

RESOLUTION NO. RES-19-0080

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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE CITY TO
5 JOIN THE CALIFORNIAFIRST PROGRAM; AUTHORIZING
6 THE CALIFORNIA STATEWIDE COMMUNITIES
7 DEVELOPMENT AUTHORITY TO ACCEPT
8 APPLICATIONS FROM PROPERTY OWNERS, CONDUCT
9 CONTRACTUAL ASSESSMENT PROCEEDINGS AND
10 LEVY CONTRACTUAL ASSESSMENTS WITHIN THE
11 JURISDICTION OF THE CITY; AND AUTHORIZING
12 RELATED ACTIONS
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14 WHEREAS, the California Statewide Communities Development Authority
15 (the "Authority") is a joint exercise of powers authority, the members of which include
16 numerous cities and counties in the State of California, including the City of Long Beach
17 (the "City"); and

18 WHEREAS, the Authority is implementing Property Assessed Clean Energy
19 (PACE) programs, which it has designated CSCDA Open PACE, consisting of CSCDA
20 Open PACE programs each administered by a separate program administrator
21 (collectively with any successors, assigns, replacements or additions, the "Programs"), to
22 allow the financing or refinancing of renewable energy, energy efficiency, water efficiency
23 and seismic strengthening improvements; electric vehicle charging infrastructure and
24 such other improvements, infrastructure or other work as may be authorized by law from
25 time to time (collectively, the "Improvements") through the levy of contractual
26 assessments pursuant to Chapter 29 of Division 7 of the Streets & Highways Code
27 ("Chapter 29") within counties and cities throughout the State of California that consent to
28 the inclusion of properties within their respective territories in the Programs and the

1 issuance of bonds from time to time; and

2 WHEREAS, the program administrators currently active in administering
3 Programs are the PACE Funding Group LLC, CaliforniaFirst (Renew Financial Group
4 LLC), CleanFund Commercial PACE Capital and Petros PACE Finance and the Authority
5 will notify the City in advance of any additions or changes; and

6 WHEREAS, Chapter 29 provides that assessments may be levied under its
7 provisions only with the free and willing consent of the owner or owners of each lot or
8 parcel on which an assessment is levied at the time the assessment is levied; and

9 WHEREAS, the City desires to allow the owners of property ("Participating
10 Property Owners") within its territory to participate in the Programs and to allow the
11 Authority to conduct assessment proceedings under Chapter 29 within its territory and to
12 issue bonds to finance or refinance Improvements; and

13 WHEREAS, the territory within which assessments may be levied for the
14 Programs shall include all of the territory within the City's official boundaries; and

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

18 WHEREAS, the City will not be responsible for the conduct of any
19 assessment proceedings; the levy of assessments; any required remedial action in the
20 case of delinquencies in such assessment payments; or the issuance, sale or
21 administration of any bonds issued in connection with the Programs;

22 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
23 follows:

24 Section 1. This City Council hereby finds and declares that properties in
25 the territory of the City will benefit from the availability of the Programs within the territory
26 of the City and, pursuant thereto, the conduct of special assessment proceedings by the
27 Authority pursuant to Chapter 29 and the issuance of bonds to finance or refinance
28 Improvements.

1 Section 2. In connection with the Programs, the City hereby consents to
2 the conduct of special assessment proceedings by the Authority pursuant to Chapter 29
3 on any property within the territory of the City and the issuance of bonds to finance or
4 refinance Improvements; provided, that

5 A. The Participating Property Owners, who shall be the legal owners of
6 such property, execute a contract pursuant to Chapter 29 and comply with other
7 applicable provisions of California law in order to accomplish the valid levy of
8 assessments; and

9 B. The City will not be responsible for the conduct of any assessment
10 proceedings; the levy of assessments; any required remedial action in the case of
11 delinquencies in such assessment payments; or the issuance, sale or
12 administration of any bonds issued in connection with the Programs.

13 Section 3. The appropriate officials and staff of the City are hereby
14 authorized and directed to make applications for the Programs available to all property
15 owners who wish to finance or refinance Improvements; provided, that the Authority shall
16 be responsible for providing such applications and related materials at its own expense.
17 The following staff persons, together with any other staff persons chosen by the City
18 Manager from time to time, are hereby designated as the contact persons for the
19 Authority in connection with the Programs: Larry Rich, Sustainability Coordinator, 562-
20 570-5839, larry.rich@longbeach.gov.

21 Section 4. The appropriate officials and staff of the City are hereby
22 authorized and directed to execute and deliver such certificates, requisitions, agreements
23 and related documents as are reasonably required by the Authority to implement the
24 Programs.

25 Section 5. The City Council hereby finds that adoption of this Resolution
26 is not a "project" under the California Environmental Quality Act, because the Resolution
27 does not involve any commitment to a specific project which may result in a potentially
28 significant physical impact on the environment, as contemplated by Title 14, California

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 Code of Regulations, Section 15378(b)(4).

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

6 Section 7. This Resolution shall take effect immediately upon its
7 adoption by the City Council, and the City Clerk shall certify the vote adopting this
8 resolution.

9 I hereby certify that the foregoing resolution was adopted by the City
10 Council of the City of Long Beach at its meeting of May 21, 2019 by the
11 following vote:

12 Ayes: Councilmembers: Gonzalez, Pearce, Supernaw, Mungo,
13 Andrews, Uranga, Richardson.

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15 _____
16 Noes: Councilmembers: None.

17 _____
18 Absent: Councilmembers: Price, Austin.

19 _____
20 _____
21 M. De J. Fazio
22 City Clerk

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