CITY ATTORNEY OFFICE - LEGAL REVIEW CHECKLIST

Name of Agreement: ILA RELATING TO THE FUNDING AND FINANCING OF QUALIFYING IMPROVEMENTS BY THE FLORIDA PACE FUNDING AGENCY

Department: ESD

Contact person: Ana Puszkin

City Manager approval ☐

City Commission approval ☑
Agenda item #:
Agenda meeting date:

Agreement Action:	New ◉	Renewal* ○	Amendment* ○	*Renewal: Only change is the agreement term *Amendment: For changes other than/in addition to term

Has the agreement been signed and notarized/witnessed by the vendor: Yes ☐ No ☐

For City Attorney Use only:

Agreement Terms:	**Comments/Specific Provision in Agreement**
Term (Duration of Agreement)	Sec. 10 No end date
Termination Clause	Sec. 10 90-days w/o cause written notice by either party
Renewal Clause	N/A
Insurance	n/a
Indemnification	n/a
Assignment	Sec 23. written consent of either party
Non-Discrimination Policy	
Inspector General Provision	none
FL. Public Records Provision (2016)	Sec. 25
Governing Law	Florida
Venue	Palm Beach County
Attorney's fees	none
Waiver of Jury trial	none

Business Principles:	**Comments**
Fees: Total Value	n/a
Fees: Per Fiscal Year	n/a

Other Issues:	**Comments**
Non-Negotiable Issues/ Miscellaneous Issues/ Special Considerations	Agreement to allow FRED PACE program to finance private home improvements in City. PACE to indemnify for its own negligence, no waiver of sovereign immunity.

Consistent with applicable policies including, but not limited to, Procurement policies. Yes ☑

Attorney: Janice Rustin, Esq.
Reviewed and approved as to form and legal sufficiency only

Version 3. May 25, 2017