

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 12/19/2017 by the following vote:

AYE: ☐ 5 ☐ ☐ ☐ ☐ ☐
John Gioia
Candace Andersen
Diane Burgis
Karen Mitchoff
Federal D. Glover

NO: ☐ / ☐

ABSENT: ☐ / ☐

ABSTAIN: ☐ / ☐

RECUSE: ☐ / ☐



Resolution No. 2017/444

IN THE MATTER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE COUNTY'S JURISDICTION IN THE GOLDEN STATE FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS, ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AND OTHER AUTHORIZED IMPROVEMENTS.

WHEREAS, the Golden State Finance Authority is a joint powers authority (the "Authority") established pursuant to Chapter 5 of Division 7, Title 1, of the Government Code of the State of California (Section 6500 and following) and the Joint Powers Agreement entered into on July 1, 1993, as amended to date (the "Authority JPA"); a copy of the Authority JPA (without the signature pages) is attached hereto as Exhibit A; and WHEREAS, the Authority has amended the Authority JPA to formally change its name from California Home Finance Authority to Golden State Finance Authority; and WHEREAS, the Authority has established a Community Facilities District, CHFA No. 2014-1 (Clean Energy) (the "Authority CFD Program") in accordance with the Mello-Roos Community Facilities District Act, set forth in section 53311 through 53368.3 of the California Government Code (the "Act") and particularly in accordance with sections 53313.5(1) and 53328.1(a) (the "District"); and

WHEREAS, the purpose of the Authority CFD Program is to finance or refinance (including the payment of interest) the acquisition, installation, and improvement of energy efficiency, water conservation, renewable energy, electric vehicle charging infrastructure and other authorized improvements permanently affixed to private or publicly-owned real property (the "Authorized Improvements"); and

WHEREAS, the County of Contra Costa (the "County") is committed to development of renewable energy generation and energy efficiency improvements, reduction of greenhouse gases, and protection of the environment;

WHEREAS, in the Act, the Legislature has authorized a parcel within the territory of the District to annex to the District and be subject to the special tax levy of the District only (i) if the city or county within which the parcel is located has consented, by the adoption of a resolution by the applicable city council or county board of supervisors, to the inclusion of parcels within its boundaries in the District and (ii) with the unanimous written approval of the owner or owners of the parcel when it is annexed (the "Unanimous Approval Agreement"), which, as provided in section 53329.6 of the Act, shall constitute the election required by the California Constitution;

WHEREAS, the County wishes to provide innovative solutions to its property owners to achieve energy efficiency and water conservation and in doing so cooperate with Authority in order to efficiently and economically assist property owners the County in financing such Authorized Improvements;

WHEREAS, the Authority has established the District, as permitted by the Act and the Authority JPA, and the County is an Associate Member of the Authority JPA and desires to participate in the Authority CFD Program and to assist property owners within the unincorporated area of the County in financing the cost of installing Authorized Improvements.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA AS FOLLOWS:

SECTION 1. The Board of Supervisors finds and declares that properties in the County's unincorporated area will be benefited by the availability of the Authority CFD Program to finance the installation of the Authorized Improvements.

SECTION 2. The Board of Supervisors consents to inclusion in the Authority CFD Program of all of the properties in the unincorporated area within the County and to the Authorized Improvements, upon the request of and execution of the Unanimous Approval Agreement by the owners of such properties when such properties are annexed, in compliance with the laws, rules and regulations applicable to such program, and to the assumption of jurisdiction thereover by Authority for the purposes thereof.

SECTION 3. The consent of the Board of Supervisors constitutes assent to the assumption of jurisdiction by Authority for all purposes of the Authority CFD Program and authorizes Authority, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Authorized Improvements.

SECTION 4. The County is not be responsible for any of the following: the conduct of any special tax proceedings; the levy and collection of special taxes; or any required remedial action in the case of delinquencies in the payment of any special taxes in connection with the District.

SECTION 5. County staff is authorized to assist Authority staff to facilitate operation of the Authority CFD Program within the County, including assisting in the levying, collecting, and enforcement of the special tax lien to finance the Authorized Improvements.

SECTION 6. This Resolution shall take effect immediately upon its adoption. The Clerk of the Board of Supervisors is directed to send a certified copy of this resolution to the Secretary of the Authority.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 19, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Jason Crapo, 925-674-7722

cc: