

**RESOLUTION NO. 15-\_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL  
OF THE TOWN OF CUTLER BAY, FLORIDA, URGING  
THE FLORIDA LEGISLATURE TO REMOVE BARRIERS  
TO CUSTOMER-SITED SOLAR POWER AND  
EXPRESSING SUPPORT FOR THE FLORIDIANS FOR  
SOLAR CHOICE BALLOT PETITION; AND PROVIDING  
FOR AN EFFECTIVE DATE.**

**WHEREAS**, solar power generates electricity with zero air emissions and no water use, thereby moving the County, State, and Country to a cleaner and more sustainable energy future; and

**WHEREAS**, the State of Florida has the greatest potential for rooftop solar power of any State in the eastern United States but lags in realizing that potential; with 9 million electric utility customer accounts, Florida has only 6,000 customer-sited solar systems.<sup>1</sup> Less sunny states like New Jersey have over 30,000 customer-sited solar systems but only half the population of Florida; and

**WHEREAS**, Florida is one of only five (5) states in the United States that by law expressly denies citizens and businesses the freedom to buy solar power electricity directly from someone other than a power company<sup>2</sup>; and

**WHEREAS**, allowing non-utility solar providers to provide solar generated electricity, through a Power Purchase Agreement (PPA), directly to customers can remove the upfront cost for solar power systems to homeowners and expand solar power options to residential and commercial tenants – thereby expanding the choice for solar power to all Floridians; and

**WHEREAS**, in states, such as New York or New Jersey, where non-utilities can provide solar generated power directly to customers, there has been significant solar development in the residential sector. Such arrangements have driven anywhere from 67% (New York) to 92% (New Jersey) of residential installations in those states<sup>3</sup>; and

**WHEREAS**, Florida spends about \$58 billion each year buying carbon-based fuels from other states and countries to power our homes, businesses and cars, while solar power will keep energy dollars here at home and create good paying local jobs; and

**WHEREAS**, in a recent poll, 74% of Florida voters said they support a proposal to change the state's current law and allow Floridians to contract directly with solar power

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<sup>1</sup> Florida Public Service Commission, *Reporting Requirements for Interconnection and Net Metering Customer-owned Renewable Generation*, at: <http://www.psc.state.fl.us/utilities/electricgas/customerrenewable/2013/2013%20Net%20Metering%20Summary%20Spreadsheet/2013%20Net%20Metering%20Chart.pdf>

<sup>2</sup> Department of Energy, et. al, *Database of State Incentives for Renewables and Efficiency*, at [http://www.dsireusa.org/documents/summarymaps/3rd\\_Party\\_PPA\\_Map.pdf](http://www.dsireusa.org/documents/summarymaps/3rd_Party_PPA_Map.pdf)

<sup>3</sup> SEIA-GTM. *U.S. Solar Market Insight Report: Q3 2014*.

providers for their electricity. Removing barriers to solar choice will allow more Floridians to take advantage of the power of the sun<sup>4</sup>.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Support.** That the Town Council hereby urges the Florida Legislature to remove barriers that limit the sale of solar-generated electricity directly to a customer by anyone other than a power company and supporting the Floridians for Solar Choice ballot petition to amend the Florida Constitution to remove the barrier to customer-sited solar power.

**Section 3. Town Clerk.** The Town Clerk is hereby directed to transmit this Resolution to the Mayor and Board of County Commissioners of Miami-Dade County, Florida, and all elected municipal officials in Miami-Dade County.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED and ADOPTED this \_\_\_ day of October, 2015.

Attest:

\_\_\_\_\_  
PEGGY R. BELL  
Mayor

\_\_\_\_\_  
JACQUELINE N. WILSON  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE SOLE  
USE OF THE TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

<sup>4</sup> Northstar Opinion Research, Survey of Florida Registered Voters, October 2014, at: [http://www.cleanenergy.org/wp-content/uploads/FL\\_Energy\\_Presentation\\_for\\_Release.pdf](http://www.cleanenergy.org/wp-content/uploads/FL_Energy_Presentation_for_Release.pdf)

Moved By: \_\_\_\_\_  
Seconded By: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell \_\_\_\_\_

Vice Mayor Ernest N. Sochin \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_

Council Member Sue Ellen Loyzelle \_\_\_\_\_

Council Member Mary Ann Mixon \_\_\_\_\_