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RESOLUTION 2017-42

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, EXPRESSING ITS OPPOSITION TO PROPOSED FLORIDA STATE LEGISLATION AFFECTING LOCAL GOVERNMENT POWERS AND PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Mayor Eugene Flinn)

WHEREAS, the Florida House and Senate have proposed legislation that will ultimately harm property owners by unreasonably burdening the process in which solar and renewable energy sources are installed and that will affect property assessed clean energy programs (“PACE Programs”), such as the District’s; and

WHEREAS, the Florida Legislature in Senate Bill 930 and House Bill 1055 proposes to erode home rule authority by allowing the Florida Development Finance Corporation to operate a PACE Program without local government consent and by providing that the operation or uses by an electric utility on an established rights-of-way or corridors shall not be considered as development, respectively; and

WHEREAS, Florida House Bill 1351 would impose burdensome requirements designed to frustrate solar and renewable energy installations, which would ultimately burden property owners, contractors, and small businesses; and

WHEREAS, Florida House Bill 1373 would significantly impede PACE Programs by subordinating PACE liens; and

WHEREAS, the Board finds that the above-described legislation should be opposed as it would impede the growth of solar energy in Florida, burden property owners in installing solar and renewable energy sources, discourage small businesses from engaging in the business of qualifying improvements, and reduce local governments’ home rule powers.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are hereby adopted.

Section 2. **Expression of Opposition.** The Village Council hereby opposes Florida Senate Bill 930 and House Bills 1055, 1351, and 1373.

Section 3. **Transmittal.** The Village Council hereby directs the Village Clerk to transmit this Resolution to the District’s Members.

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

PASSED and ADOPTED this 19th day of April, 2017.

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DocuSigned by:
Missy Arocha
Missy Arocha
Village Clerk

DocuSigned by:
Eugene Flinn
Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

DocuSigned by:
Dexter W. Lehtinen
Dexter W. Lehtinen
Village Attorney

- FINAL VOTE AT ADOPTION:
- Council Member Karyn Cunningham YES
 - Council Member David Singer YES
 - Council Member Larissa Siegel Lara YES
 - Vice-Mayor John DuBois ABSENT
 - Mayor Eugene Flinn YES