

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of:

Resol. No: _____

Confirming Report Relating to the Financing of
the Installation of Distributed Generation
Renewable Energy Sources and Energy
Efficiency and Water Efficiency Improvements,
and Approving and Ordering Other Related
Matters

Related to Ord. No: _____

The following Resolution was duly passed by the Board of Supervisors of the County
of Placer at a regular meeting held on January 26, 2010 .

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS, the County of Placer (the "County") is authorized under Chapter 29 of Part 3 of Division 7 of the Streets & Highways Code of the State of California ("Chapter 29") to authorize assessments to finance the installation of distributed generation renewable energy sources and energy efficiency and water efficiency improvements that are permanently fixed to real property ("Authorized Improvements"); and

WHEREAS, Chapter 29 authorizes the County to enter into contractual assessments to finance the installation of Authorized Improvements in the County; and

WHEREAS, on December 8, 2009, pursuant to Resolution No. 2009-343 (the "Resolution of Intention"), the Board of Supervisors declared its intention to establish the "money for Property Owner Water & Energy Efficiency Retrofitting" program (the "Program"), pursuant to which the County would enter into contractual assessments to finance the installation of Authorized Improvements within the boundaries of the County; and

WHEREAS, the governing body of each of the towns or cities in the County has adopted a resolution consenting to inclusion of parcels within the incorporated territory of the town or city in the Program and authorizing the County to levy assessments, to impose the contractual assessment liens and to finance the Authorized Improvements on such parcels; and

WHEREAS, the Resolution of Intention ordered the Treasurer-Tax Collector to prepare and file with the Board of Supervisors a report (the "Report") addressing all of the matters set forth in Section 5898.22 of the Act, including a draft contract (the "Contract") between the County and property owners participating in the Program providing for payment of contractual assessments; and

WHEREAS, the Report is on file with the Clerk of the Board of Supervisors and the Report contains all of the matters required to be contained therein by Section 5898.22 of Chapter 29;

WHEREAS, the Resolution of Intention ordered a public hearing to be held on this date for the purposes of allowing interested persons to object to or inquire about the proposed Program within the boundaries of the County or any of its particulars; and

WHEREAS, as required by Section 5898.24 of Chapter 29 and the Resolution of Intention, the Board of Supervisors caused publication of a notice of public hearing for the purpose of allowing interested persons to object to or inquire about the proposed Program or any of its particulars; and

WHEREAS, on this date, the Board of Supervisors held a noticed public hearing as required by Chapter 29 at which the Report was summarized and all persons who were present were given an opportunity to comment upon, object to, or present evidence with regard to the proposed Program, the extent of the area proposed to be included within the Program, the terms and conditions of the draft Contract attached as an exhibit to the Report, and the proposed financing provisions; and

WHEREAS, the Board of Supervisors has caused written notice of the proposed Program to be provided to all water and electric providers within the boundaries of the County not less than 60 days prior to the date hereof; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Placer takes the following actions:

Section 1. Recitals. The above recitals are true and correct.

Section 2. Incorporation of Resolution of Intention. The provisions of the Resolution of Intention are hereby incorporated in this Resolution by this reference.

Section 3. Confirmation of Report. The Report and the component parts thereof, including each exhibit incorporated by reference in the Report, is hereby approved and confirmed. The Treasurer-Tax Collector is hereby authorized to make such changes to the matters addressed by the Report, including but not limited to the list of Authorized Improvements, the draft Contract and the plan for financing installation of the Authorized Improvements, as the Treasurer-Tax Collector determines are appropriate in connection with implementation of the Program. Any changes to the Report shall be provided to the Board of Supervisors within 30 days of implementation.

Section 4. Establishment of Program. The Board of Supervisors hereby establishes the Program within the boundaries of the County and orders its implementation consistent with the provisions of the Report and Section 3 of this Resolution.

Section 5. Authority to Execute Contracts. The County hereby approves the forms of the Contract attached to the Report, with such additions thereto and changes therein as the Treasurer-Tax Collector, in consultation with bond counsel and County Counsel, deems necessary, desirable or appropriate, the execution of which by the Treasurer-Tax Collector shall be conclusive evidence of the approval of any such additions and changes. The Treasurer-Tax Collector is hereby authorized and directed to execute Contracts with property owners in order to provide for the levy of contractual assessments to finance installation of Authorized Improvements. The Board of Supervisors hereby authorizes the performance by the County of its obligations under such Contracts.

Section 6. Authorized Improvements Ordered and Contractual Assessments Confirmed. The Board of Supervisors hereby orders that the Authorized Improvements identified in the Contracts be made and confirms the contractual assessments to finance installation of the Authorized Improvements to be levied by the Contracts.

Section 7. Recording Ordered. In connection with execution of a Contract with a property owner participating in the Program, the Treasurer-Tax Collector is hereby directed to cause to be recorded in the office of the County Recorder the various notices and other documents required by Chapter 29 and other applicable laws.

Section 8. Auditor's Record. The Treasurer-Tax Collector is hereby authorized and directed to prepare the auditor's record for the Program within the boundaries of the County and to transmit the auditor's record to the Auditor-Controller of the County.

Section 9. Additional Authority. All actions heretofore taken by the officers and agents of the County with respect to the matters contemplated by this Resolution and the Report are hereby approved, confirmed and ratified, and the proper officers of the County, including the Treasurer-Tax Collector, are hereby authorized, for and in the name and on behalf of the County, to do any and all things and take any and all actions and execute and deliver any and all certificates, agreements, assignments, notes and other documents which they, or any of them, may deem necessary or advisable in order to consummate the matters contemplated by this Resolution and the Report.

