File No. 120388

Committee Item No. 1
Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Economic Development **Date** June 4, 2012

Board of Supervisors Meeting **Date** June 12, 2012

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Completed by: Alisa Miller **Date** June 1, 2012
Completed by: Derek Evans **Date** June 7, 2012

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

[Accept and Expend Grant - GreenFinanceSF - $200,608]

Resolution authorizing the Department of the Environment to accept and expend an American Recovery and Reinvestment Act of 2009 funded grant in the amount of $200,608 from the California Energy Commission's State Energy Program through the Local Government Commission to support GreenFinanceSF.

WHEREAS, in 2009 the San Francisco Public Utilities Commission, working in conjunction with the Department of the Environment and the Controller's Office of Public Finance, submitted an application to the California Energy Commission (CEC) State Energy Program (SEP) for financial assistance on behalf of GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings; and

WHEREAS, On February 10, 2010, the CEC announced the awards under the State Energy Program, which included an award of up to $2,080,000 for GreenFinanceSF; and

WHEREAS, In its Resolution No. 59-10, this Board of Supervisors accepted the CEC State Energy Program grant award for GreenFinanceSF; and

WHEREAS, In its Resolution No. 008-10, this Board of Supervisors identified the Department of the Environment as the administrator of the GreenFinanceSF program on behalf of the City; and

WHEREAS, This Board of Supervisors has adopted legislation necessary to form an opt-in Mello-Roos special tax district and establish legal mechanisms and policies to govern the implementation of a municipal financing program for retrofits of privately-owned buildings, known as GreenFinanceSF; and

WHEREAS, This type of financing is known as Property Assessed Clean Energy or PACE; and

WHEREAS, As the result of 2010 statements by the Federal Housing Finance Agency and the Office of the Controller of the Currency questioning the security of residential PACE financing, the CEC altered its funding priority to focus on commercial properties only; and

WHEREAS, The CEC, in accordance with federal requirements under the American Recovery and Reinvestment Act, is now amending the State Energy Program contract to extend the term for five years; and

WHEREAS, Under the proposed amendment, the CEC requires that in order to receive funding, San Francisco will become a direct sub-contractor to the Local Government Commission; and

WHEREAS, The City and County of San Francisco continues to recognize that it is vital for local, regional, state, and federal agencies to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and improve energy and water use efficiency; and

WHEREAS, Programs such as GreenFinanceSF will help to achieve these goals; and

WHEREAS, Funding from the CEC's State Energy Program through the Local Government Commission will provide continued funding to the Department of the Environment for use as a Loan Loss Reserve to support clean energy financing for buildings; and

WHEREAS, The Department of the Environment, under the terms proposed in this amendment, shall receive additional funding for ongoing administrative tasks; and

WHEREAS, The State Energy Program has been funded as part of the American Recovery and Reinvestment Act; and

WHEREAS, Projects undertaken with this funding are in compliance with the California Environmental Quality Act (CEQA), California Public Resources Code Section 21000; and

WHEREAS, The grant does not require an Annual Salary Ordinance (ASO) amendment; and

WHEREAS, The grant budget includes $32,760 for indirect costs; and

WHEREAS, The term of the amended State Energy Program grant agreement will be from April 1, 2012 through March 31, 2017; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby authorizes the Director of the Department of the Environment to amend and enter a State Energy Program grant award of $200,608 on behalf of the City, and to enter into all necessary contracts and agreements, and amendments thereto, on its behalf to implement and carry out GreenFinanceSF, including a residential program should that become available again; and, be it

FURTHER RESOLVED, The Director of the Department of the Environment is further authorized to furnish whatever additional information or assurances the funding agency may request in connection with this grant, and to execute any and all agreements necessary to carry out the purpose of the grant.

