

Memorandum
Office of Jenine Windeshausen
Treasurer-Tax Collector
County of Placer



To: The Honorable Board of Supervisors
From: Jenine Windeshausen, Treasurer-Tax Collector
Date: January 26, 2016

A handwritten signature in cursive script, appearing to read "Jenine Windeshausen".

SUBJECT: Amendment to mPOWER Placer Program Report and Administrative Guidelines Providing for Weekly Disbursements

Action Requested:

Approve an amendment to the mPOWER Placer Program Report and Administrative Guidelines (the Program Report) changing disbursements from the first and third Thursday of each month to every Thursday.

Background:

On January 26, 2010, the Board approved the Program Report and Administrative Guidelines. From time-to-time your Board has considered and acted on recommended changes to the Program Report to make efficiency and performance improvements to the mPOWER Program.

The Program Report and Administrative Guidelines currently states that "Checks will be processed on the first and third Thursday of each month, provided that all required final documentation has been filed with mPOWER Placer five business days prior to the disbursement date." Since the mPOWER Program began it has provided disbursement of mPOWER assessment contract proceeds to contractors and property owners on the first and third Thursday of every month provided all required documentation has been received at least five days prior to the disbursement date. Contractors must carry the cost of installation and materials until disbursement is made which may be three weeks or more. Currently, an average of 31 disbursements are processed each disbursement date. Moving to a weekly disbursement not only reduces cost of carry for contractors, it also evens out the mPOWER Program workload and makes the disbursement process more efficient and less disruptive than processing a high volume of disbursements once every two weeks. Feedback from contractors also indicates that weekly disbursements would be greatly appreciated.

Attached is the cover page and pages 44 and 45 of the Program Report reflecting the amendment. A copy of the complete Program Report and Administrative Guidelines are on file with the Clerk of the Board.

It is recommended that the Program Report and Administrative Guidelines be amended to reflect a change in disbursement dates from the first and third Thursday of every month to a weekly disbursement schedule by approving the following amendment: Disbursements shall occur weekly, unless notice is provided to contractors at least 10 working days in advance of the

otherwise scheduled disbursement. A schedule of disbursement dates shall be maintained and posted to the mPOWER website.

Fiscal Impact:

This change to the Program Report does not result in a fiscal impact.



MPOWERPLACER
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**AMENDED AND RESTATED AB 811
PROGRAM REPORT AND
ADMINISTRATIVE GUIDELINES**

Redlined Proposed Amendments
Last updated: ~~November 17, 2015~~ January 26, 2016



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Approval means that funds are reserved for the property owner's approved project for a 90-day period.

F. Permit

After receiving notice of Application approval, property owner (or contractor) must obtain a permit, if required, from the local building official. All Improvements, including those normally exempt from permit requirements, will require an installation verification inspection from the local jurisdiction (town, city, unincorporated area). Final inspection by the permitting jurisdiction will be required to ensure that the Improvements were completed.

A valid final inspection is required before mPOWER Placer can execute an Assessment Contract and reserve mPOWER Placer financing for a project.

G. Installation of Improvements

Property owner enters into a contractual arrangement directly with a contractor for Improvements unless the property owner is self-installing the Improvements. All work is subject to the appropriate jurisdiction's (county, city, or town) permitting and inspections and all other applicable federal state and local laws and regulations. All work must be completed, including the final inspection, within 90 days of Application approval. The property owner and the Treasurer-Tax Collector may agree to an extension of this completion date for good cause.

H. Progress Payments/Multiple Disbursements

If multiple disbursements have been approved, the property owner may request in writing that mPOWER Placer make a progress payment prior to the completion of the work, in which case the Assessment Contract will need to be signed prior to the first disbursement and interest will accrue on the assessment amount advanced at the time of the first disbursement. Progress payment requests must be filed with mPOWER Placer at least five business days before the disbursement date. ~~The disbursement dates are the first and third Thursday of the month.~~ Disbursements shall occur weekly, unless notice is provided to contractors at least 10 working days in advance of the otherwise scheduled disbursement. A schedule of disbursement dates shall be maintained and posted to the mPOWER website. The following conditions must also have been met before disbursement is made:

- (1) At least 75 percent of the required materials have been delivered to the property and have been reasonably secured as confirmed by an onsite inspection. mPOWER Placer Staff has the discretion to make its own determination with respect to whether this condition has been satisfied; and
- (2) The requested progress payment does not exceed 50 percent of the maximum assessment amount.

I. Final Inspections; Final Financing Review

After Improvements are completed, the property owner must contact the local permitting agency for a final inspection and permit finalization. The property owner notifies mPOWER Placer that all work has been completed and submits final documentation: permit final approval; invoices showing all costs, less rebate amounts).

At this time, mPOWER Placer Staff will ask property owners to provide a current mortgage statement verifying that they are current in the payment of their mortgage and will confirm that the property is current in the payment of property taxes. mPOWER Placer staff will also obtain an updated public records and title search.

J. Assessment Contract

The Treasurer-Tax Collector, on behalf of the County, will enter into an Assessment Contract with the property owner.

All property owners of record must sign the Assessment Contract and have their signature(s) notarized. The Assessment Contract (Notice of Assessment) is recorded with the County Recorder's Office. A minimum of thirty days must elapse from the recording of the Assessment Lien to disbursement of funds.

K. Assessment Lien

Upon execution of the Assessment Contract, mPOWER Placer records notice of the assessment in the County Recorder's office. The lien will be for the full amount of the assessment on the property that secures the assessment.

L. Disbursement of mPOWER Placer Financing

Disbursements shall occur weekly, unless notice is provided to contractors at least 10 working days in advance of the otherwise scheduled disbursement. A schedule of disbursement dates shall be maintained and posted to the mPOWER website. Checks will be processed on the first and third Thursday of each month, provided that all required final documentation has been filed with mPOWER Placer five days prior to the disbursement date. Interest begins to accrue as of the date of disbursement.

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