

ITEM #47₍₅₎

ADDITIONAL MATERIAL

PUBLIC HEARING

OCTOBER 8, 2024

SUBMITTED AT THE REQUEST OF

SENATOR STEVE GELLER

64 *Financing agreement* means the agreement between the property owner(s) and a
65 program administrator or third-party administrator to finance qualifying improvements
66 through assessments on the affected real property.

67 *PACE financing* means financing for qualifying improvements through
68 assessments on the affected real property in Broward County pursuant to the PACE
69 Statute.

70 *PACE Statute* means Section 163.08, et seq., Florida Statutes, as amended from
71 time to time.

72 **Sec. 20-176.133. Authorization and Deauthorization of Program Administrators;**
73 **Interlocal Agreements.**

74 (a) *Authorization.* By January 31, 2025, ~~E~~each program administrator that
75 provides PACE financing, directly or indirectly, and/or levies an assessment to fund
76 qualifying improvements within Broward County, must: (i) be authorized by a resolution of
77 the Board of County Commissioners of Broward County, Florida (“Board”); and (ii) enter
78 into and maintain a currently valid interlocal agreement with the County pursuant to the
79 Broward PACE Act (“PACE Interlocal Agreement”) and the PACE Statute. After ~~December~~
80 ~~9, 2024~~ January 31, 2025, no program administrator, third-party administrator, or
81 contractor is authorized to offer, solicit, market, or sell qualifying improvements, enter into
82 PACE financing, record financing agreements for qualifying improvements, or levy
83 assessments based on unrecorded or new financing agreements pursuant to the PACE
84 Statute or the Broward PACE Act without: (i) authorization to operate within Broward
85 County by resolution of the Board; and (ii) a PACE Interlocal Agreement with the County

387 Section 6. Effective Date.

388 This Ordinance is effective ~~as of the date provided by law~~ on January 31, 2025.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Jennifer D. Brown 09/25/2024
Jennifer D. Brown (date)
Assistant County Attorney

By: /s/ Michael C. Owens 09/25/2024
Michael C. Owens (date)
Senior Assistant County Attorney

JDB/gmb
PACE Ordinance
09/25/2024
#1080961.12

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.