

RESOLUTION 20-5.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, CREATING A PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM WITHIN THE UNINCORPORATED AREA OF MARTIN COUNTY; ADOPTING AN INTERLOCAL AGREEMENT WITH THE FLORIDA PACE FUNDING AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.08, F.S. allows local governments to create Property Assessed Clean Energy (PACE) programs in order to provide the upfront financing for energy conservation and efficiency (i.e. energy-efficient heating, cooling, or ventilation systems), renewable energy (i.e. solar panels), wind resistance (i.e. impact resistant windows) and other improvements that are not inconsistent with state law (the “Qualifying Improvements”); and

WHEREAS, Section 163.08, F.S. authorizes local governments that create PACE programs to enter into interlocal agreements with other local governments in order to provide more affordable financing for the installation of the Qualifying Improvements; and

WHEREAS, Section 163.01, F.S. authorizes local governments to enter into interlocal agreements for the provision of services; and

WHEREAS, Section 163.01, F.S. allows for a separate legal entity to be created by interlocal agreement which may exercise power in the manner and method provided in the interlocal agreement and is authorized to enter into contracts and incur obligations separate from the parties to the interlocal agreement; and

WHEREAS, the Florida PACE Funding Agency was created by interlocal agreement for the purposes of providing a PACE program in compliance with Section 163.08, F.S., which must also comply with the Martin County adopted regulations for PACE programs in Article 14 of Chapter 71, General Ordinances, Martin County Code; and

WHEREAS, given the widespread energy and economic benefits of PACE programs, the Board of County Commissioners believes that it is in the best interests of the health, safety and welfare of its citizens to participate in the PACE program provided by the Florida PACE Funding Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The Board of County Commissioners of Martin County, a political subdivision of the State of Florida, hereby authorizes participation in the Florida PACE Funding Agency to implement a PACE program in the unincorporated area of Martin County, that complies with the provisions of Section 163.08, Florida Statutes, and Article 14 of Chapter 71, General Ordinances, Martin County Code.

Section 3. The Board of County Commissioners hereby approves the Non-Exclusive Interlocal Agreement Relating to the Funding and Financing of Qualifying Improvements by the Florida PACE Funding Agency with the Florida PACE Funding Agency, and further authorizes the Chair of the Board of County Commissioners to execute the Interlocal Agreement on behalf of the County.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 19th day of May, 2020.

Board of County Commissioners
Martin County, Florida

Harold E. Jenkins, II, Chairman

ATTEST:

Approved as to Form and Legal
Sufficiency

Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

Sarah W. Woods, County Attorney