

ORDINANCE NO. 2017-043

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE SOLAR LEASE AGREEMENT BETWEEN THE CITY AND FLORIDA POWER & LIGHT COMPANY PROVIDING FOR THE LEASE OF A PORTION OF THE CITY'S RECREATION COMPLEX PARKING LOT FOR THE PURPOSE OF INSTALLING AND MAINTAINING SOLAR ENERGY GENERATING CANOPIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek was approached by Florida Power & Light Company (hereinafter "FPL") to enhance City-owned property through the installation of solar canopies at the City's Recreation Complex; and

WHEREAS, the City, in keeping with its overall mission of sustainability and energy efficiency, desires to include the "conspicuous display of green" to shade vehicles parked in the Recreation Complex parking lot and generate solar energy at the same time; and

WHEREAS, the Solar Lease Agreement, attached hereto and made a part hereof as "Exhibit 1," provides for an annual rental fee to be paid by FPL to the City based upon the capacity of kilowatts generated by the installed equipment for a term of fifteen (15) years with up to three (3) automatically renewing five (5) year periods; and

WHEREAS, the City Commission finds and determines that the Solar Lease Agreement with FPL serves the City's purposes and overall goals and will enhance the value of the City's property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. The Solar Lease Agreement, "Exhibit 1," attached hereto and incorporated herein, is made a specific part of this Ordinance.

Section 2: That the City Commission hereby authorizes the execution of the Solar Lease Agreement on behalf of the City and vests signature authority in the Mayor.

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 5: Effective Date. That this Ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 12TH DAY OF OCTOBER, 2017.

PASSED SECOND READING THIS 26TH DAY OF OCTOBER, 2017.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Absent</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>