

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

**REVISED**

AGENDA ITEM SUMMARY

Meeting Date: December 1, 2009

Consent

Regular

Ordinance

Public Hearing

Department:

Submitted By: Economic Development

Submitted For: Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

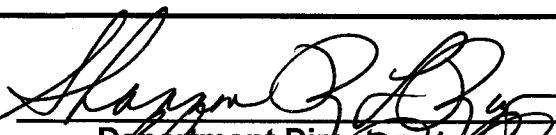
- A) **Adopt** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, authorizing the submittal of an Energy Efficiency and Conservation Block Grant (EECBG) application for the Retrofit Ramp-up Program in the amount of up to \$50,000,000 to the United States Department of Energy (DOE) Environmental Management Consolidated Business Center (EMCBC) on behalf of the Office of Energy Efficiency and Renewable Energy; and
- B) **Authorize** the County Administrator or his designee to sign all applications and documents that do not change the scope of work, or terms and conditions of the Agreement, if the grant is approved.


**Summary:** The American Recovery and Reinvestment Act of 2009, Public Law 111-5, provided funding for the Department of Energy (DOE) totaling \$453.72 million in Recovery EECBG funds for competitive grants awarded under Topic 1, the Retrofit Ramp-up Program and Topic 2, the General Innovation Fund. Topic 1, the Retrofit Ramp-up Program, provides up to \$390.04 million for programs that provide \$5 to \$75 million for 8 to 20 awards to eligible entities including formula-eligible units of local government of which Palm Beach County (PBC) is classified. Topic 2 does not allow entities that received a prior formula based award which would include PBC. Funds awarded must be obligated/committed within an 18-month period and expended within 36 months. PBC will partner with the local utility, Florida Power and Light, to provide "whole neighborhood" retrofits to residential, commercial and industrial buildings including the Palm Beach International Airport (PBIA) within the targeted Urban Redevelopment Area (URA). The application consists of energy efficiency retrofits for PBIA to offset the almost \$4 million in Airport energy costs. These retrofits may include; the installation of solar rooftop units on out parcel buildings, HVAC upgrades, and lighting system retrofits to terminal facilities and parking structures. The residential and commercial component includes the establishment of a sustainable Energy Efficiency Retrofit Grant Program (Trust Fund) for low and moderate income residents; an Energy Efficiency Retrofit Revolving Loan Fund for Residents and Businesses, and funding for Administrative costs. These Federal Funds will leverage an investment of up to \$250 million at the ratio of up to 5:1 through other established programs/organizations, which include but are not limited to: FPL, Treasure Coast Regional Planning Council, Florida Public Utilities, Palm Beach Community College, Florida Atlantic University, Workforce Alliance of Palm Beach County, Inc., Business Development Board and the Solid Waste Authority. Applications must be received by December 14, 2009 not later than 11:59 PM EST. **These are federal funds that require no local match.** Countywide (DW)

**Background and Justification:** The Recovery Act's purposes are to stimulate the economy and create and retain Jobs. **Continued on Page 3**

Attachment:

- 1. Resolution

Recommended by:   
 Department Director

Approved by:   
 Assistant County Administrator

11/30/09  
 Date

11/30/09  
 Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	* -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_ No \_\_\_  
 Budget Account No.: Fund \_\_\_ Department \_\_\_ Unit \_\_\_  
 Object \_\_\_ Program NA

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

\* If the grant is awarded, an agenda item to receive and file will be prepared and the budget amended for \$50 million  
 \_\_\_\_\_ 11/24/09  
 OFMB  
 \_\_\_\_\_ 11/24/09  
 Contract Development and Control

**B. Legal Sufficiency:**

\_\_\_\_\_  
 Assistant County Attorney  
 11/24/09

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

REVISED 10/95  
 ADM FORM 01

This summary is not to be used as a basis for payment

The Department of Energy states that the goal of the EECEBG Retrofit Ramp-up Program is to stimulate activities and investments which can: deliver verified energy savings from a variety of projects within a targeted area of the applicant, with a particular emphasis on efficiency improvements in residential, commercial, industrial and public buildings; achieve broader market participation and greater efficiency savings from building retrofits; highly leverage grant funding in order to significantly enhance the resources available for supporting the program; serve as pilot building retrofit programs that demonstrate the benefits of gaining economy of scale; and serve as examples of comprehensive community-scale energy efficiency approaches that could be replicated in other communities across the country.

