



MIAMI BEACH

OFFICE OF THE CITY MANAGER
NO. LTC # 058-2010

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CITY CLERK'S OFFICE

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: March 2, 2010

SUBJECT: Transmittal of City of South Miami Resolution No. 24-10-13058

The City of South Miami Transmitted the attached Resolution No. 24-10-13058; Supporting The Proposed Green Corridor Legislation.

I am forwarding this for your review.

JMG
JMG/REP/lb

Attachment

RESOLUTION NO. 24-10-13058

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF SOUTH MIAMI, FLORIDA, SUPPORTING
THE PROPOSED GREEN CORRIDOR LEGISLATION;
TRANSMITTING THIS RESOLUTION TO CERTAIN PUBLIC
OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of South Miami finds climate change to be one of the most serious issues facing our planet today; and

WHEREAS, the City Commission continues to be deeply concerned about the adverse effects of climate change and the future health and well-being of not only our planet, but our community as well; and

WHEREAS, the City Commission is similarly concerned with the continued dependence of the United States and the State of Florida on conventional energy sources, whose use has been scientifically proven to contribute significantly to the threat of climate change; and

WHEREAS, the City Commission recognizes the importance of encouraging the expansion of the use of renewable energy sources in order to diversify the state's energy supplies, reduce dependence on foreign oil, and mitigate the effects of climate change; and

WHEREAS, the City would like to encourage the increased use of renewable energy sources by its residents, but one of the most significant impediments to the purchase by home owners of products that produce energy from renewable sources, and solar panels in particular, is the upfront cost associated with those devices; and

WHEREAS, the City supports the creation of a voluntary special assessment program that provides a local governing entity or entities the authority to finance the installation of renewable energy sources that are permanently fixed to real property, thereby eliminating the primary impediment to the purchase of devices that produce renewable energy; and

WHEREAS, the City further supports the creation of special assessment districts to be named Green Corridors that can consist of a single municipality or several municipalities, a single county or several counties, or any other combination thereof; and

WHEREAS, these Green Corridors would be able to utilize the special assessment process to facilitate the financing and installation of renewable energy sources to be permanently attached to previously developed, private lots or parcels; and

WHEREAS, the City Commission supports the proposed legislation that would create the Green Corridor program, attached hereto as Exhibit "A"; and

WHEREAS, the Mayor and City Commission believe that it is in the best interest of the health safety, and welfare of residents of the City for the state of Florida to create a Green Corridor program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AS FOLLOWS:

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

Section 2. Support. The Mayor and City Commission hereby support legislation that would create a special assessment program which would assist in the financing of renewable energy producing devices in substantially the form attached hereto as Exhibit "A".

Section 3. Transmittal. That the City Clerk is hereby directed to transmit electronic copies of this Resolution to the Governor of the State of Florida, the President of the Florida Senate, the Speaker of the Florida House of Representatives, any Members of the Florida House of Representatives or Florida Senate introducing legislation in accordance with the terms of this Resolution, and the Mayors and Members of the governing bodies of the municipalities within Miami-Dade County.

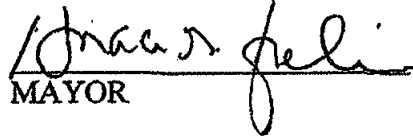
Section 4. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 26th day of January, 2010.

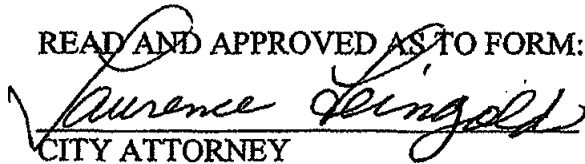
ATTEST:


CITY CLERK

APPROVED:


MAYOR

READ AND APPROVED AS TO FORM:


CITY ATTORNEY

COMMISSION VOTE: 5-0
Mayor Feliu: Yea
Vice Mayor Beasley: Yea
Commissioner Newman: Yea
Commissioner Sellars: Yea
Commissioner Palmer: Yea

Exhibit "A"

Amendment to SB _____¹

Insert at Line __:

Section 1. Section 171.01, Florida Statutes, is amended to read:

170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.--

(4) The Legislature of the State of Florida recognizes the importance of encouraging the expansion of the use of renewable energy sources in order to diversify the state's energy supplies, reduce dependence on foreign oil, and mitigate the effects of climate change. The Legislature declares that a public purpose will be served by a special assessment program that provides a local governing entity or entities the authority to finance the installation of renewable energy sources that are permanently fixed to real property.

(a) As used in this subsection, the term:

1. "Green Corridor" means a special assessment district composed of a single municipality or several municipalities, a single county or several counties, or any other combination thereof that is created to facilitate the financing and installation of renewable energy sources.

2. "Green Corridor Council" means the governing body of a Green Corridor that may levy and collect special assessments against property benefited by the installation of renewable energy sources to the property of the individually affected property owners.

(b) LEGISLATIVE INTENT.--It is the intent of this act to encourage the creation of special assessment districts to be named Green Corridors that can consist of a single municipality or several municipalities, a single county or several counties, or any other combination thereof. A Green Corridor utilizes the special assessment process to facilitate the financing and installation of renewable energy sources to be permanently attached to previously developed, private lots or parcels. The Green Corridor program is to be used in conjunction with the programs described in part III of chapter 377, Florida Statutes, entitled, "Renewable Energy and Green Government Programs."

(c) A Green Corridor may be created pursuant to section 4(a), subject to the approval, by a majority vote of the governing body each participating public entity, of an interlocal agreement that sets forth the terms and conditions of the Green Corridor and the selection of a Green Corridor Council to oversee the creation and operation of the Green Corridor.

(d) Individual property owners residing within public entities that have chosen to participate in the Green Corridor may voluntarily opt to participate in the Green Corridor. Individual property owners can not be compelled to participate in the Green Corridor program.

¹ Words ~~stricken~~ are deletions, words underlined are additions.

(e) The Green Corridor Council, subject to the voluntary approval of the individually affected property owners, may levy and collect special assessments against property benefited by the installation of renewable energy sources to the property of the individually affected property owners, for the purpose of reducing the dependence of the benefited property on non-renewable energy sources, increasing the benefited property's value, and reducing the carbon emissions from the use of those non-renewable energy sources which adversely impact the climate.

TITLE AMENDMENT

Insert at ___:

...___; amending s. 170.01 F.S. to create Green Corridors and provide for the imposition of special assessments on homeowners that voluntarily approve of the addition of renewable energy sources to their property;