

RESOLUTION NO. RES-2020-188

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE EIGHTH AMENDMENT TO THE COOPERATIVE AGREEMENT TO IMPLEMENT THE ENERGY INDEPENDENCE PROGRAM WITH THE COUNTY OF SONOMA TO ALLOW PROPERTY OWNERS WITHIN THE INCORPORATED AREA OF THE CITY TO FINANCE SEISMIC STRENGTHENING IMPROVEMENTS AND WILDFIRE SAFETY IMPROVEMENTS THROUGH THE SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM AND DELEGATING AUTHORITY TO THE CITY MANAGER TO EXTEND THE AGREEMENT ON SUBSTANTIALLY THE SAME TERMS FOR UP TO FIVE ADDITIONAL YEARS

WHEREAS, on April 14, 2009, By Resolution No. 27342, the Council approved a Cooperative Agreement to Implement Sonoma County Energy Independence Program with the County of Sonoma to allow property owners within the incorporated area of the City to finance the acquisition and construction or installation of distributed generation renewable energy sources and energy efficiency improvements, which include water efficiency improvements, through the Sonoma County Energy Independence Program (“SCEIP” or the “Program”); and

WHEREAS, the City of Santa Rosa has been actively involved in promoting and cross marketing SCEIP as a key funding tool in helping Santa Rosa property owners make energy efficiency and renewable energy generation improvements to their homes and businesses; and

WHEREAS, participation in SCEIP has served to develop and implement projects to improve community energy efficiency, and reduce energy use and greenhouse gas emissions, and has assisted Santa Rosa in achieving its greenhouse gas reduction goals; and

WHEREAS, the State Legislature has adopted the Seismic Safety Finance Act, codified as Section 5899 of the California Streets and Highways Code, effective January 1, 2012, which authorizes contractual assessment programs to finance the installation of seismic strengthening improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property (“Seismic Strengthening Improvements”); and

WHEREAS, the State Legislature has also adopted the Wildfire Safety Finance Act, codified as Section 5899.4 of the California Streets and Highways Code, effective January 1, 2019, and repealed January 1, 2029, which authorizes certain public agencies to designate an area within which contractual assessment programs may finance the installation of wildfire safety improvements that are permanently fixed to existing residential, commercial, industrial, agricultural, or other real property (“Wildfire Safety Improvements”); and

WHEREAS, on July 23, 2019, by Resolution No. 19-0311, the County Board of Supervisors expanded SCEIP to include Seismic Strengthening Improvements and Wildfire Safety Improvements in order to help property owners harden their properties and make the County more resilient to seismic and wildfire events; and

WHEREAS, the County's expansion of SCEIP took effect on January 14, 2020; and

WHEREAS, the Council desires to allow property owners within the incorporated area of the City to finance Seismic Strengthening Improvements and Wildfire Safety Improvements through SCEIP; and

WHEREAS, the Council finds that properties in the City's incorporated area will benefit from inclusion in the expanded Program; and

WHEREAS, the existing Cooperative Agreement expires on March 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Rosa consents to the inclusion of properties within the incorporated area of the City in the expanded Program for the purpose of financing Seismic Strengthening Improvements and Wildfire Safety Improvements through SCEIP.

BE IT FURTHER RESOLVED, that the Council approves the Eighth Amendment to Cooperative Agreement to Implement the Energy Independence Program, in substantially the same form as Exhibit A to the resolution, subject to approval as to form by the City Attorney.

BE IT FURTHER RESOLVED, that the Council delegates authority to the City Manager to extend the term of the Agreement, in substantially the same form, provided that any such extension does not go beyond March 31, 2030.

IN COUNCIL DULY PASSED this 10th day of November, 2020.

AYES: (7) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Dowd, Olivares, Rogers, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A - Eighth Amendment to Cooperative Agreement to Implement the Energy Independence Program