

RESOLUTION NO.: 2017-010

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, CREATING A PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM AND AGREEING TO JOIN THE FLORIDA RESILIENCY AND ENERGY DISTRICT (FRED) PACE DISTRICT; ADOPTING AN INTERLOCAL AGREEMENT RELATING TO FRED; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2010, the Florida Legislature adopted Section 163.08 Florida Statutes, which allows local governments to create Property Assessed Clean Energy (PACE) programs in order to provide the upfront financing for energy conservation and efficiency (e.g. energy-efficient heating, cooling, or ventilation systems), renewable energy (e.g. solar panels), and wind resistance (e.g. impact resistant windows) improvements (the “Qualifying Improvements”);

WHEREAS, PACE programs assist residents and business owners in reducing their carbon footprint and energy costs and stimulate the local economy by creating construction jobs;

WHEREAS, the legislation authorizes local governments that create PACE programs to enter into a partnership in order to provide more affordable financing for the installation of the Qualifying Improvements; and

WHEREAS, on January 10th 2017, attached as Exhibit “A” under an Amended Interlocal Agreement the Town of Lake Shores, Florida, and the City of Fernandina Beach, Florida, and the Florida Development Finance Corporation created the Florida Resiliency and Energy District (FRED) Pace District in order to provide up-front financing to property owners with Qualifying Improvements;

WHEREAS, given the widespread energy and economic benefits of PACE programs, the City of Hialeah desires to join its sister cities in the FRED PACE District and enter into the Party Membership Agreement/Interlocal Agreement attached hereto as Exhibit “B” (the “Interlocal Agreement”);

WHEREAS, the Mayor and the City Council finds that this Resolution is in the best interest and welfare of the citizens of the City of Hialeah.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: Recitals.

The foregoing recitals are true and correct and are adopted and incorporated by reference as if fully set forth herein.

Section 2: Creation of PACE Program and Joining the Florida Resiliency and Energy District (FRED) Pace District.

The Mayor and the City Council of the City of Hialeah, Florida hereby authorize the creation of a PACE program and agree to join the Florida Resiliency and Energy District (FRED) PACE District, and enter into the Party Membership Agreement/Interlocal Agreement attached hereto as Exhibit "B."

Section 3: Adoption of Interlocal Agreement.

The Mayor and the City Council hereby approve an Interlocal Agreement pursuant to Section 163.01, Florida Statutes, between the municipalities of the Clean Energy PACE District in substantially the form attached hereto as Exhibit "B".

Section 4: Authorization of City Officials.

The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to take all steps necessary to implement the terms and conditions of this resolution and to execute the Agreement attached hereto as Exhibit "B."

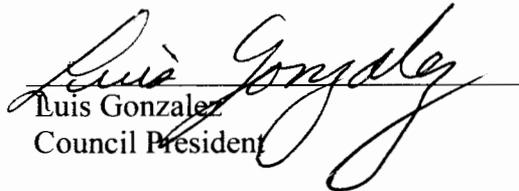
Section 5: Direction to City Clerk.

The City Clerk is directed to send a certified copy of this Resolution to the Florida Resiliency and Energy District (FRED) PACE District, District's attorney, Joseph B. Stanton, Esq., and Third Party Administrator, Bill Spivey, Executive Director, Florida Development Finance Corporation, 800 N. Magnolia Avenue, Orlando, FL 32801.

Section 6: Effective Date.

This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

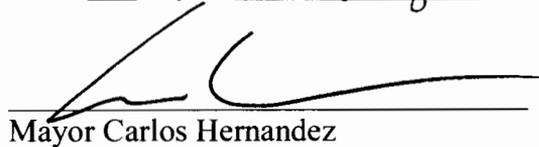
PASSED and ADOPTED this 14 day of February, 2017.


Luis Gonzalez
Council President

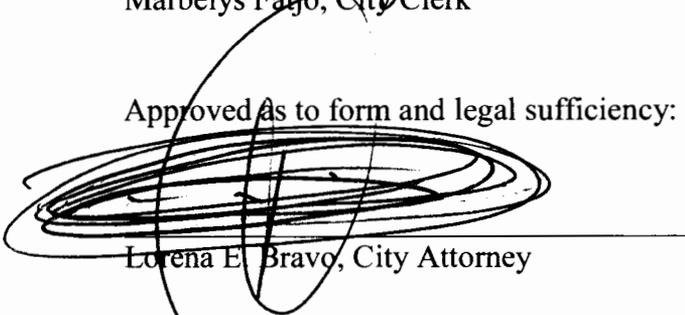
Attest:

Approved on this 14 day of February, 2017.


Marbelys Fajó, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena E. Bravo, City Attorney

Resolution was adopted by a (6-0-1) vote with Councilmembers, Caragol, Cue-Fuente, Hernandez, Lozano, Gonzalez and Casáls-Muñoz voting "Yes". Councilmember Garcia-Martinez absent.