



May 4, 2016

Mr. Robert Baldwin
City Manager
City of Dania Beach
100 W. Dania Beach Boulevard
Dania Beach, FL 33004

Re: Florida Green Finance Authority Second Amended and Restated Interlocal Agreement

Dear Member of the Florida Green Finance Authority:

This provides an update on the Property Assessed Clean Energy ("PACE") program administered by the Florida Green Finance Authority ("Authority") and requests that you approve and adopt an Amendment to the Authority's Interlocal Agreement you previously signed. Just for review, PACE programs are authorized in Florida by Section 163.08, F.S. and provide funds to property owners to finance energy efficiency, renewable energy and wind resistance improvements. The funds are repaid through the property owner's tax bill and the program is entirely voluntary.

Update on our PACE Program

In November 2015 your local government signed on to the First Amended and Restated Interlocal Agreement to participate in the Florida Green Energy Works Program administered by the Authority. Prior to that, the Florida Green Finance Authority sought to validate bonds for funding the energy retrofits and improvements that property owners could undertake. That bond validation was appealed to the Florida Supreme Court, but that appeal was dismissed and the bonds of the Authority were upheld. This created an approximately 18 month delay in the launch of the program.

Toward the end of 2015, EcoCity Partners, L3C, the company that won the competitive bid to administer the program was acquired by Renew Financial, LLC. Renew Financial is one of the largest PACE providers in the U.S. and is currently working in ten (10) states on energy financing programs, they have processed over 100,000 applications for financing and have completed \$650,000,000 in PACE and PACE-like financings to date. The program administered by the Florida Green Finance Authority is now called "RenewPACE" and has significantly more capacity, resources and is on a rapid track for success available in 29 individual governments across eight (8) counties.

To date, we have completed three (3) commercial PACE projects valued at \$2.4 Million. Now with the bond validation appeal behind us, and significantly more administrative capacity, we are approaching full launch of the residential component of our PACE program this summer. We have also added a strong consumer protection component to our program to address elderly participants, management of contractors, property eligibility, complaints and dispute resolution, consumer and data privacy and marketing of the program.

Amendments to the Interlocal Agreement

Attached please find a strike underline version of the Second Amended and Restated Interlocal Agreement of the Authority. This document is provided to you for review and written approval. Now that the appeal has been dismissed, and we are back on track to fully launch the program, we are asking that all participants approve and adopt the most recent version of the Interlocal Agreement. The changes reflect updates to make the program more flexible and the governance structure more workable. This also brings the Interlocal Agreement into compliance with recent statutory changes and importantly provides a geographically diverse, but representative Board composition.

For convenience, strike underline revisions have been made to the following sections:

- Section 5(a) – added to define Additional Parties;
- Section 10 - revised to further clarify the composition of the Authority Board of Supervisors and provide additional flexibility for quorum purposes;
- Section 12 - revised to allow for the use of communications media technology (as permitted by state law) in establishing a quorum; and
- Section 23 – revised to reflect assignment of the third-party administrator agreement from the Authority to Renewable Funding LLC.

Your written approval of the Second Amended and Restated Interlocal Agreement is requested. For convenience, attached is a draft Resolution for use in approving and adopting the revised Interlocal Agreement.

Once passed, please provide the executed resolution acknowledging your approval and adoption of the Second Amended and Restated Interlocal Agreement to:

Florida Green Finance Authority
c/o Special District Services, Inc.
2501 Burns Roads, Suite A
Palm Beach Gardens, FL 33410

Please do not hesitate to contact either myself at (561) 586-7116 or erin@deadylaw.com or Devesh Nirmul at (813) 230-7704 or dnirmul@renewfinancial.com if you have questions.

Sincerely,



Erin Deady, Esq.
Erin L. Deady, P.A.

Attachments