The Department of Energy is specifically targeting these funds for high-impact awards that will enable large-scale programs of ongoing energy efficiency retrofits on residential, commercial, industrial and public buildings in geographically focused areas. Funds must be highly leveraged (i.e. goal of at least 5:1 per dollar awarded), are broadly replicable and scalable, achieve economy of scale benefits, and are likely to be self-sustaining beyond the funding period. All purchases are to be guided by the Buy American Act and all laborers and mechanics on construction projects funded directly by or assisted in whole or in part by and through funding appropriated by the Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United States Code (Davis-Bacon Act). For purchases of equipment, only the portion of the project utilizing EECEBG funds must adhere to the Davis Bacon Act.

**RESOLUTION NO. 2009-**

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING (A) THE SUBMITTAL OF AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) APPLICATION FOR THE RETROFIT RAMP-UP PROGRAM, IN THE AMOUNT OF UP TO \$50,000,000 FOR THE URBAN REDEVELOPMENT AREA, TO THE UNITED STATES DEPARTMENT OF ENERGY (DOE) ENVIRONMENTAL MANAGEMENT CONSOLIDATED BUSINESS CENTER (EMCBC) ON BEHALF OF THE OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY; AND (B) THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO SIGN ALL APPLICATIONS AND DOCUMENTS THAT DO NOT CHANGE THE SCOPE OF WORK OR TERMS AND CONDITIONS OF THE AGREEMENT IF THE GRANT IS APPROVED.

**WHEREAS**, the Board of County Commissioners (Board) of Palm Beach County, Florida, is aware that the American Recovery and Reinvestment Act of 2009, Public Law 111-5, provided funds totaling \$453.72 million to the Department of Energy (DOE) for competitive grants under the Energy Efficiency and Conservation Block Grant (EECBG) Program; and

**WHEREAS**, the Department of Energy plans to award up to \$390.04 million in the competitive Retrofit Ramp-up Program, making 8 to 20 awards totaling \$5 to \$75 million with no recipient cost share required for high impact awards that will enable large scale programs of ongoing energy efficiency retrofits on residential, commercial, industrial and public buildings in geographically focused areas (i.e. "whole neighborhood" retrofits); and

**WHEREAS**, the Department of Energy is seeking applications that: leverage participation and support of multiple local jurisdictions, regional planning councils and state energy offices; prioritize energy efficiency and/or energy conservation as first in the loading order before investments are made in new generation; integrate cost-effective renewables with efficiency; move beyond the planning stage and are ready for implementation; clearly articulate and demonstrate the ability to achieve measureable stretch goals; have the potential to make an impact at the regional or national level, and maximize the creation and/or retention of jobs in the United States; and

**WHEREAS**, the Department of Energy states that the goal of the EECBG Retrofit Ramp-up Program is to stimulate activities and investments which can: deliver verified energy savings from a variety of projects within a targeted area of the applicant, with a particular emphasis on efficiency improvements in residential, commercial, industrial and public buildings; achieve broader market participation and greater efficiency savings from building retrofits; highly leverage grant funding (i.e. goal of up to 5:1 per dollar awarded) in order to significantly enhance the resources available for supporting the program; serve as pilot building retrofit programs that demonstrate the benefits of gaining economy of scale, and serve as examples of comprehensive community-scale energy efficiency approaches that could be replicated in other communities across the country; and

