

**CITY OF CLOVERDALE  
CITY COUNCIL**

**RESOLUTION NO. 006–2020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE APPROVING AMENDMENT NO. 1 TO THE COOPERATIVE AGREEMENT TO IMPLEMENT THE SONOMA COUNTY 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 USE OF CONTRACTUAL ASSESSMENTS PROVIDED BY THE SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM**

**WHEREAS**, on April 22, 2009, by Motion Order No. 007-2009, 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 Cloverdale has been actively involved in promoting and cross marketing SCEIP as a key funding tool in helping Cloverdale property owners make energy efficiency and renewable energy generation improvements to their homes and businesses; 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Finance Act, codified as Section 5899.4 of the California Streets and Highways Code, effective January 1, 2019 and repealed January 1, 2029, which authorizes certain public agencies to designate an area within which contractual assessment programs may finance the installation of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 13, 2020; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Cloverdale finds and declares all of the following:

1. The Council finds that properties in the City’s incorporated area will be benefit from inclusion in the expanded Program.

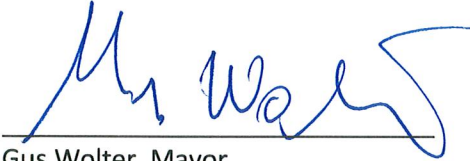
2. The Council consents to the inclusion of properties within the incorporated area of the City in the expanded Program for the purpose of financing Seismic Strengthening Improvements and Wildfire Safety Improvements through SCEIP.

3. The Council approves Amendment No. 1 to Cooperative Agreement to Implement the Sonoma County Energy Independence Program.

The foregoing Resolution No. 006-2020 was duly introduced and adopted by the City Council of the City of Cloverdale at its regular meeting held on the 22<sup>nd</sup> day of January 2020 by the following roll call vote:

AYES: (5) Councilmembers Bagby, Brigham and Cruz, Vice Mayor Turner and Mayor Wolter  
NOES: (0) None  
ABSENT: (0) None  
ABSTAIN: (0) None

**APPROVED:**



Gus Wolter, Mayor

**ATTEST:**




Irene Camacho-Werby, City Clerk

Attachment:

Exhibit A - Amendment No. 1 to Cooperative Agreement to Implement the Sonoma County Energy Independence Program

I, IRENE CAMACHO-WERBY, City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 006-2020 adopted by the City Council of the City of Cloverdale on the 22<sup>nd</sup> day of January 2020.

  
Irene Camacho-Werby, City Clerk

**CITY OF CLOVERDALE**

**AMENDMENT NO. 1 TO THE COOPERATIVE AGREEMENT TO IMPLEMENT  
SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM**

This Amendment No. 1 to Cooperative Agreement to Implement Energy Independence Program ("Amendment") is made and entered into on \_\_\_\_ day of \_\_\_\_\_, 2020 by and between the County of Sonoma ("County") and the City of Cloverdale ("City") (collectively, the "parties").

A. On April 22, 2009, the City and the County entered into that certain Cooperative Agreement to Implement Energy Independence Program ("Agreement") to allow citizens of the City to participate in the Sonoma County Energy Independence Program ("SCEIP").

B. 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").

C. 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").

D. 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.

E. The County's expansion of SCEIP took effect on December 13, 2019.

F. The City desires to allow property owners within its jurisdiction to participate in SCEIP's expanded program, including those Seismic Strengthening Improvements and Wildfire Safety Improvements available for financing under SCEIP.

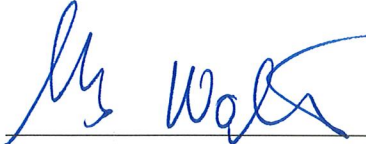
Now, therefore, the parties agree to amend the Agreement as follows:

1. Expansion of Program. The City and the County agree that SCEIP's expanded program, which includes Seismic Strengthening Improvements and Wildfire Safety Improvements described in Exhibit A attached hereto and incorporated herein, shall be available to property owners within incorporated areas of the City.

*[The remainder of this page intentionally left blank.]*

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 as set forth below.

CITY OF CLOVERDALE:

  
\_\_\_\_\_  
Gus Wolter, Mayor

\_\_\_\_\_  
Date

COUNTY OF SONOMA:

\_\_\_\_\_  
,SCEIP Program Administrator

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Jose Sanchez, City Attorney

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counsel

\_\_\_\_\_  
Date

Attachment:

Exhibit A – Sonoma County Energy Independence Program PACE Seismic Strengthening Improvements and Wildfire Safety Improvements