



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 12, 2019

Subject: Energy Efficient Equity Property Assessed Clean Energy (PACE) Financing Program

RECOMMENDATION(S):

ADOPT Resolution No. 2019/69 authorizing the California Municipal Finance Authority to implement the Energy Efficient Equity Program within the County's jurisdiction and AUTHORIZE the Conservation and Development Director, or designee, to execute the Operating Agreement with the California Municipal Finance Authority to operate the Energy Efficient Equity Program in the unincorporated area of Contra Costa County.

FISCAL IMPACT:

There is no fiscal impact to the County associated with this item.

BACKGROUND:

California law allows cities, counties, and other authorized public agencies to establish voluntary financing districts to facilitate energy efficiency improvements to existing residential and commercial properties. Such financing is commonly referred to as Property Assessed Clean Energy (PACE) financing. Once established, property owners within the boundaries of such a district can choose to enter into a voluntary agreement and borrow funds from the district to finance eligible improvements on their property. The assessment is then repaid in installments on the property tax bill.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/12/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Diane Burgis, District III
Supervisor

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: March 12, 2019

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

By: June McHuen, Deputy

Contact: Jason Crapo,
925-674-7722

cc:

BACKGROUND: (CONT'D)

The California Municipal Finance Authority (CMFA) is a joint powers authority with the legal authority to establish PACE financing districts, and is the public agency sponsor of the Energy Efficient Equity Program. Contra Costa County is a member agency of CMFA. CMFA contracts with Energy Efficient Equity, Inc., to administer day-to-day operations of the Energy Efficient Equity Program.

On June 16, 2015, the Board of Supervisors approved the recommendation of the Internal Operations Committee to direct the Department of Conservation and Development (DCD) to establish an application process and accept applications from PACE providers to operate within the unincorporated area of the County. The Board also approved the form of an Operating Agreement the County would require PACE providers to enter into with the County as a condition of operations. The purpose of the Operating Agreement is to protect the County and the general public from the potential costs and risks of PACE programs. The Operating Agreement requires PACE providers to participate in the State PACE Loss Reserve Program, disclose financial costs and risks to participating property owners, and indemnify the County from legal claims arising from the operation of PACE programs.

CMFA and Energy Efficient Equity, Inc., have submitted an application to operate the Energy Efficient Equity Program in the unincorporated area of the County. Staff has reviewed this application and recommends the Board authorize the Energy Efficient Equity Program to operate within the County's jurisdiction.

The Board of Supervisors has previously authorized four other PACE programs to operate within the County's jurisdiction. If the Board approves the recommended actions, Energy Efficient Equity (E3) would be the fifth PACE program authorized to operate within the unincorporated area of the County.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not approve the recommended actions, the Energy Efficient Equity program will not be able to provide property owners in the unincorporated area of the County with financing for energy and water efficiency improvements to their property.

ATTACHMENTS

Resolution 2019/69

Operating Agreement