

# **Attachment B**

City of Lompoc Resolution #6145(17)

**RESOLUTION NO. 6145(17)**

**A Resolution of the City Council of the City of Lompoc,  
County of Santa Barbara, State of California,  
Consenting to the Inclusion of Properties Within the  
Territory of the Lompoc City Limits in the California  
Statewide Community Development Authority (CSCDA)  
Open Space Programs; Authorizing the CSCDA to Accept  
Applications from Property Owners, Conduct Contractual  
Assessment Proceedings and Levy Contractual  
Assessments Within the Territory of the City; and  
Authorizing Related Actions**

**WHEREAS**, the California Statewide Communities Development Authority (CSCDA) is a joint exercise of powers authority, the members of which include numerous cities and counties in the State of California, including the City of Lompoc (City); and

**WHEREAS**, CSCDA 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 administrator (collectively with any successors, assigns, replacements or additions, the Programs), 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 the AllianceNRG Program (CounterPointe Energy Solutions LLC), PACE Funding Group LLC, CaliforniaFirst (Renew Financial Group LLC), CleanFund Commercial PACE Capital and Spruce PACE LLC and CSCDA will notify City in advance of any additions or changes; 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**, City desires to allow the owners of property (Participating Property Owners) within its territory to participate in the Programs and to allow CSCDA 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 City's official boundaries; and

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

**WHEREAS**, City 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, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council hereby finds and declares that properties within the city limits of the City will benefit from the availability of the Programs within the city limits of the City and, pursuant thereto, the conduct of special assessment proceedings by CSCDA pursuant to Chapter 29 and the issuance of bonds to finance or refinance Improvements.

**SECTION 2.** In connection with the Programs, City hereby consents to the conduct of special assessment proceedings by CSCDA pursuant to Chapter 29 on any property within the city limits of the City 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, 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) City 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 City 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 CSCDA shall be responsible for providing such applications and related materials at its own expense. The following staff persons, together with any other staff persons chosen by the City Manager from time to time, are hereby designated as the contact persons for CSCDA in connection with the Programs: Economic Development Director, Planning Manager.

**SECTION 4.** The appropriate officials and staff are hereby authorized and directed to execute and deliver such certificates, requisitions, agreements and related documents as are reasonably required by CSCDA to implement the Programs.

**SECTION 5.** The City Council 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, Subdivision 15378(b)(4).

**SECTION 6.** The City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of CSCDA at: Secretary of the Board, California Statewide Communities Development Authority, 1400 K Street, Sacramento, CA 95814.

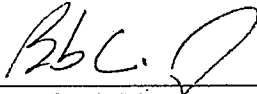
**SECTION 7. Effective Date.** This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member Starbuck, seconded by Council Member Vega, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on October 17, 2017, by the following vote:

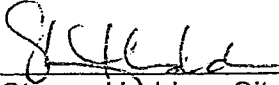
AYES: Council Member(s): Dirk Starbuck, Victor Vega, James Mosby,  
Jenelle Osborne, and Mayor Bob Lingl.

NOES: Council Member(s): None

ABSENT: Council Member(s): None

  
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Bob Lingl, Mayor  
City of Lompoc

ATTEST:

  
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Stacey Haddon, City Clerk  
City of Lompoc