



Legislation Text

File #: 15-212, **Version:** 1

Adopt City Council Resolution Consenting to Inclusion of Properties within the City's Jurisdiction in the Ygrene Statewide AB 811 California Home Finance Authority (CHF) Property Assessed Clean Energy (PACE) Program and Approving Associate Membership in the Joint Exercise of Powers Authority Related Thereto

Property Assessed Clean Energy (PACE) programs are authorized for cities and counties by State legislation enacted in 2008 and 2011. The authorizing legislation, Assembly Bill 811 (2008) and Senate Bill 555 (2011), provides two methods to enable cities and counties to form or join PACE programs through creation of PACE financing districts. Under AB 811, property owners of existing private buildings only, enter into an assessment contract with the jurisdiction for program-financed improvements. Under SB 555, Community Facilities Districts are established under the Mello-Roos Act to finance PACE improvements on public or private property, and special tax liens are recorded for individual property owners who participate.

PACE programs allow financing of permanent installations of renewable energy, efficiency, and conservation improvements as well as water conservation improvements on residential or commercial properties. Property owner participation is voluntary, and financed improvements are repaid over a period of time through payment assessments or special taxes on owners' property tax bills (depending upon which PACE Program is selected). There is no cost to the City or County to join or participate or for program administration.

On October 27, 2014, City Council adopted Resolutions to opt in to two PACE Programs, Ygrene's Mendocino County SB 555 program and California First, an AB 811-authorized, statewide program. However, due to delays in the required State validation process for programs like the Mendocino County Ygrene program, Mendocino County opted to instead join Ygrene's statewide program with California Home Financing Authority (CHF). There is no limitation on the number of programs in which a jurisdiction may participate, and opting in to more than one program increases options for residents and businesses. CHF is a joint powers authority (JPA) and it is in the process of changing its name to Golden State Finance Authority. It has established two statewide PACE financing programs, an SB 555-authorized PACE Community Facilities District, and an AB 811-authorized PACE Contractual Assessment Program. CHF is in the process of seeking validation judgments for both programs from the Superior Court for the County of Sacramento. Upon validation, CHF will implement one of the two programs, after assessing which program offers the greatest flexibility to property owners. CHF contracts with Ygrene Energy Fund California LLC to serve as program administrator and to operate the Ygrene Works for California PACE financing program. Mendocino County opted into the Ygrene statewide program in March 2015.

In order for City property owners to participate in the Ygrene statewide program, a resolution must be adopted to authorize each program. The attached resolution authorizes the City to join the CHF JPA as an Associate Member and permits property owners within the City limits to participate in the CHF AB 811 Authority PACE Program.