

## RESOLUTION NO. 18-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AND ADOPTING THE SECOND AMENDED AND RESTATED INTERLOCAL AGREEMENT ORIGINALLY EXECUTED BY THE TOWNS OF LANTANA AND MANGONIA PARK, WHICH PROVIDES FOR UPDATES TO THE BOARD OF SUPERVISORS' STRUCTURE, FOR MORE FLEXIBILITY IN OBTAINING A QUORUM OF THE BOARD AND A PROGRAM NAME CHANGE TO "RENEWPACE" AS IMPLEMENTED BY THE FLORIDA GREEN FINANCE AUTHORITY CONCERNING THE CONTINUATION OF THE "PACE" PROGRAM WITHIN THE CITY; SPECIFICALLY RESCINDING RESOLUTION NO. 24-12 ON "PACE" DUE TO THE RECENT CHANGES IN THE PROGRAM NAME AND AMENDMENTS TO ORIGINAL INTERLOCAL AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Towns of Mangonia Park and Lantana are the originating parties in the creation of the Florida Green Finance Authority ("Authority"), providing Property Assessed Clean Energy ("PACE") funding for energy efficiency, renewable energy and wind resistance upgrades to both commercial and residential property in the City of Delray Beach; and

WHEREAS, due to the continued statewide growth of the Florida Green Finance Authority, the Interlocal Agreement creating the Authority was in need of revisions as set forth in the "Second Amended and Restated Interlocal Agreement Forming the Florida Green Finance Authority" which was recorded in the public records for Palm Beach County at ORB 28757, Page 0813 on December 9, 2016 ("Amended Interlocal"); and

WHEREAS, the Amended Interlocal provides for specific revisions to the program name, Board of Supervisors' composition and appointment, quorum requirement and process for establishment, and program administration, which were necessary for the future operation of the Authority; and

WHEREAS, the City approved the original Interlocal Agreement on this subject matter through adoption of Resolution No. 24-12 on June 19, 2012, but because the Board of Supervisors of the Authority has approved recent amendments to the original Interlocal Agreement, as contained in the Amended Interlocal attached hereto, it is also necessary that that the Amended Interlocal be brought back to the additional signing parties for adoption pursuant to Section 31. of the original Interlocal Agreement and Sections 4. and 25. of the Amended Interlocal; and

WHEREAS, the City Commission of the City of Delray Beach believes the adoption of the Amended Interlocal serves the best interests of the health, safety and welfare of the residents and businesses located within the City by allowing for the continued administration by the "Florida Green Finance Authority" of the PACE program within the City in order to continue this funding alternative for energy efficient, renewable energy and wind resistance projects pursuant to Section

163.08, F.S.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, THAT:

Section 1: The above declarations are true and accurate, and are incorporated herein.

Section 2: Resolution No. 24-12 is hereby rescinded and replaced with the adoptions as set forth herein.

Section 3: The Party Membership Agreement originally executed by the parties on June 25, 2012 remains in full force and effect.

Section 4: The City Commission of Delray Beach hereby authorizes continued participation in the Florida Green Finance Authority implementing the RenewPACE program by the designated Third Party Administrator, Renew Financial Group, LLC.

Section 5: The City Commission of the City of Delray Beach, a municipal corporation, hereby authorizes the approval of the Second Amended and Restated Interlocal Agreement Forming the Florida Green Finance Authority” (“Amended Interlocal”).

Section 6: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF DELRAY BEACH

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CARY D. GLICKSTEIN, MAYOR

ATTEST:

(Seal)

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\_\_\_\_\_, CITY CLERK