

1 [Authorizing Participation in the California Home Energy Renovation Opportunity Program -  
2 Renewable Energy Financing Program]

3 **Resolution consenting to the inclusion of properties within the City's jurisdiction in the**  
4 **California Home Energy Renovation Opportunity Program to finance distributed**  
5 **generation renewable energy sources, energy and water efficiency improvements, and**  
6 **electric vehicle charging infrastructure; and approving the amendment to a certain joint**  
7 **powers agreement related thereto.**

8  
9 WHEREAS, The Western Riverside Council of Governments ("Authority") is a joint  
10 exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the  
11 Government Code of the State of California (Section 6500 and following) (the "Act") and the  
12 Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the  
13 "Authority JPA"); and

14 WHEREAS, The Authority intends to establish the California Home Energy Renovation  
15 Opportunity ("HERO") Program to provide for the financing of renewable energy distributed  
16 generation sources, energy and water efficiency improvements and electric vehicle charging  
17 infrastructure (the "Improvements") pursuant to Chapter 29 of the Improvement Bond Act of  
18 1911, being Division 7 of the California Streets and Highways Code ("Chapter 29") within  
19 counties and cities throughout the State of California that elect to participate in such program;  
20 and

21 WHEREAS, The City and County of San Francisco (the "City") is committed to  
22 development of renewable energy sources and energy efficiency improvements, reduction of  
23 greenhouse gases, protection of our environment, and reversal of climate change; and  
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1           WHEREAS, Pursuant to Chapter 29, the Legislature has authorized local governments  
2 to assist property owners in financing the cost of installing the Improvements through a  
3 voluntary contractual assessment program; and

4           WHEREAS, Installation of such Improvements by property owners within the  
5 jurisdictional boundaries of the local governments that are participating in the California HERO  
6 Program would promote the purposes cited above; and

7           WHEREAS, The City wishes to provide innovative solutions to its property owners to  
8 achieve energy and water efficiency and independence, and in doing so cooperate with  
9 Authority in order to efficiently and economically assist property owners the City in financing  
10 such Improvements; and

11           WHEREAS, The Authority has authority to establish the California HERO Program,  
12 which will be such a voluntary contractual assessment program, as permitted by the Act, the  
13 Authority JPA, originally made and entered into April 1, 1991, as amended to date, and the  
14 Amendment to Joint Powers Agreement Adding the City and County of San Francisco as an  
15 Associate Member of the Western Riverside Council of Governments to Permit the Provision  
16 of Property Assessed Clean Energy (PACE) Program Services within the City (the "JPA  
17 Amendment"), by and between Authority and the City, a copy of which is attached as Exhibit 1  
18 hereto, to assist property owners within the incorporated area of the City in financing the cost  
19 of installing Improvements; and

20           WHEREAS, The City will not be responsible for the conduct of any assessment  
21 proceedings; the levy and collection of assessments or any required remedial action in the  
22 case of delinquencies in the payment of any assessments or the issuance, sale or  
23 administration of any bonds issued in connection with the California HERO Program; and  
24 now, therefore, be it

1 RESOLVED, That this Board finds and declares that properties in the City's  
2 incorporated area will be benefited by the availability of the California HERO Program to  
3 finance the installation of Improvements; and, be it,

4 FURTHER RESOLVED, That this Board consents to inclusion in the California HERO  
5 Program of all of the properties in the incorporated area within the City and to the  
6 Improvements, upon the request by and voluntary agreement of owners of such properties, in  
7 compliance with the laws, rules and regulations applicable to such program; and to the  
8 assumption of jurisdiction there over by Authority for the purposes thereof; and, be it,

9 FURTHER RESOLVED, That the consent of this Board constitutes assent to the  
10 assumption of jurisdiction by Authority for all purposes of the California HERO Program and  
11 authorizes Authority, upon satisfaction of the conditions imposed in this resolution, to take  
12 each and every step required for or suitable for financing the Improvements, including the  
13 levying, collecting and enforcement of the contractual assessments to finance the  
14 Improvements and the issuance and enforcement of bonds to represent and be secured by  
15 such contractual assessments; and, be it

16 FURTHER RESOLVED, That this Board hereby approves the JPA Amendment and  
17 authorizes the execution thereof by appropriate City officials; and, be it

18 FURTHER RESOLVED, That City staff, including the Mayor, the Controller, the  
19 Director of the Controller's Office of Public Finance, the Executive Director of the Department  
20 of the Environment, are hereby authorized and directed to execute such closing certificates,  
21 requisitions, agreements and related documents as are reasonably necessary, including but  
22 not limited to the Amendment to the JPA Amendment attached hereto as Exhibit 1, and to  
23 coordinate with Authority staff to facilitate operation of the California HERO Program within  
24 the City, and report back periodically to this Board on the operation and effectiveness of such  
25 program; and, be it

1           FURTHER RESOLVED, That This Resolution shall take effect immediately upon its  
2 adoption, and that the Clerk of the Board is hereby authorized and to send a certified copy of  
3 this resolution to the Secretary of the Authority Executive Committee at 4080 Lemon Street,  
4 3rd Floor, Riverside, CA 92501.

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**City and County of San Francisco**  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 141184

**Date Passed:** December 09, 2014

Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and approving the amendment to a certain Joint Powers Agreement related thereto.

December 03, 2014 Budget and Finance Committee - RECOMMENDED

December 09, 2014 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 141184

I hereby certify that the foregoing Resolution was ADOPTED on 12/9/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Mayor

12/17/2014

Date Approved