

RESOLUTION NO. 14-1203-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FLORIDA PACE FUNDING AGENCY, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS DESCRIBED IN SECTIONS 163.08 AND 197.3632, FLORIDA STATUTES, FOR MORE THAN ONE YEAR LEVIED IN COUNTIES AND MUNICIPALITIES SUBSCRIBING TO THE AVAILABILITY OF FUNDING, SERVICES, AND THE PROGRAM OF THE FLORIDA PACE FUNDING AGENCY IN THE STATE OF FLORIDA; STATING A NEED FOR SUCH LEVY; PROVIDING FOR NOTICE OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLORIDA PACE FUNDING AGENCY, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution of the Florida PACE Funding Agency (the "Agency") is adopted pursuant to the Agency's charter, Sections 163.01 and 163.08(4), Florida Statutes, Chapter 197, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS.

(A) The Board of Directors of the Florida PACE Funding Agency (the "Board") intends to use the uniform method for collecting non-ad valorem assessments for more than one year within the area encompassed by the counties and municipalities now or hereafter subscribing to the Florida PACE Funding Agency throughout the entire State of Florida (the legal description of which is attached hereto as Exhibit A and incorporated herein), as authorized by Section 197.3632, Florida Statutes, which will allow such assessments to be collected annually, commencing in November 2015, in the same manner as provided for ad valorem taxes.

(B) The Board held a duly advertised public hearing for the purpose of considering the adoption of this Resolution, proof of publication of notice of such hearing being attached hereto as Exhibit B.

SECTION 3. UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS.

(A) Commencing with the ad valorem tax bills issued in November, 2015, the Agency hereby announces its intention to use the uniform method of collecting non-ad valorem assessments for more than one year as authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing capital infrastructure necessary to advance the compelling state interest articulated in section 163.08, Florida Statutes, and the purposes of the Agency, including but not limited to, the provision of funding for qualifying improvements under section 163.08, Florida Statutes. Section 163.08(1), Florida Statutes, provides that qualifying improvements assist in fulfilling the goals of the state's energy and hurricane mitigation policies. Such non-ad valorem assessments may be levied within all or a portion of the boundaries of the counties

or municipalities throughout the State of Florida now or hereafter subscribing to the availability of funding services, and program of the Florida PACE Funding Agency.

(B) The Agency hereby determines that the levy of such assessments is needed to concomitantly fund the cost of providing such funding for qualifying improvements to property located within the boundaries of the subscribing counties and municipalities.

(C) Adoption of this Resolution is solely for the purpose of complying with the statutory requirements that the Agency publicly announce to the Florida Department of Revenue and the Property Appraisers and the Tax Collectors of the various counties throughout the State of Florida before January 1 that it may levy non-ad valorem assessments and use the uniform method of collection. Adoption of this Resolution shall not be deemed to commit or require the Agency to impose any assessments.

(D) Upon adoption, the Executive Director, or his designee, is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue and each of the various county Property Appraisers and county Tax Collectors by January 10, 2015.

SECTION 4. CONSTRUCTION; EFFECTIVE DATE. This Resolution shall be liberally construed to effect the purposes hereof and shall become effective immediately upon adoption.

DULY ADOPTED this _____ day of December, 2014.

**BOARD OF DIRECTORS OF THE FLORIDA
PACE FUNDING AGENCY**

By: _____
Barbara S. Revels, Chair

(SEAL)

ATTEST:

Secretary

EXHIBIT A

LEGAL DESCRIPTION OF THE STATE OF FLORIDA

The entirety of lands within the State of Florida, including with particularity the following:

Begin at the mouth of the Perdido River, which for the purposes of this description is defined as the point where latitude 30°16'53" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°17'02" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°18'00" north and longitude 87°27'08" west intersect; thence to the point where the center line of the Intracoastal Canal (as the same existed on June 12, 1953) and longitude 87°27'00" west intersect; the same being in the middle of the Perdido River; thence up the middle of the Perdido River to the point where it intersects the south boundary of the State of Alabama, being also the point of intersection of the middle of the Perdido River with latitude 31°00'00" north; thence east, along the south boundary line of the State of Alabama, the same being latitude 31°00'00" north to the middle of the Chattahoochee River; thence down the middle of said river to its confluence with the Flint River; thence in a straight line to the head of the St. Marys River; thence down the middle of said river to the Atlantic Ocean; thence due east to the edge of the Gulf Stream or a distance of three geographic miles whichever is the greater distance; thence in a southerly direction along the edge of the Gulf Stream or along a line three geographic miles from the Atlantic coastline and three leagues distant from the Gulf of Mexico coastline, whichever is greater, to and through the Straits of Florida and westerly, including the Florida reefs, to a point due south of and three leagues from the southernmost point of the Marquesas Keys; thence westerly along a straight line to a point due south of and three leagues from Loggerhead Key, the westernmost of the Dry Tortugas Islands; thence westerly, northerly and easterly along the arc of a curve three leagues distant from Loggerhead Key to a point due north of Loggerhead Key; thence northeast along a straight line to a point three leagues from the coastline of Florida; thence northerly and westerly three leagues distant from the coastline to a point west of the mouth of the Perdido River three leagues from the coastline as measured on a line bearing south 0°01'00" west from the point of beginning; thence northerly along said line to the point of beginning;

Together with

any additional territory within the United States adjacent to the Peninsula of Florida lying south of the St. Marys River, east of the Perdido River, and south of the States of Alabama and Georgia.

EXHIBIT B

PROOF OF PUBLICATION