

**Memorandum  
Office of Jenine Windeshausen  
Treasurer-Tax Collector**



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**To:** The Board of Supervisors

**From:** Jenine Windeshausen, Treasurer-Tax Collector

**Date:** January 26, 2010

**Subject:** Placer mPOWER AB 811 Public Hearing Confirming the Placer mPOWER Program Report and Administrative Guidelines and Related Matters

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**Action Requested:**

- 1) Review summary of the Program Report and conduct a public hearing regarding the Program Report.
- 2) Approve a resolution approving and confirming the Program Report, and approving certain actions and authorizations.
- 3) Approve a consultant services contract with Tax Sale Services of California for public records and title search services in an amount not to exceed \$225,000, and authorize the Procurement Officer to execute the contract on behalf of the County.
- 4) Approve professional services contract with Patricia Cole for program management services in an amount not to exceed \$68,000.00, and authorize the Treasurer to execute the contract on behalf of the County.

**Background:**

**Program Report:** The program report is required under Chapter 29 of the Streets and Highways Code and serves as the guiding document for administration of the Placer mPOWER program. Specifically, the report must include:

1. A map showing the Program boundaries,
2. A draft assessment contract,
3. A statement of public agency policies concerning voluntary contractual assessments including all of the following:
  - a. types of facilities, distributed generation, renewable energy sources, or energy or water efficiency improvements that may be financed
  - b. Identification of a public agency official authorized to enter into voluntary contractual assessments on behalf of the public agency.
4. A maximum aggregate dollar amount of voluntary contractual assessments.
5. A method for setting requests from property owners for financing through voluntary contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount.
6. A plan for raising a capital amount required to pay for work performed pursuant to voluntary contractual assessments.

A summary of the Program Report and Administrative Guideline key provisions is outlined in Attachment A.

**Resolution:** The resolution formally confirms the Boards approval of the Report and establishes the Program. Additionally, the Resolution:

1. Authorizes the Treasurer-Tax Collector to execute the assessment contracts,
2. Approves the List of Authorized Improvements,
3. Confirms the use of contractual assessments to fund the improvements,
4. Orders the contractual assessments to be recorded,
5. Orders the Treasurer- Tax Collector to prepare and deliver the annual assessment roll based on the funded assessments to the Auditor,
6. Authorizes the Treasurer-Tax Collector to make changes to the list of Authorized Improvements, and the draft Assessment Contract, and to plan for financing installation of the Authorized Improvements as may be appropriate to administer the program.

**Public Record and Title Search Services:** It is necessary that certain public records and title records be researched and documented in order to process property owner applications and ensure compliance with the program underwriting criteria. The cost of the public record and title search will be recovered through a fee charged to the property owner which can be included in the assessment financing.

Tax Sale Services of California specializes in providing public record and title search services to Treasurer-Tax Collectors in California and has previously provided the Treasurer-Tax Collector with vital and timely public record and title research and documentation. Tax Sale Services of California also provides research services for Sonoma County's AB 811 program. The principals of Tax Sale Services of California have extensive background in providing public record and title information to government agencies. They also have extensive experience in the title business and are affiliated with the California Land Title Association.

**Program Management Services:** The management of the Program involves Program design, development, implementation and management of Program operations. Some of the services required of the Program Manager are development of written procedures for program staff regarding application processing, assisting with the development and implementation of marketing and public relations strategies, development of property owner seminar curriculum, assist with selection, development and implementation of a web based technology solution for application processing, tracking, performance reporting and other program related information and data management. Program management will also include staff oversight and day-to-day management of customer services, property owner training, application processing, and program data management, reporting and tracking.

Patricia Cole has over 18 years of experience planning/implementing and managing residential and commercial energy conservation programs for the Sacramento Municipal Utility District (SMUD). She has developed and managed a residential home energy audit program. She helped to develop and managed SMUD's Residential Conservation Service Program under the National Energy Conservation Policy Act. Ms. Cole has extensive experience in the development and management of a wide variety of energy conservation programs. Her experience includes policy development, contract negotiation, purchasing, budget, personnel

management, marketing/advertising, performance monitoring, compliance reporting and program documentation. She has specific training in lighting, mechanical systems, solar systems, and basic electricity. She holds an Energy Inspector Certificate from the California Energy Commission, and is qualified to train residential conservation service auditors and solar inspectors under the US Department of Energy.

**Recommendation:**

It is recommended that you hold a public hearing and then confirm the Program Report by adopting the attached Resolution approving certain authorizations and actions. It is further recommended that you approve a consultant services contract with Tax Sale Services of California for public records and title search services in an amount not to exceed \$225,000 and authorize the Procurement Officer to execute the contract, and approve the professional services contract with Patricia Cole for program management services in an amount not to exceed \$68,000.00, and authorize the Treasurer to execute the contract.

**Next Steps:**

Board of Supervisors and Placer County Public Financing Authority approve financing documents including the Bond, Purchase Contract, and Indenture.

**Fiscal Impact:**

There is no direct fiscal impact related to approving the Program Report and Administrative Guidelines. The fiscal impact of the two consulting contacts is up to \$225,000 and \$68,000 respectively. These costs will be paid out of the amount advanced through the project bond purchased for the Treasurer's Investment Pool. These costs will be recovered by interest charges on the assessment contracts. Full program cost recovery may take up to four years.

Respectfully submitted,

Jenine Windeshausen  
Treasurer-Tax Collector

**Attachments:**

Attachment A: Program Report and Administrative Guidelines Summary  
Program Report and Administrative Guidelines  
Resolution Approving and Confirming Program Report  
TSS Consultant Services Contract  
Patricia Cole Professional Services Contract

