

RESOLUTION NUMBER R- 310745

DATE OF FINAL PASSAGE NOV 07 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING CITY PARTICIPATION  
OF SPRUCE AND CLEAN FUND TO JOIN THE  
PROPERTY ASSESSED CLEAN ENERGY PROGRAM  
(PACE).

WHEREAS, by Resolution No. R-307693 dated September 19, 2012 the San Diego City Council approved the City of San Diego's participation in a Property Assessed Clean Energy (PACE) program administered by the California Statewide Communities Development Authority (CSCDA), a joint powers authority in which the City is a member agency; and

WHEREAS, by Resolution R-307693 dated September 19, 2012 the City Council authorized CSCDA to utilize CaliforniaFIRST to deliver PACE program services in the City; and

WHEREAS, by Resolution No. R-310486 dated June 1, 2016 the City Council authorized the utilization of CSCDA's "Open PACE" program for the financing and administration of property assessed renewable energy, energy efficiency, and/or water conservation improvements in the City; and

WHEREAS Resolution No. R-310486 dated June 1, 2016 authorized an additional service provider, AllianceNRG (consisting of Deutsche Bank Securities, Inc., CounterPointe Energy Solutions, LLC, and Leidos Engineering, LLC), to provide financial and administrative services in the CSCDA Open PACE program; and

WHEREAS, CSCDA now has authorized one more provider, the Spruce and Clean Fund, to provide financial and administrative services under the CSCDA Open PACE program; and

WHEREAS, it is in the interest of the City and its citizens to authorize the Spruce and Clean Fund to provide another alternative PACE option for the finance of renewable energy, energy efficiency, and/or water conservation improvements in the City pursuant to the CSCDA Open PACE program; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor or designee thereof, are hereby authorized to execute all documents and to take any actions necessary and appropriate to carry out the intent of this resolution.

2. That the Spruce and Clean Fund is hereby authorized to be part of California Statewide Communities Development Authority's (CSCDA) Open PACE financing program for eligible properties in the City of San Diego, subject to the following conditions:

(a) The applicant(s) must be the property owner(s) of record. If the legal property owner is a corporation, trust or similar legal entity, the applicant must be authorized to act on behalf of such entity.

(b) Property owner(s) must be current on all property taxes for the property; No late payment levied on the property more than once during the prior three years or since the purchase of the property.


(c). Property owner(s) must be current on their property debt for the prior twenty four (24) months.

(d) Property owner(s) have not declared bankruptcy in the past seven (7) years and the property is not currently an asset in a bankruptcy proceeding.

(e) Total existing secured indebtedness (including mortgage and other special tax and assessment liens) in combination with the PACE lien, does not exceed 95% of the existing property value.

(f) Property must not have any involuntary liens, including construction liens.

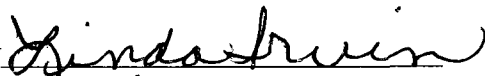
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mt  
October 3, 2016  
Or.Dept: Environmental Services  
Doc. No.: 1364783

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,  
at its meeting of OCT 25 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 11/7/16  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 25 2016, by the following vote:

| Councilmembers  | Yeas                                | Nays                     | Not Present                         | Recused                  |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Sherri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Lorie Zapf      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Todd Gloria     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Myrtle Cole     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Mark Kersey     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Chris Cate      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Scott Sherman   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| David Alvarez   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Marti Emerald   | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Date of final passage NOV 07 2016


(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 310715