



## Legislation Details (With Text)

|                       |   |                      |                               |
|-----------------------|---|----------------------|-------------------------------|
| <b>File #:</b>        | 20-0901   | <b>Status:</b>       | Agenda Ready                  |
| <b>Type:</b>          | Consent   | <b>In control:</b>   | Board of County Commissioners |
| <b>On agenda:</b>     | 8/11/2020   | <b>Final action:</b> |                               |
| <b>Title:</b>         | INTERLOCAL AGREEMENT FOR PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM AND ACCOMPANYING RESOLUTION  |                      |                               |
| <b>Sponsors:</b>      |   |                      |                               |
| <b>Indexes:</b>       |   |                      |                               |
| <b>Code sections:</b> |   |                      |                               |
| <b>Attachments:</b>   | 1. Resolution for Approval of FRED Agreement.pdf, 2. Membership Agreement 072720.pdf, 3. Second Amended and Restated FRED Interlocal, Executed and Recorded.pdf |                      |                               |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

**PLACEMENT:** Consent

**TITLE:**

**INTERLOCAL AGREEMENT FOR PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM AND ACCOMPANYING RESOLUTION**

**EXECUTIVE SUMMARY:**

The Board of County Commissioners (Board) is requested to enter into an Interlocal Agreement with Florida Resiliency and Energy District (FRED) for administration of a Property Assessed Clean Energy (PACE) program in the unincorporated areas of Martin County and adopt a Resolution authorizing such activity.

**DEPARTMENT:** Administration

**PREPARED BY:** **Name:** Elizabeth Lenihan  
**Title:** Assistant County Attorney

**REQUESTED BY:** Don G. Donaldson, P.E., Deputy County Administrator

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

The Board, at their May 8, 2018 meeting, adopted an ordinance to allow the PACE program to operate in Martin County. The Board also directed staff to negotiate with providers interested in operating PACE programs. Negotiations have been completed with the Florida Resiliency and Energy District (FRED) to provide PACE services in Martin County. In order to authorize the FRED to

provide a PACE program in unincorporated Martin County, the Board and the FRED must enter into an Interlocal Agreement (titled Limited Purpose Party Membership Agreement). The FRED also requires that the Interlocal Agreement be approved by Resolution.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board adopt the Resolution authorizing the Florida Resiliency and Energy District to provide a PACE program in the unincorporated areas of Martin County and approve the Limited Purpose Party Membership Agreement with Florida Resiliency and Energy District.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda.

Move that the Board not adopt the Resolution nor approve the Limited Purpose Party Membership Agreement with the Florida Resiliency and Energy District and provide direction to staff.

**FISCAL IMPACT:**

**RECOMMENDATION**

Entering into this agreement will have no financial impact.

| Funding Source | County Funds | Non-County Funds |
|----------------|--------------|------------------|
|                |              |                  |
|                |              |                  |
|                |              |                  |
| Subtotal       |              |                  |
| Project Total  |              |                  |

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☒ Contract / Agreement  
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution

☐ Other: Amendment to Contract

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