## RESOLUTION NO. 2019-R \_\_\_\_

1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, CONSENTING TO THE INCLUSION OF SOUTHERN CALIFORNIA HOSPITAL IN THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) OPEN PACE PROGRAMS; AUTHORIZING THE CSCDA TO ACCEPT THE APPLICATION FROM SOUTHERN CALIFORNIA HOSPITAL, CONDUCT CONTRACTUAL ASSESSMENT **PROCEEDINGS** AND LEVY CONTRACTUAL **ASSESSMENTS** WITH SOUTHERN **CALIFORNIA** HOSPITAL: AND AUTHORIZING RELATED ACTIONS.

9

10

11

WHEREAS, the California Statewide Communities Development Authority (CSCDA) is a joint exercise of powers authority, the members of which include numerous cities and counties in the State of California, including the City of Culver City (the "City"); and; and

12 13

14

15

16

17

18

19

20

21

22

23

24

25

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

26

27

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

WHEREAS, in response to a request from Southern California Hospital (SCH), the City desires to allow SCH to participate in the Program; and to allow CSCDA to conduct assessment proceedings under Chapter 29 related to SCH's application, and to issue bonds to finance or refinance Improvements; and

WHEREAS, the program administrator for SCH's Program application shall be AllianceNRG Program (Counter Pointe Energy Solutions (CA) LLC); and

WHEREAS, CSCDA will conduct all assessment proceedings under Chapter 29 for SCH's Program application and issue any bonds in connection with the application; and

WHEREAS, the City will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with SCH's Program application.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES HEREBY RESOLVE, as follows:

- 1. This City Council hereby finds and declares that Southern California Hospital (SCH) will benefit from the Open PACE Program and, pursuant thereto, the conduct of special assessment proceedings by the CSCDA pursuant to Chapter 29 and the issuance of bonds to finance or refinance Improvements.
- 2. In connection with the Programs, the City hereby consents to the conduct of special assessment proceedings by CSCDA pursuant to Chapter 29 in relation to

SCH's Program application and the issuance of bonds to finance or refinance Improvements; provided, that:

- A. SCH, who shall be the legal owner of such property, execute a contract pursuant to Chapter 29 and comply with other applicable provisions of California law in order to accomplish the valid levy of assessments; and
- B. The City will not be responsible for the conduct of any assessment proceedings; the levy of assessments; any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with SCH's Program application.
- 3. The City Manager and/or his designee(s) are hereby authorized and directed to make an application for the Programs available to SCH; provided, that CSCDA shall be responsible for providing such application and related materials at its own expense.
- 4. The following City staff persons, together with any other staff persons chosen by the City Manager from time to time, are hereby designated as the contact persons for CSCDA in connection with the Programs: Public Works Director/City Engineer.
- 5. The City Manager and/or his designee(s) is hereby authorized and directed to execute and deliver such certificates, requisitions, agreements and related documents as are reasonably required by CSCDA to implement the Programs.
- 6. The City Council hereby finds that adoption of this Resolution is not a "project" under the California Environmental Quality Act, because the Resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4).

1	7. This Resolution shall take effect immediately upon its adoption.
2	8. The City Clerk is hereby authorized and directed to transmit a certified
3	copy of this resolution to the Secretary of CSCDA at: Secretary of the Board, California
4	Statewide Communities Development Authority, 1400 K Street, Sacramento, CA 95814.
5	
6	APPROVED AND ADOPTED on theday of, 2019.
7	
8	MEGHAN SAHLI-WELLS, Mayor
9	City of Culver City, California
10	ATTEST: APPROVED AS TO FORM:
11	Charles of the Contract of the
12	JEREMY GREEN, City Clerk  CAROL A. SCHWAB, City Attorney
13	A19-00349
14	
15	
16	<i>‡</i>
17	
18	
19	
20	
21	
22	
23	
24	
25	