (the Solar and Energy Loan Fund (SELF) will assist with energy assessment details). Contractors must be chosen from the Solar and Energy Loan Fund's (SELF's) approved contractor list.
- The Solar and Energy Loan Fund (SELF) offers financing for more than two dozen types of energy efficient and renewable energy options, including:
  - ✓ Weatherization (insulation, caulking, window and door replacement)
  - ✓ Replacement of inefficient air-conditioning systems
  - ✓ Window tinting, LED lighting, cool roof construction
  - ✓ Installation of solar thermal and solar photovoltaic (PV) systems and solar attic fans
  - ✓ Energy Efficiency: Improvements to a facility, building, or process that reduces energy consumption, or reduces energy consumed per square foot.

**Liability for property owners:**

- Unsecured consumer loans
- Sometimes, as per the Uniform Commercial Code, equipment purchased with the loan is used as collateral. At this time, the Solar and Energy Loan Fund (SELF) has reported a delinquency rate of 1.5%.

**Contractor requirements:**

- In order to participate in the program, contractors must meet high standards, thus assuring quality work that will have long-lasting benefits.

**Fees:**

- Upfront costs are minimal. Interest rates are as low as 6 percent and terms as long as 15 years. Interest rates are based on the overall evaluation of credit score, credit report history, monthly income, monthly miscellaneous expenses, and ability to repay the loan.

	Energy Efficiency Improvements	Renewable Energy Improvements
Rates	7.00% - 9.50%	6.00% - 7.00%
Amount	\$1,000 - \$50,000 (based on credit)	\$1,000 - \$50,000 (based on credit)
Secured or Unsecured	Unsecured	Unsecured
Term	5 - 15 years (based on loan amount)	5 - 15 years (based on loan amount)

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	<b>Energy Efficiency Improvements</b>	<b>Renewable Energy Improvements</b>
Fees	1)Application Fee: \$25 2)Processing Fee: 2% of the principle amount or \$300, whichever is less(rolled into the loan) 3)Energy Assessment Fee: to be determined	1)Application Fee: \$25 2)Processing Fee: 2% of the principle amount or \$300, whichever is less(rolled into the loan) 3)Energy Assessment Fee: to be determined
Military Discount (current and inactive)	50% off the processing fee (valid military ID required)	50% off the processing fee (valid military ID required)

Considerations:

- Community Development Financial Institutions (CDFIs) are specialized financial institutions that work in market niches that are underserved by traditional financial institutions.
- Community Development Financial Institutions (CDFIs) are required to benefit the low and moderate-income (LMI) communities. As such, 60% of the loans have to be granted to the low and moderate-income (LMI) communities. As of June 2013, the Solar and Energy Loan Fund (SELF) reports that almost 72% of their loans are granted to the low and moderate-income (LMI) community.
- Based on Housing statistics prepared by the Community Financial Institutions Fund with the United States Department of the Treasury, approximately 48% of Miami-Dade County’s population meet the low and moderate-income (LMI) definition. Low and moderate-income (LMI) communities are identified by census track (geographic assessments) instead of individual assessments. However, additional broader criteria can be used to qualify an individual living outside of the low and moderate-income (LMI) census track such as women head of household, etc.
- Private-Public partnership.
- An existing Miami-Dade County Community Development Financial Institution (CDFI) can take this program and implement it or the Solar and Energy Loan Fund (SELF) can implement in the County. However, at this time the Solar and Energy Loan Fund (SELF) lacks adequate resources to expand into Miami-Dade County.
- Property Assessed Clean Energy (PACE) alternative: consumer loans not attached to the property.
- Program can coexist (non-exclusive agreement) with a Property Assessed Clean Energy (PACE) program.

**5. Qualified Energy Conservation Bonds (QECBs)**

Program details:

- Qualified Energy Conservation Bonds (QECBs) were allocated to states by the U.S. Treasury Department following the increase in Qualified Energy Conservation Bonds (QECB) volume cap under the American Recovery and Reinvestment Act of 2009. The Treasury subsidy makes Qualified Energy Conservation Bonds (QECBs) the cheapest debt instrument available to public issuers.
- Florida’s allocation is \$190,146,000. To receive the allocation, however, Governor Scott must issue an Executive Order.
- If Florida receives the allocation, it can then make allocations of portions to local governments within such State with populations greater than 100,000. Allocations are based on population. Based on Miami-Dade County’s population, approximately \$26,808,762 can be allocated from the total Qualified Energy Conservation Bonds (QECB) volume of the State of Florida.
- Qualified Energy Conservation Bonds (QECBs) could be used as the seed money for implementing an energy efficiency/renewable energy loan program.

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## Energy Efficiency and Renewable Energy Finance Program

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- Possibility of collaboration with the Southeast Florida Regional Climate Change Compact partners (Broward, Palm Beach and Monroe counties) to continue regional work in energy efficiency and thus climate change.
- Each project financed with Qualified Energy Conservation Bonds (QECBs) must meet qualifications for energy conservation, which consist of energy efficiency retrofits, renewable energy generation, green community programs and others. One hundred percent of the money can be used for loans for energy upgrades on privately owned homes and businesses.
- Similar programs implemented successfully within the United States include:
  - St. Louis County's "SAVES" program
    - \$10.4 million residential energy efficiency loan program.
    - Third party administrator is Abundant Power Solutions.
    - Launched in May 2011.
    - County's effective borrowing rate was <1%.
    - Loan amounts range from \$2,500 to \$15,000.
    - Loan rate of 3.5% interest rate; APR will vary based on 3% loan fee and term.
    - Loan term is flexible for up to 10 years.
    - As of November 2012, St. Louis County approved approximately 311 unsecured loans to qualified single-family homeowners of which 178 have moved forward with improvements.
    - In order to qualify, participants must have a Fair Isaac Corporation (FICO) credit score  $\geq$  660 and a debt-to-income ratio < 45%.
  - Connecticut's Energy Conservation Loan Program (ECL) and Multifamily Energy Conservation Loan Program (MEL)
    - Provide financing at below market-rates to single family and multifamily residential property owners for the purchase and installation of cost-saving energy conservation improvements.
    - The program is administered by the Connecticut Housing Investment Fund, Inc. (CHIF) with funding from the Connecticut Department of Economic and Community Development (DECD).
    - Single family (1-4 units) homeowners may borrow up to \$25,000 and multi-family property owners may borrow up to \$2,000 per unit (a maximum of \$60,000 per building) for a period of 10 years for eligible improvements.

#### Considerations:

- State allocation may be dependent on Executive Order from the governor of Florida.
- Below market loan rates to borrowers.
- The funds can be used to finance whatever type of program the County prefers.
- If used to finance unsecured loans to homeowners, the very low interest rate is much more attractive and easier to obtain than a home equity loan.
- The funds have been qualified for a wide variety of uses.
- Qualified Energy Conservation Bonds (QECBs) have funded successful programs, so no need to "reinvent the wheel".
- Program offers low liability to the County.
- Partnering across four counties can create a "green job corridor" in South Florida.
- Four partners are stronger than one: can create one RFP and market one program collaboratively, however Qualified Energy Conservation Bonds (QECB) allocations may not be combined.
  - Bond issuance takes several months to structure.
  - Limited to using 2% of proceeds to cover issuance costs.



# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

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#### 6. Broward County

##### Program description:

- Broward County issued a Request for Letters of Interest (RLI) on March 2012 for a Turnkey Energy Efficiency Finance and Service Program. Four submittals were received: EcoCity Partners, L3C, Florida PACE Funding Agency, Paula Moon & Associates and Ygrene Energy Fund Florida LLC. Short listed vendors EcoCity Partners, L3C and Ygrene Energy Fund Florida LLC made presentations to the selection committee in October 2012. Selection Committee ranked shortlisted vendors: 1) Ygrene Energy Fund Florida LLC and 2) EcoCity Partners, L3C.
- An agenda item requesting to accept the vendors' ranking and to approve staff to enter in negotiations with the top ranked vendor was presented to the Broward Board of County Commissioners on February 5, 2013. The Board deferred the item and requested a workshop on the topic.
- On April 2, 2013 the Broward Board of County Commissioners held a workshop on Energy Efficiency Financing. As a result, the existing procurement process (RLI) was terminated by Board action on April 9, 2013.
- During May/June 2013 staff surveyed three Florida Property Assessed Clean Energy (PACE) programs and one Florida Community Development Financial Institutions (CDFI) program to better understand their programs, successes, and interaction with local governments. Staff is developing a matrix of the responses and will submit it to the Board with a Motion to Discuss during fall 2013.
- The Broward County Board of County Commissioners voted unanimously to support PACE in Broward on October 8th, 2013. Broward will be advancing with a commercial and residential program that requires consent of lenders. Broward will also have a multi-vendor service area with programs to be implemented by both Ygrene Energy Fund Florida, LLC., and EcoCity Partners, L3C. Broward anticipates finalizing agreements with vendors in the next six months.

