

## **Attachment 3**

Proposed City Resolution Approving the County's Resolution of Intention

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING COUNTY OF SANTA BARBARA RESOLUTION OF INTENTION, CONSENTING TO PARTICIPATION IN CONTRACTUAL ASSESSMENT PROGRAM AND APPROVING THE FINANCING OF INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, AND ENERGY EFFICIENCY AND WATER EFFICIENCY IMPROVEMENTS WITHIN THE INCORPORATED AREA OF THE CITY**

**WHEREAS**, the County of Santa Barbara (the "County") is authorized under Chapter 29 of Part 3 of Division 7 of the Streets & Highways Code of the State of California ("Chapter 29") to enter into contractual assessments to finance the installation of distributed generation renewable energy sources, and energy efficiency and water efficiency improvements that are permanently fixed to real property ("Authorized Improvements");

**WHEREAS**, the County has notified the City of \_\_\_\_ (the "City") that the Board of Supervisors of the County will consider forming a contractual assessment program (the "Program"), pursuant to which the County will enter into contractual assessments to finance the installation of Authorized Improvements;

**WHEREAS**, the County has provided the City with a form of a resolution to be considered by the Board of Supervisors of the County entitled "Resolution Declaring Intention to Finance Installation of Distributed Generation Renewable Energy Sources, and Energy Efficiency and Water Efficiency Improvements" (the "County Resolution of Intention"), which form of County Resolution of Intention is attached as Exhibit A; and

**WHEREAS**, the City Council has reviewed the County Resolution of Intention, and the City Council wishes to provide for the contractual assessment financing of the installation of Authorized Improvements through the Program within the incorporated territory of the City;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of \_\_\_\_ as follows:

**Section 1. Findings.** The City Council hereby finds and declares the following:

- (a) The above recitals are true and correct.
- (b) A public purpose will be served by establishing a contractual assessment program, pursuant to which the County will finance the installation of Authorized Improvements to residential, commercial, industrial, or other real property in the incorporated territory of the City. Properties in the incorporated territory of the City will benefit from the Program.
- (c) The upfront cost of making residential, commercial, industrial, or other real property more energy and water efficient, along with the fact that most commercial loans for that purpose are due on the sale of the property, prevents many property owners from installing Authorized Improvements.
- (d) Energy conservation efforts, including the promotion of energy-related Authorized Improvements to residential, commercial, industrial, or other real property, will support efforts to foster communitywide sustainability and lowered greenhouse gas emissions by promoting economic stability and environmental stewardship through participation in the green economy.

(e) Energy conservation efforts, including the promotion of energy-related Authorized Improvements to residential, commercial, industrial, or other real property, are necessary to address the issue of global climate change and the reduction of greenhouse gas emissions in the City.

(f) Water conservation efforts, including the promotion of water-related Authorized Improvements to residential, commercial, industrial, or other real property, are necessary to address the issue of chronic water shortages in California.

**Section 2. Approval of Resolution of Intention and Other Related Matters.** The City Council hereby approves the County Resolution of Intention, in substantially the form attached to this Resolution as Exhibit A, which County Resolution may be amended by the Board of Supervisors at the time of its adoption without further approval by the City Council. The City Council hereby consents to including the incorporated territory of the City within the territory covered by the Program. The City Council hereby approves the financing by the County of installation of the Authorized Improvements within the incorporated territory of the City.

The City Council's consent to including the incorporated territory of the City within the territory covered by the Program constitutes the City's Council's assent to the assumption by the County of jurisdiction over such incorporated territory for all purposes of the financing of installation of Authorized Improvements on property within the incorporated territory of the City and authorizes the Board of Supervisors to take each and every step required for or suitable for the consummation of the Program within the incorporated territory of the City, and the levying, collecting and enforcement of the contractual assessments to finance the Authorized Improvements and to cover the expenses of the Program, and the issuance and enforcement of bonds to represent unpaid contractual assessments.

**Section 3. Approval of Cooperation Agreement.** The City Council hereby authorizes [*title(s) of City staff*], on behalf of the City, to execute a cooperation agreement with the County, which agreements shall be in substantially the form considered by the City Council when adopting this resolution, to reflect the terms on which the County and the City will cooperate to offer the Program within the incorporated territory of the City.

**Section 4. Official Actions.** The [*titles of City staff*] are each authorized and directed in the name and on behalf of the City to undertake any and all actions necessary to accomplish the purposes of this Resolution.

**Section 5. Effective Date.** This resolution shall take effect immediately upon its adoption.

\* \* \* \* \*

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the City Council of the City of \_\_\_\_\_, California, at a regular meeting thereof held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by the following vote of the members thereof:

AYES, and in favor of, thereof

NOES, Councilmembers:

ABSENT, Councilmembers:

\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
Mayor

**EXHIBIT A**

**FORM OF RESOLUTION OF INTENTION**