

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO, CALIFORNIA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE COUNTY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND CONSENTING TO THE CALIFORNIA HOME FINANCE AUTHORITY'S LEVY OF SPECIAL TAXES TO SECURE REPAYMENT OF SUCH FINANCING

Recitals

WHEREAS, the California Home Finance Authority, a California joint powers authority, (the "Authority") has established the Community Facilities District No. 2014-1 (Clean Energy) in accordance with the Mello-Roos Community Facilities Act, set forth in sections 53311 through 53368.3 of the California Government Code (the "Act") and particularly in accordance with sections 53313.5(l) and 53328.1(a) (the "District"); and

WHEREAS, the purpose of the District is to finance or refinance (including the payment of interest) the acquisition, installation and improvement of energy efficiency, water conservation, renewable energy, and electric vehicle charging infrastructure improvements permanently affixed to private or publicly-owned real property (the "Authorized Improvements"); and

WHEREAS, the Authority is in the process of amending the Authority Joint Powers Agreement (the "Authority JPA") to formally change its name to the Golden State Finance Authority; and

WHEREAS, the County of Fresno, under Board Resolution 09-407, adopted September 22, 2009, is an associate member of the Authority, which was formerly known as the California Rural Home Mortgage Finance Authority; and

WHEREAS, the County of Fresno is committed to development of renewable energy sources, energy efficiency and water conservation improvements, reduction of greenhouse gases, and protection of the environment; and

WHEREAS, in the Act, the Legislature has authorized a parcel within the territory of the District to annex to the District and be subject to the special tax levy of the District, and the formation resolution for the District authorizes that, only (i) if the city or county within which the parcel is located has consented, by the adoption of a resolution by the applicable city council or County Board of Supervisors, to the inclusion of parcels within its boundaries in the District and (ii) with the unanimous written approval of the owner or owners of the parcel when it is annexed (the "Unanimous Approval Agreement"), which, as provided in section 53329.6 of the Act, shall constitute the election required by the California Constitution; and

WHEREAS, the County wishes to provide solutions to its property owners to achieve energy efficiency and water conservation, and in doing so, cooperate with the

Authority in order to assist property owners in the County in financing such Authorized Improvements; and

WHEREAS, the Authority has established the District, as permitted by the Act, and the Authority JPA, originally made and entered into on July 1, 1993, as amended to date, to assist property owners within the unincorporated area of the County in financing the cost of installing Authorized Improvements;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Board of Supervisors finds and declares that properties in the County's unincorporated area will be benefited by the availability of the Authority CFD No. 2014-1 (Clean Energy) to finance the installation of the Authorized Improvements.
2. This Board of Supervisors consents to inclusion in the Authority CFD No. 2014-1 (Clean Energy) of all of the properties in the unincorporated area within the County and to the Authorized Improvements, upon the request of and execution of the Unanimous Approval Agreement by the owners of such properties when such properties are annexed, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction thereover by the Authority for the purposes thereof, and for only those purposes.
3. The consent of this Board of Supervisors constitutes assent to the assumption of jurisdiction by the Authority for all purposes of the Authority CFD No. 2014-1 (Clean Energy), and only those purposes, and authorizes the Authority, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Authorized Improvements, provided, however, that the County shall collect the special taxes levied by the Authority, subject to the terms of a reimbursement agreement; provided further, that the County will not be responsible for the conduct of any proceedings, the levy of any taxes or any enforcement or remedial action in the case of delinquency or default in the payment of such taxes; nor will the County be responsible for the authorization, issuance, sale, repayment, or administration of any bonds issued by the Authority, nor will the County be responsible for any investigations, representations, or disclosures in connection with such bonds; and provided further that the issuance of bonds will only occur, if at all, following final judgment in a validation action filed by the Authority pursuant to Code of Civil Procedure section 860 establishing that such bonds are lawful obligations of the Authority and that taxes levied by the Authority to secure the repayment of those bonds are lawful.
4. County staff is authorized and directed to coordinate with the Authority staff to facilitate operation of the Authority CFD No. 2014-1 (Clean Energy) within the County, only to the extent of collecting such special taxes for any property participating in this program. The County will incur no other costs, and no other staff time as required for administration, marketing obligations, or financial obligations of the program.

5. This Resolution shall take effect immediately upon the execution by the County and the Authority of the reimbursement agreement required by section 3 of this resolution. The Clerk of the Board of Supervisors is directed to send a certified copy of this resolution to the Secretary of the Authority upon the execution by the County and the Authority of that reimbursement agreement, and not before.

PASSED AND ADOPTED this 1st day of March, 2016 by the following

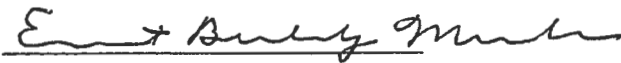
vote, to wit:

AYES: Supervisors Borgeas, Mendes, Pacheco, Perea, Poochigian

NOES: None

ABSENT: None

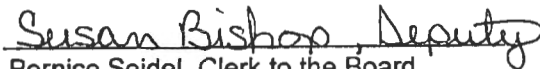
ABSTAIN: None



Ernest Buddy Mendes, Chairman

Board of Supervisors

ATTEST:

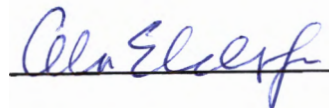


Bernice Seidel, Clerk to the Board

APPROVED AS TO ACCOUNTING FORM:

VICKI CROW, C.P.A.

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

By: 

APPROVED AS TO LEGAL FORM:

DANIEL C. CEDERBORG

COUNTY COUNSEL

By: 