



1           **WHEREAS**, the program administrators currently active in administering Programs  
2 are the AllianceNRG Program (presently consisting of Deutsche Bank Securities Inc.,  
3 CounterPointe Energy Solutions LLC and Leidos Engineering, LLC) and Renewable  
4 Funding LLC, and the Authority will notify the City in advance of any additions or  
5 changes; and

6  
7           **WHEREAS**, Chapter 29 provides that assessments may be levied under its  
8 provisions only with the free and willing consent of the owner or owners of each lot or  
9 parcel on which an assessment is levied at the time the assessment is levied; and

10  
11           **WHEREAS**, the City desires to allow the owners of property (“Participating  
12 Property Owners”) within its territory to participate in the Programs and to allow the  
13 Authority to conduct assessment proceedings under Chapter 29 within its territory and to  
14 issue bonds to finance or refinance Improvements; and

15  
16           **WHEREAS**, the territory within which assessments may be levied for the Programs  
17 shall include all of the territory within the City’s official boundaries; and

18  
19           **WHEREAS**, the Authority will conduct all assessment proceedings under Chapter  
20 29 for the Programs and issue any bonds issued in connection with the Programs; and

21  
22           **WHEREAS**, the City will not be responsible for the conduct of any assessment  
23 proceedings; the levy of assessments; any required remedial action in the case of  
24 delinquencies in such assessment payments; or the issuance, sale or administration of any  
25 bonds issued in connection with the Programs;

26  
27  
28  
29

1           **NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of  
2 Albany as follows:

3  
4 Section 1.       This City Council hereby finds and declares that properties in the territory  
5 of the City will benefit from the availability of the Programs within the territory of the  
6 City and, pursuant thereto, the conduct of special assessment proceedings by the  
7 Authority pursuant to Chapter 29 and the issuance of bonds to finance or refinance  
8 Improvements.

9  
10 Section 2.       In connection with the Programs, the City hereby consents to the conduct  
11 of special assessment proceedings by the Authority pursuant to Chapter 29 on any  
12 property within the territory of the City and the issuance of bonds to finance or refinance  
13 Improvements; provided, that

14  
15           (1)       The Participating Property Owners, who shall be the legal owners of such  
16 property, execute a contract pursuant to Chapter 29 and comply with other  
17 applicable provisions of California law in order to accomplish the valid levy of  
18 assessments; and

19  
20           (2)       The City will not be responsible for the conduct of any assessment  
21 proceedings; the levy of assessments; any required remedial action in the case of  
22 delinquencies in such assessment payments; or the issuance, sale or administration  
23 of any bonds issued in connection with the Programs.

24  
25 Section 3.       The appropriate officials and staff of the City are hereby authorized and  
26 directed to make applications for the Programs available to all property owners who wish  
27 to finance or refinance Improvements; provided, that the Authority shall be responsible  
28 for providing such applications and related materials at its own expense. The following  
29 staff persons, together with any other staff persons chosen by the City Manager of the

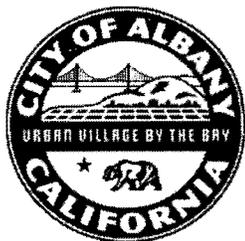
1 City from time to time, are hereby designated as the contact persons for the Authority in  
2 connection with the Programs: Claire Griffing, Sustainability Coordinator.

3  
4 Section 4. The appropriate officials and staff of the City are hereby authorized and  
5 directed to execute and deliver such certificates, requisitions, agreements and related  
6 documents as are reasonably required by the Authority to implement the Programs.

7  
8 Section 5. The City Council hereby finds that adoption of this Resolution is not a  
9 “project” under the California Environmental Quality Act, because the Resolution does  
10 not involve any commitment to a specific project which may result in a potentially  
11 significant physical impact on the environment, as contemplated by Title 14, California  
12 Code of Regulations, Section 15378(b)(4).

13  
14 Section 6. This Resolution shall take effect immediately upon its adoption. The City  
15 Clerk is hereby authorized and directed to transmit a certified copy of this resolution to  
16 the Secretary of the Authority at: Secretary of the Board, California Statewide  
17 Communities Development Authority, 1400 K Street, Sacramento, CA 95814.

18   
19 \_\_\_\_\_  
20 PETER MAASS, MAYOR  
21  
22  
23  
24  
25  
26  
27  
28  
29



# City of Albany

1000 San Pablo Avenue • Albany, California 94706  
(510) 528-5710 • [www.albanyca.org](http://www.albanyca.org)

## RESOLUTION NO. 2015-44

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 6th day of July, 2015, by the following votes:

AYES: Council Members McQuaid, Nason, Pilch, and Mayor Maass

NOES: none

ABSENT: Council Member Barnes

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 7th  
day of July, 2015.

Eileen Harrington  
DEPUTY CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.*