

RESOLUTION NO. 26-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, APPROVING A LIMITED PURPOSE PARTY MEMBERSHIP AGREEMENT WITH THE FLORIDA RESILIENCY AND ENERGY DISTRICT; AUTHORIZING A COMMERCIAL-ONLY PROPERTY ASSESSED CLEAN ENERGY (“C-PACE”) PROGRAM FOR REAL PROPERTY LOCATED AT 3500 SE MORNINGSIDE BLVD, PORT ST. LUCIE, FLORIDA; UTILIZING VOLUNTARY NON-AD VALOREM ASSESSMENTS TO FINANCE QUALIFYING IMPROVEMENTS; AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, SCRIVENER’S ERRORS, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Section 163.082, Florida Statutes (the "Commercial Property Program Authorization"), authorizes a program administrator to offer a program for financing qualified improvements to commercial property within the jurisdiction of the City of Port St. Lucie (the “City”) if the City has authorized by resolution the program administrator to administer the program for financing qualified improvements to commercial property; and

WHEREAS, the Commercial Property Program Authorization allows the City to enter into an interlocal agreement providing for a partnership between one or more counties or municipalities for the purpose of facilitating a program for financing qualifying improvements to commercial property located within the jurisdiction of the counties or municipalities that are party to the agreement; and

WHEREAS, an authorized program administrator may levy assessments on commercial property to facilitate repayment of financing or refinancing certain enumerated renewable energy, energy efficiency and conservation and wind resistance improvements ("Qualifying Improvements"), and allowing the commercial property owner to repay such funding through voluntary special assessments, referred to as non-ad valorem assessments ("Special Assessments"), levied upon the improved commercial real property pursuant to financing agreements between the owner thereof and the program administrator (the "Financing Agreements"); and

WHEREAS, the Florida Resiliency and Energy District (the “Agency”) is a separate legal entity created pursuant to Section 163.01(7), Florida Statutes, which directly operates a program for financing Qualified Improvements; and

WHEREAS, the installation of Qualifying Improvements may increase energy efficiency and improve the wind resistance of existing structures within the City thereby reducing the burdens from fossil fuel energy production and contributing to the local economy by cost savings to property owners, enhancing property values and increasing job opportunities; and

WHEREAS, the upfront costs of the Qualifying Improvements may impede installation and existing financing options may be insufficient for property owners to access cost-effective financing for energy-saving or wind-resistance property improvements due to requirements associated with traditional debt or equity financing options; and

WHEREAS, the Agency has created the financing, levy and collection process to implement C-PACE programs and will cooperate with the City, without cost to or assumption of liability by, or demand upon the credit of the City; and

WHEREAS, City Council desires to authorize the appropriate City officials to execute a Limited Purpose Party Membership Agreement between the Agency and the City, which is attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, the City has expressed its desire to limit C-PACE financing to the commercial real property located at 3500 SE Morningside Blvd, Port St. Lucie, FL 34952 with parcel identification number 4423-210-0001-000-3.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA, AS FOLLOWS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Authorizing C-PACE Program. The City Council hereby authorizes the availability of a Commercial Property Assessed Clean Energy program for the commercial real property located at 3500 SE Morningside Blvd, Port St. Lucie, FL 34952, upon the effective date of this Resolution.

Section 3. Approval of the Agreement. The Mayor, or designee, is hereby authorized and directed to execute the Limited Purpose Party Membership Agreement between the Agency and the City, in substantially the same form as attached hereto as “Exhibit “A”.

Section 4. Implementation. The City Manager, or designee, is hereby authorized and directed to take such actions as he may deem necessary and appropriate to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary, and

convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

Section 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

Section 6. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 7. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 8. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2026.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Calleigh Nazario, Acting City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney