

ITEM NO: _____

MOVED BY: _____

PREPARED BY: QUR'AN FOLSOM

SECONDED BY: _____

REVIEWED BY: MARCY INGRAM

RESOLUTION REQUESTING THAT THE ADMINISTRATION USES QUALIFIED ENERGY CONSERVATION BONDS AS APPROVED BY THE STATE OF TENNESSEE FOR THE PURPOSE OF ESTABLISHING A COUNTY GREEN COMMUNITY PROGRAM PURSUANT TO INTERNAL REVENUE CODE SECTION 54 (D)(F)(L)(A)(II) AND TENNESSEE CODE ANNOTATED SECTION 9-21-105 (21)(B)(VII). SPONSORED BY COMMISSIONER EDDIE JONES AND CO-SPONSORED BY CHAIRMAN TERRY ROLAND.

WHEREAS, The State of Tennessee (the "State") has received a federal allocation of at least \$64 million dollars in Qualified Energy Conservation Bonds ("QECB"), which are used by state and local governments to finance qualified energy conservation projects and the Board of County Commissioners hereby requests that the Administration seeks a portion of said dollars from the State to be used for energy conservation projects in Shelby County; and

WHEREAS, The State's QECB program is administered by the Department of Economic and Community Development, in partnership with the Tennessee Local Development Authority; and

WHEREAS, the State of Tennessee has already allocated monies for the qualified energy conservation bonds to allow State approved private entities to obtain access to the funding in Shelby County; and

WHEREAS, The Shelby County Board of Commissioners desires to implement a green communities program known as the County Green Communities Program ("County Green Program") which will provide funding for improvements to privately owned facilities, with an emphasis on projects that maximize energy related improvements that will provide the most benefit to the communities within which they exist; and

WHEREAS, The County Green Program will provide grant or loan funds to qualified commercial property owners for energy conservation retrofits in an effort to contribute to an overall reduction in greenhouse gas emissions in Shelby County and a reduction in operating expenses for local businesses; and

WHEREAS, The County Green Program will be broadly available to those qualified owners of privately owned facilities throughout the County and will be available as defined by the established Program criteria, with such Program to be managed by the Memphis and Shelby County Office of Sustainability; and

WHEREAS, The County Green Program will be funded by the County's allocation of QECB pursuant to IRS Section 54 (D)(f)(1)(A)(ii), which permits capital expenditures incurred for the purposes of implementing green community programs (including the uses of loans, grants, or other repayment mechanisms to implement such programs), with said funding also being a permissible, enumerated activity as "Public Works Project" as defined by TCA 9-21-105(21)(B)(vii).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Commission hereby requests that the Administration seeks State approval for the County to be able to use a portion of the QECB dollars allocated to the State for purposes of financing energy conservation projects in Shelby County.

BE IT FUTHER RESOLVED, That the Shelby County Board of Commissioners requests that the Administration establishes the criteria for the County Green Program with such Program being managed by the Memphis and Shelby County Office of Sustainability.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).

Mark H. Luttrell, Jr.
Shelby County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____