



Pinellas County

Staff Report

File #: 17-1211A, **Version:** 1

Subject:

Authority to advertise a public hearing on a proposed ordinance amending Pinellas County Code Chapter 42 Consumer Protection by adding Article XIII Property Assessed Clean Energy Program.

Recommended Action:

Approval of authority to advertise a public hearing on a proposed ordinance amending Pinellas County Code Chapter 42 Consumer Protection by adding Article XIII which will provide minimum standards and limitations for the operation of any Property Assessed Clean Energy (PACE) Program within Pinellas County (County).

Strategic Plan:

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

Practice Superior Environmental Stewardship

3.1 Implement green technologies and practices where practical

3.4 Reduce/reuse/recycle resources including energy, water, and solid waste

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach

Summary:

The Board of County Commissioners directed the County Attorney's Office to draft an ordinance that provides for minimum standards and limitations for the operation of any PACE Program within the County.

Background Information:

During the May 18, 2017 Work Session, the Board provided direction to staff to include residential properties as eligible for the PACE program with additional consumer protections. If this ordinance is enacted, it would establish the PACE program throughout Pinellas County for both commercial and residential properties.

PACE programs are authorized generally by §163.08, Florida Statutes, which provides that certain improvements to real properties for energy conservation and efficiency, renewable energy improvements, or wind resistance improvements, may qualify for funding through governmental programs, which allow for the collection of such funding financed by the local government to be voluntarily collected through the non-ad valorem assessment process.

Several special purpose local governments have been created by interlocal agreement of cities and counties throughout Florida. For these special purpose governments to be able to provide services

within the County, the County must either become an active part of such special purpose local government, or have an interlocal agreement with such special purpose local government to allow it to utilize the ability of the County to place assessments on County tax rolls.

This proposed ordinance creates a set of minimum standards for a PACE Program operated and administered by a special purpose local government, or its third party administrator, within Pinellas County. These standards are intended to create consumer protections above those required by statute and maintain the separation between the County and such third parties, but still allow such special purpose local governments to offer PACE Programs. Such programs could be offered to county citizens after the County enters into an interlocal agreement allowing the special purpose local government to utilize the County's ability to place assessments on its tax rolls.

This ordinance is to be adopted countywide and will allow one hundred and twenty (120) days for any municipality that desires to opt out of such requirements to do so by the passing of an ordinance in conflict with the County ordinance.

Fiscal Impact:

N/A

Staff Member Responsible:

Jewel White, County Attorney

Donald S. Crowell, Managing Assistant County Attorney

Partners:

Pinellas County Municipalities

Attachments:

Proposed ordinance

Public hearing notice