APPROVED: _____
for Mayor

APPROVED: _____
For Ben Rosenfield
Controller

RECOMMENDED:

By: Melanie Nutter, Director
Department of the Environment

File Number: 120300 (Provided by Clerk of Board of Supervisors)

220177 / EVCAGF-10

Grant Resolution Information Form
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: Commercial Building Financing Program- GreenFinanceSF

2. Department: Department of the Environment

3. Contact Person: Rachel Buerkle Telephone: 415-355-3704

4. Grant Approval Status (check one):

[X] Approved by funding agency [ ] Not yet approved

5. Amount of Grant Funding Approved or Applied for: $200,608

6a. Matching Funds Required: $ No
b. Source(s) of matching funds (if applicable):

7a. Grant Source Agency: USDOE/ California Energy Commission's State Energy Program

b. Grant Pass-Through Agency (if applicable):): Local Government Commission(LGC)

8. Proposed Grant Project Summary: See attachment.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: April 1, 2012 End-Date: March 31, 2017

10a. Amount budgeted for contractual services: -0-
b. Will contractual services be put out to bid? N/A

c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements? N/A

d. Is this likely to be a one-time or ongoing request for contracting out? N/A

11a. Does the budget include indirect costs? [X] Yes [ ] No

b1. If yes, how much? $32,760
b2. How was the amount calculated? Amount allowed by funder

c1. If no, why are indirect costs not included?
[ ] Not allowed by granting agency [ ] To maximize use of grant funds on direct services
[ ] Other (please explain):

c2. If no indirect costs are incl. .d, what would have been the indirect .sts?

12. Any other significant grant requirements or comments:

****Disability Access Checklist***(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

[X] Existing Site(s)
[ ] Rehabilitated Site(s)
[ ] New Site(s)

[X] Existing Structure(s)
[ ] Rehabilitated Structure(s)
[ ] New Structure(s)

[X] Existing Program(s) or Service(s)
[ ] New Program(s) or Service(s)

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Claudia Molina, Departmental ADA Coordinator, Payroll Personnel Clerk

Date Reviewed: 3/22/12

Claudia Molina
(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Melanie Nutter, Director, Department of the Environment

Date Reviewed: 3/22/12

(Signature Required)

8. Proposed Grant Project Summary:

On February 10, 2010, the CEC State Energy Program awarded $2,080,000 for GreenFinanceSF, the City municipal financing program modeled on a Property Assessed Clean Energy (PACE) financing program. The Board of Supervisors accepted the CEC State Energy Program grant award for GreenFinanceSF (Resolution No. 59-10) and identified the Department of the Environment as the administrator of the GreenFinanceSF program on behalf of the City (Resolution No. 008-10). $372,600 was awarded to CCSF in 2010

The original funding was used for a Debt Service Reserve Fund, which will provide first mortgagees and retrofit lenders additional security. Currently, lenders may require a 5% loan loss reserve to provide additional security, which can be prohibitive to those seeking to do commercial retrofit work. Thus using CEC funds for a reserve removes an existing barrier to the implementation of commercial retrofits. The widespread implementation of the commercial assessment lien energy retrofit program is contingent on retrofit funds being advanced to interested commercial building property owners, and on first mortgagees consenting to the assessment lien. Additional funding of $200,608 is now being added. The additional funding will be used for grant administration and outreach.

San Francisco Department of the Environment

Grant from California Energy Commission-State Energy Program through the Local Government Commission

	Description	Other notes	
PERSONNEL			
Senior Environmental Specialist 5642-Green Building Manager	.25 FTE	Program Management	$ 117,000
Subtotal Personnel			$ 117,000
Fringe	43%		$ 50,848
Total Personnel			**$ 167,848**
TOTAL DIRECT COSTS			$ 167,848
INDIRECT COSTS	**20%**		$ 32,760
TOTAL PROJECT (Direct + Indirect)			**$ 200,608**

Local Government Commission
1303 J Street • Suite 250 • Sacramento, CA 95814 • (916) 448-1198

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Rich Chien LEED AP
Department of the Environment
City and County of San Francisco
11 Grove Street
San Francisco, CA 94102

February 24, 2012

Re: Letter of Intent pertinent to Contract #400-10-004 to support San Francisco's commercial PACE pilot program.

Dear Mr. Chien,

This letter confirms the intent to award up to an additional $573,208 to the City/County of San Francisco according to Energy Upgrade California Contract #400-10-004 awarded by the California Energy Commission for the continued administration of the commercial PACE pilot program and compliance with the terms of the contract. This contract is not binding on either party until approved by the Department of General Services--DGS review is currently underway and may take a month or longer. The California Energy Commission, through formal amendment, extended the contract end date to March 31, 2017.

Please feel free to contact me if you have any questions.

Regards,

Kate Meis

KMeis

Associate Director
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