

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisor John J. Benoit

SUBMITTAL DATE: August 10, 2010

SUBJECT: Approval of Resolution to Support Congressional Action to Authorize Legislation Regarding Property Assessed Clean Energy (PACE) Programs.

RECOMMENDED MOTION: That the Board of Supervisors approve the attached Resolution to support the PACE Programs and transmit copies to the attached list of Congressional representatives and federal officials.

BACKGROUND:

In 2008, Governor Schwarzenegger signed AB 811, legislation authorizing local governments in California to designate areas within which officials and willing property owners may enter into contractual assessments to finance the installation of distributed generation renewable energy sources and energy efficiency improvements. The PACE program, implemented in the City of Palm Desert, has allowed property owners to borrow money from a newly established municipal financing district to finance energy retrofits and repay over twenty years through an annual special tax on property tax bill.

The Federal Housing Finance Agency (FHFA) recently issued a statement that has effectively frozen residential Property Assessed Clean Energy (PACE) Programs across the country.

This resolution would call on Congressional representatives to approve legislation allowing PACE to continue.

Supervisor John J. Benoit,
Fourth District

RESOLUTION
in support of Congressional action regarding
Property Assessed Clean Energy
(PACE) Programs

WHEREAS, investing in cost-effective energy efficiency and renewable energy improvements to homes and businesses can save energy, cut utility bills, create thousands of local jobs, reduce reliance on fossil fuels, and dramatically reduce greenhouse gas emissions; and

WHEREAS, Property Assessed Clean Energy (PACE) financing programs are an innovative local government solution to help property owners finance energy efficient improvements to their homes and businesses; and

WHEREAS, California is among twenty two states to pass a law (AB 911, 2007-08) enabling local governments to develop PACE programs; and

WHEREAS, the City of Palm Desert, an original sponsor of AB 811 and the first jurisdiction in the U.S. to offer such loans for solar, has piloted this program to great effect, authorizing \$15 million and allocating \$6.9 million in PACE program funds for energy improvements; and

WHEREAS, the U.S. Department of Energy has dedicated \$150 million in grants to develop local PACE programs and issued guidelines to ensure they meet safety and soundness requirements and adequately protect both bond buyers and property owners; and

WHEREAS, the Federal Housing Finance Agency and the Office of the Comptroller of the Currency on July 6 issued statements that immediately forced existing PACE programs to halt operations and froze the development of dozens on PACE programs nationwide; and

WHEREAS, Riverside County possesses the weather conditions, technological expertise, and entrepreneurial spirit necessary to lead the nation and the world in renewable energy generation, and the PACE program adopted in Palm Desert and sought for other Riverside County communities is one step towards a brighter, cleaner future;

NOW, THEREFORE, LET IT BE RESOLVED, that the Riverside County Board of Supervisors encourages Congress to support legislation that clearly guarantees the right of state and local governments to form special assessment districts to promote clean energy programs and restore the promise of PACE, and that the Clerk of the Board transmit copies of this resolution to appropriate Members of Congress and federal officials.

August 10, 2010

U.S. Senators

The Honorable Barbara Boxer
Office of U.S. Senator Barbara Boxer
112 Hart Senate Office Building
Washington, District of Columbia 20510

The Honorable Dianne Feinstein
Office of Senator Dianne Feinstein
331 Hart Senate Office Building
Washington, District of Columbia 20510

The Honorable Christopher Dodd, Chairman
Committee on Banking, Housing & Urban Affairs
United States Senate
Washington, District of Columbia 20510

The Honorable Richard C. Shelby, Ranking Member
Committee on Banking, Housing & Urban Affairs
United States Senate
Washington, District of Columbia 20510

The Honorable Jeffrey Bingaman, Chairman
Energy & Natural Resources
United States Senate
Washington, District of Columbia 20510

The Honorable Lisa Murkowski, Ranking Member
Energy & Natural Resources
United States Senate
Washington, District of Columbia 20510

U.S. Representatives

The Honorable Mary Bono Mack
104 Cannon House Office Building
Washington, District of Columbia 20515

The Honorable Ken Calvert
2201 Rayburn House Office Building
Washington, District of Columbia 20515

The Honorable Darrell Issa
2347 Rayburn House Office Building
Washington, District of Columbia 20515

The Honorable Jerry Lewis
2112 Rayburn House Office Building
Washington, District of Columbia 20515

The Honorable Barney Frank, Chairman
Committee on Financial Services
United States House of Representatives
Washington, District of Columbia 20510

The Honorable Spencer Bachus, Ranking Member
Committee on Financial Services
United States House of Representatives
Washington, District of Columbia 20510

The Honorable Henry Waxman, Chairman
Energy & Commerce Committee
United States House of Representatives
Washington, District of Columbia 20510

The Honorable Joe Barton, Ranking Member
Energy & Commerce Committee
United States House of Representatives
Washington, District of Columbia 20510

The Honorable Nancy Pelosi
235 Cannon House Office Building
Washington, District of Columbia 20510

The Honorable Mike Thompson
231 Cannon Office Building
Washington, District of Columbia 20510

The Honorable Lynn Woolsey
2263 Rayburn Building
Washington, District of Columbia 20510

Federal Officials

Ed DeMarco, Acting Director
Federal Housing Finance Agency
1700 G Street, NW
Washington, District of Columbia 20552

Alfred Pollard, General Counsel
Federal Housing Finance Agency
1700 G Street, NW
Washington, District of Columbia 20552

Dr. Steven Chu, Secretary
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, District of Columbia 20585

John C. Dugan
Comptroller of the Currency
Administrator of National Banks
Washington, DC 20219

Timothy W. Long, Senior Deputy Controller for Bank Supervision Policy and Chief
National Bank Examiner
Office of the Comptroller of the Currency
Administrator of National Banks
Washington, DC 20219