



City of North Port

RESOLUTION NO. 2018-R-24

A RESOLUTION OF THE CITY OF NORTH PORT, FLORIDA, EVIDENCING THE CITY'S INTENT TO OPT INTO THE SARASOTA COUNTY PROPERTY ASSESSED CLEAN ENERGY "PACE" PROGRAM; INCORPORATING RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 11, 2017, the Sarasota County Board of County Commissioners enacted Ordinance No. 2017-51, creating Article XIV of Chapter 38 of the County Code, "Property Assessed Clean Energy (PACE) Program," which is attached hereto as Exhibit "A;" and

WHEREAS, on July 10, 2018, and pursuant to Florida Statutes, Section 163.08, the Sarasota County Board of County Commissioners approved several agreements that serve to establish a Property Assessed Clean Energy (PACE) Program in Sarasota County (the "Sarasota County PACE Program"); and

WHEREAS, the goal of the Sarasota County PACE Program is to provide an additional financing option for property owners within the county to make energy efficient, renewable energy, or wind resistant improvements on their property; and

WHEREAS, the Sarasota County PACE Program includes a mechanism that allows any municipality within Sarasota County interested in having the Sarasota County PACE Program operate within its jurisdictional boundaries to opt-into the program thereby allowing the municipality's citizens take advantage of the program's financing options; and

WHEREAS, participation in the Sarasota County PACE Program is voluntary and a property owner who obtains PACE funding must enter into a financing agreement whereby the property owner commits to repaying the amount financed through an increase on their property tax bill, classified as a non-ad valorem assessment ("PACE assessment") and the PACE assessment will only be levied on those property owners who obtain financing through the Sarasota County PACE Program; and

WHEREAS, participating in the Sarasota County PACE Program would eliminate the costs and effort necessary for the City to form and administer its own separate local program, comes with no obligations or administrative costs on the City, and would also facilitate a more streamlined program for property owners within the City; and

WHEREAS, the City desires to participate in the Sarasota County PACE Program and understands that it may opt out at any time by repealing this Resolution and notifying Sarasota County and PACE Local Governments with sixty (60) days written notice; and

WHEREAS, given the energy efficiency and economic benefits of the Sarasota County PACE Program, the City desires to allow its property owners to utilize the Sarasota County PACE Program immediately in order to make additional financing options available to property owners to pursue qualifying improvements for their properties; and

WHEREAS, the City Commission has determined that opting into to the Sarasota County PACE Program serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – INCORPORATION OF RECITALS

- 1.01 The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – RESOLUTION

- 2.01 The City of North Port, Florida, supports participation in the Sarasota County PACE Program and does hereby affirmatively opt into the program.
- 2.02 Upon adoption of this Resolution, the City Manager is directed to provide a copy of this Resolution and written communication notifying Sarasota County of the City's participation in the Sarasota County PACE Program, including Ordinance 2017-51 and all Interlocal Agreements entered into with PACE Local Governments.

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this Resolution and any other resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

- 4.01 If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 5 – EFFECTIVE DATE

- 5.01 This Resolution shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port this ____ day of _____, 2018.

CITY OF NORTH PORT, FLORIDA

VANESSA CARUSONE
MAYOR

ATTEST:

KATHRYN PETO
INTERIM CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

AMBER L. SLAYTON
CITY ATTORNEY