

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

Resolution No.: 2020-262

In the matter of:

A RESOLUTION CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE COUNTY OF PLACER IN THE CSCDA OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE COUNTY; AND AUTHORIZING RELATED ACTIONS

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held December 15, 2020 by the following vote on roll call:

Ayes: WEYGANDT, HOLMES, UHLER, GUSTAFSON, GORE
Noes: GORE
Absent: GORE

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:


Clerk of said Board

WHEREAS, the California Statewide Communities Development Authority (the "Authority") is a joint exercise of powers authority, the members of which include numerous cities and counties in the State of California, including the County of Placer (the "County"); pursuant to County Resolution 88-157 adopted April 26, 1988; and

WHEREAS, the Authority is implementing Property Assessed Clean Energy (PACE) programs, which it has designated CSCDA Open PACE, consisting of CSCDA Open PACE programs each administered by a separate program administrators (collectively with any successors, assigns, replacements or additions, the "Programs" and the "program administrators"), to allow the financing or refinancing of renewable energy, energy efficiency, water efficiency and seismic strengthening improvements, electric vehicle charging infrastructure and such other improvements, infrastructure or other work as may be authorized by law from time to time (collectively, the "Improvements") through the levy of contractual assessments pursuant to

Chapter 29 of Division 7 of the Streets & Highways Code ("Chapter 29") within counties and cities throughout the State of California that consent to the inclusion of properties within their respective territories in the Programs and the issuance of bonds from time to time; and

WHEREAS, the program administrators currently active in administering Programs are CounterPointe Energy Solutions (CA) LLC (AllianceNRG), PACE Funding Group LLC, Renew Financial Group LLC (CaliforniaFIRST), CleanFund Commercial PACE Capital, Inc. (CommercialPACE Direct) Petros PACE Finance, LLC, Greenworks Lending, PACE Equity, Lord Cap PACE, White Oak Advisors, Fortifi, Stonehill PACE, Green PACE Capital and the Authority will evaluate and accept new program administrators from time to time; and

WHEREAS, Chapter 29 provides that assessments may be levied under its provisions only with the free and willing consent of the owner or owners of each lot or parcel on which an assessment is levied at the time the assessment is levied; and

WHEREAS, the County desires to allow the owners of property ("Participating Property Owners") within its territory to participate in the Programs and to allow the Authority to conduct assessment proceedings under Chapter 29 within its territory and to issue bonds to finance or refinance Improvements; and

WHEREAS, the territory within which assessments may be levied for the Programs shall include all of the territory within the County's official boundaries; and

WHEREAS, the Authority will conduct all assessment proceedings under Chapter 29 for the Programs and issue any bonds issued in connection with the Programs; and

WHEREAS, the County will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the Programs;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer as follows:

Section 1. This Board of Supervisors hereby finds and declares that properties in the territory of the County will benefit from the availability of the Programs within the territory of the County and, pursuant thereto, the conduct of special assessment proceedings by the Authority pursuant to Chapter 29 and the issuance of bonds to finance or refinance Improvements.

Section 2. In connection with the Programs, the County hereby consents to the conduct of special assessment proceedings by the Authority pursuant to Chapter 29 on any property within the territory of the County and the issuance of bonds to finance or refinance Improvements; provided, that

(1) The Participating Property Owners, who shall be the legal owners of such property unless otherwise required by Chapter 29, execute a contract pursuant to Chapter 29 and comply with other applicable provisions of California law in order to accomplish the valid levy of assessments; and

(2) The County will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of

delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the Programs.

Section 3. The appropriate officials and staff of the County are hereby authorized and directed to make applications for the Programs available to all property owners who wish to finance or refinance Improvements; provided, that the Authority shall be responsible for providing such applications and related materials at its own expense. The following staff person(s), together with any other staff persons chosen by the County Executive Officer of the County from time to time, are hereby designated as the contact persons for the Authority in connection with the Programs: Dave Defanti, Deputy County Executive Officer.

Section 4. The appropriate officials and staff of the County are hereby authorized and directed to execute and deliver such certificates, requisitions, agreements and related documents as are reasonably required by the Authority to implement the Programs. Participation by Authority administrators in the Programs in unincorporated Placer County shall be subject to such administrators entering into a PACE Administrator Agreement with the County in substantially the same form as that approved by the Board of Supervisors on December 15, 2020 or such later date as the Board may act. Adoption of this Resolution authorizes participation in Programs in unincorporated Placer County and does not provide authority to operate within incorporated cities or towns. This Resolution does not preclude administrators from operating in incorporated cities or towns with the duly obtained consent of such cities or towns.

Section 5. The Board of Supervisors hereby finds that adoption of this Resolution is not a "project" under the California Environmental Quality Act, because the Resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4).

Section 6. This Resolution shall take effect immediately upon its adoption. The Clerk of the Board of Supervisors is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of the Authority at: Secretary of the Board, California Statewide Communities Development Authority, 1400 K Street, Sacramento, CA 95814.