

RESOLUTION NO. 6130

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE GOLDEN STATE FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS, ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AND OTHER AUTHORIZED IMPROVEMENTS

Recitals

WHEREAS, the Golden State Finance Authority, a joint powers authority (the "Authority") has established the Community Facilities District, CFD No. 2014-1 (Clean Energy) in accordance with the Mello-Roos Community Facilities District Act, set forth in section 53311 through 53368.3 of the California Government Code (the "Act") and particularly in accordance with sections 53313.5(1) and 53328.1(a) (the "District"); and

WHEREAS, the Authority amended the Authority JPA to formally change its name from California Home Finance Authority to Golden State Finance Authority; and

WHEREAS, the purpose of the District is to finance or refinance (including the payment of interest) the acquisition, installation, and improvement of energy efficiency, water conservation, renewable energy and electric vehicle charging infrastructure, and such other improvements as may be authorized by law from time to time, permanently affixed to private or publicly-owned real property (the "Authorized Improvements"); and

WHEREAS, the City of Sebastopol (the "City") is committed to development of renewable energy generation and energy efficiency improvements, reduction of greenhouse gases, and protection of the environment;

WHEREAS, in the Act, the Legislature has authorized a parcel within the territory of the District to annex to the District and be subject to the special tax levy of the District only (i) if the city or county within which the parcel is located has consented, by the adoption of a resolution by the applicable city council or county board of supervisors, to the inclusion of parcels within its boundaries in the District and (ii) with the unanimous written approval of the owner or owners of the parcel when it is annexed (the "Unanimous Approval Agreement"), which, as provided in section 53329.6 of the Act, shall constitute the election required by the California Constitution;

WHEREAS, the City wishes to provide innovative solutions to its property owners to achieve energy efficiency and water conservation and in doing so cooperate with Authority in order to efficiently and economically assist property owners within the City in financing such Authorized Improvements;

WHEREAS, the Authority has established the District, as permitted by the Act and the Authority JPA, originally made and entered into July 1, 1993, as amended to date; the City is an Associate Member of the JPA and desires to participate in the programs of the JPA and to assist property owners within the territory of the City in financing the cost of installing Authorized Improvements; and

WHEREAS, the City will not be responsible for the conduct of any special tax proceedings; the levy and collection of special taxes or any required remedial action in the case of delinquencies in the payment of any special taxes in connection with the District.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. That the City Council finds and declares that properties in the territory of the City will be benefited by the availability of the Authority CFD No. 2014-1 (Clean Energy) to finance the installation of the Authorized Improvements.

2. This City Council consents to inclusion in the Authority CFD No. 2014-1 (Clean Energy) of all of the properties in the territory of the City to the Authorized Improvements, upon the request of and execution of the Unanimous Approval Agreement by the owners of such properties when such properties are annexed, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction thereover by Authority for the purposes thereof.

3. The consent of the City Council constitutes assent to the assumption of jurisdiction by Authority for all purposes of the Authority CFD No. 2014-1 (Clean Energy) and authorizes Authority, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Authorized Improvements.

4. City staff is authorized and directed to coordinate with Authority staff to facilitate operation of the Authority CFD No. 2014-1 (Clean Energy) within the City, and report back periodically to this City Council on the success of such program.

5. This Resolution shall take effect immediately upon its adoption. The Clerk is directed to send a certified copy of this resolution to the Secretary of the Authority.

DULY APPROVED AND ADOPTED this 21st day of March, 2017.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

VOTE:

Ayes: Councilmembers Carnacchi, Gurney, Hinton, Vice Mayor Slayter and Mayor Glass

Noes: None

Abstain: None

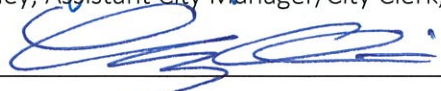
Absent: None

APPROVED: 

Mayor Una Glass

ATTEST: 

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: 

Larry McLaughlin, City Attorney