**WHEREAS**, DOE requires that all purchases are to be guided by the Buy American Act and all laborers and mechanics on construction projects funded directly by or assisted in whole or in part by and through funding appropriated by the Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United States Code (Davis-Bacon Act). For purchases of equipment, only the portion of the project utilizing EECBG funds must adhere to the Davis Bacon Act; and

**WHEREAS**, the DOE requires that all DOE funds must be obligated/committed within 18 months of the effective date of the award and expended within 36 months of the effective date of the award; and

**WHEREAS**, the Board is aware that the Urban Redevelopment Area is a geographically targeted area within the County totaling 25 square miles which the Palm Beach County International Airport, 17,774 single family homes, 29,144 multi-family units, 1,194 commercial/industrial businesses and population of 76,000; and

**WHEREAS**, the Board is aware that in order to achieve a high impact large scale retrofit program for residential, commercial, industrial and the Palm Beach County International Airport within the URA, it would be necessary to partner with the County's largest utility provider, Florida Power and Light (FPL), to coordinate large scale activities for whole neighborhood retrofits; and

**WHEREAS**, FPL as the largest utility will coordinate with non-profit and for-profit entities to administer the energy audits, provide energy efficiency retrofits, integrate cost-effective renewables with efficiency, monitor the energy savings and metric activities, provide community outreach and leveraging; and

**WHEREAS**, the Board desires to obtain financial assistance totaling up to \$50,000,000 from the United States Department of Energy (DOE) Environmental Management Consolidated Business Center (EMCBC) on behalf of the Office of Energy Efficiency and Renewable Energy for the purpose of implementing the County's energy efficiency and conservation project activities as follows: Energy Efficiency Retrofits for the Palm Beach International Airport, the establishment of a sustainable Energy Efficiency Retrofit Grant Program (Trust Fund) for low and moderate income residents; an Energy Efficiency Retrofit Revolving Loan Fund for Residents and Businesses and funding for Administrative costs; and

**WHEREAS**, the Board is aware that these federal funds will leverage an investment of up to \$250 million at the ratio of up to 5:1 through other established programs /organizations, which include but are not limited to: FPL, Treasure Coast Regional Planning Council, Florida Public Utilities, Palm Beach Community College, Florida Atlantic University, Workforce Alliance of Palm Beach County, Inc., Business Development Board, Solid Waste Authority, local banks and other utilities, etc.; and

**WHEREAS**, the Board is aware that the County should continue efforts in implementing energy efficiency and conservation strategies and activities beyond the grant period of three years; and

**WHEREAS**, the Board understands that certain documentation is required by all applicants obtaining financial assistance through DOE.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Section I.** The foregoing recitals are true and correct and are expressly incorporated herein by reference and made a part hereof.

**Section II.** Palm Beach County hereby expresses its desire to participate in the Energy Efficiency and Conservation Block Grant Program through the U.S. Department of Energy.

**Section III.** Palm Beach County hereby pledges its full and strong support to the efforts required for the submittal of the application and implementation if awarded.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, being put to a vote, the vote was as follows:

COMMISSIONER BURT AARONSON, CHAIR \_\_\_\_\_  
COMMISSIONER KAREN T. MARCUS, VICE CHAIR \_\_\_\_\_  
COMMISSIONER JOHN F. KOONS \_\_\_\_\_  
COMMISSIONER SHELLEY VANA \_\_\_\_\_  
COMMISSIONER STEVEN L. ABRAMS \_\_\_\_\_  
COMMISSIONER JESS R. SANTAMARIA \_\_\_\_\_  
COMMISSIONER PRISCILLA A. TAYLOR \_\_\_\_\_

The Chair thereupon declared the Resolution duly passed and adopted this  
\_\_\_\_ day of \_\_\_\_\_, 2009.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON R. BOCK, CLERK &  
COMPTROLLER

By:  \_\_\_\_\_  
County Attorney

By: \_\_\_\_\_  
Deputy Clerk

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