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**NEXT STEPS**

1. Monitor and track successes and failures of newly implemented Florida programs.
2. Start a competitive solicitation process to determine the most beneficial program for Miami-Dade County based on criteria such as:
  - Sectors the program(s) will target (residential and/or commercial).
  - Financing mechanism(s) most beneficial to the County's goals and interests.
  - Repayment mechanism for the energy efficiency retrofits/renewable energy systems (i.e., special assessment, loan, etc.)
  - Program Flexibility
    - Multiple sources of capital funding (public and private)
    - Regional collaboration with other counties and/or cities
  - Economic benefits to the community such as generating new investments and creating local jobs.
  - Many sustainability benefits to the community. Property Assessed Clean Energy (PACE) and PACE-like programs can play an important role promoting resiliency by hardening buildings against hurricane events, promoting energy efficiency improvements in buildings, making the shift to renewable sources of energy, reducing energy costs for residents and businesses, and reducing local greenhouse gas emissions.
  - Local Workforce Development - Training Program
3. Create a County-wide Energy/Sustainability Taxing District if required by the selected program – requires Board action.

# Miami-Dade County

## Energy Efficiency and Renewable Energy Finance Program

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#### LINKS

Resolution R-143-10

<http://www.miamidade.gov/govaction/matter.asp?matter=100408&file=false&yearFolder=Y2010>

Resolution R-313-10

<http://www.miamidade.gov/govaction/matter.asp?matter=100587&file=true&yearFolder=Y2010>

Section 163.08 of the Florida Statutes

<http://www.flsenate.gov/Laws/Statutes/2010/163.08>

H.R. 2599 PACE Assessment Protection Act

<http://www.gpo.gov/fdsys/pkg/BILLS-112hr2599ih/pdf/BILLS-112hr2599ih.pdf>

Resolution R-818-10

<http://www.miamidade.gov/govaction/matter.asp?matter=101840&file=true&yearFolder=Y2010>

Ordinance No. 10-78

<http://www.miamidade.gov/govaction/matter.asp?matter=101789&file=true&yearFolder=Y2010>

Resolution R-932-12

<http://www.miamidade.gov/govaction/matter.asp?matter=122115&file=true&yearFolder=Y2012>

Resolution R-1059-12

<http://www.miamidade.gov/govaction/matter.asp?matter=122343&file=true&yearFolder=Y2012>

EcoCity Partners, L3C

<http://www.ecocitypartners.com/post/home,first-commercial-pace-program-in-florida>

Statutory guidelines for the creation of the Florida PACE Funding Agency as a local government

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0163/Sections/0163.01.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/Sections/0163.01.html)

Certified Community Development Financial Institutions

[http://www.cdfifund.gov/what\\_we\\_do/programs\\_id.asp?programID=9](http://www.cdfifund.gov/what_we_do/programs_id.asp?programID=9)

St. Louis County's "SAVES" program

<http://www.stlouiscountysaves.com/>

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**POPULATION DATA**

Population data is supplied to provide a sense of the current size and potential effect of each program described above. Please note that some programs offer only commercial programs while other programs offer residential and commercial programs. Total population data provided below was extracted from Census 2010 data.

	<b>Total Population Census 2010</b>
<b>All Corridors</b>	<b>594,932</b>
<b>Clean Energy Corridor</b>	
Miami Shores	10,493
Pinecrest	18,223
Cutler Bay	40,286
Palmetto Bay	23,410
South Miami	11,657
Miami	399,457
Coral Gables	46,780
<b>Clean Energy Coastal Corridor</b>	
Surfside	5,744
Bay Harbor Islands	5,628
Biscayne Park	3,055
<b>Northwest Miami-Dade</b>	
Miami Lakes	29,361
Town of Medley	838
<b>Florida PACE Funding Agency</b>	<b>169,010</b>
Flagler County	95,696
Nassau County	73,314
<b>Florida Green Energy Works Program</b>	<b>336,256</b>
Town of Lantana (Palm Beach County)	10,423
Town of Mangonia Park (Palm Beach County)	1,888
West Palm Beach (Palm Beach County)	99,919
Boynton Beach (Palm Beach County)	68,217
Delray Beach (Palm Beach County)	60,522
Village of Tequesta (Palm Beach County)	5,629
Lake Worth (Palm Beach County)	34,910
Fellsmere (Indian River County)	5,197
Sebastian (Indian River County)	21,929
Gulfport (Pinellas County)	12,029
Stuart (Martin County)	15,593

Source: <http://quickfacts.census.gov/qfd/index.html>