

COUNTY OF ERIE, PENNSYLVANIA

RESOLUTION NO. 7 OF 2021

A RESOLUTION ESTABLISHING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM IN THE COUNTY OF ERIE AND TAKING AND AUTHORIZING OTHER ACTION IN CONNECTION THEREWITH.

WHEREAS, Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa. C.S.A 4301, *et seq.*, as amended, authorizes counties and municipalities to establish a Commercial Property Assessed Clean Energy program (“Program”); and

WHEREAS, Section 4303 of Title 12 authorizes a county to establish the Program by adopting a resolution establishing the Program, defining an area or group of real properties designated for the purpose of establishing the Program (the “District”) and provide other operational standards and guidelines; and

WHEREAS, The Erie County Department of Planning and Community Development, at the direction of County Executive Dahlkemper, has been exploring the feasibility and benefits of establishing a Program with the Sustainable Energy Fund; and

WHEREAS, the PP&L Sustainable Energy Fund Inc. hereinafter “Sustainable Energy Fund” is a Pennsylvania 501c3 not for profit entity with a mission to promote, research, and invest in clean and renewable energy technologies, energy conservation, energy efficiency and sustainable energy enterprises that provide opportunities and benefits; and

WHEREAS, the Sustainable Energy Fund has been a leader in developing program guidelines that can be used statewide in establishing a Program; and

WHEREAS, On January 14, 2021 Erie County Council heard a presentation by Sustainable Energy Fund on the nature and benefits of establishing a Program in Erie County; and

WHEREAS, the Sustainable Energy Fund desires to contract with the County of Erie to serve as Program Administrator for establishing the Program; and

WHEREAS, the County of Erie desires to contract with the Sustainable Energy Fund to act as Program Administrator for the Program; and

WHEREAS, The Program Administrator shall comply with the requirements and procedures set forth in 12 Pa. C.S.A.4301 et. al. ; and

WHEREAS, The Erie County Council approves the Cooperation Agreement to be entered into between the County and the Sustainable Energy Fund for the administration of the Program, a copy of which is attached hereto and marked Exhibit “A”; and

WHEREAS, pursuant to Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa.C.S.A. Section 4303(2) of the Program, the County Executive has notified every municipality within the District of their inclusion and potential participation in the Program.

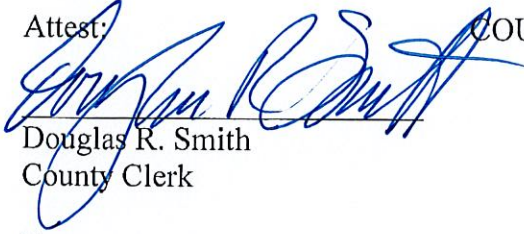
NOW, THEREFORE, PURSUANT TO THE COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM ACT (12 Pa.C.S.A. §4301, et seq) AND THE HOME RULE CHARTER OF ERIE COUNTY, IT IS HEREBY RESOLVED BY ERIE COUNTY COUNCIL
that:

1. A property assessed clean energy program shall be established in the County and shall be known as the "Erie County C-PACE Program".
2. Erie County shall be designated as the "District" pursuant to Section 4302 of Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa.C.S.A. §4302.
3. The Sustainable Energy Fund shall serve as the Program Administrator to the Erie County C-PACE Program in accordance with the Cooperation Agreement to be entered into with the County, a copy of which is attached hereto and incorporated herein as Exhibit "A."
4. The County Executive, pursuant to Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa.C.S.A. §4303(2), has notified or shall notify each municipality within the District of their inclusion and potential participation in the Program.
5. The County Executive and/or her designee shall be authorized to execute any and all documents ancillary and necessary to the facilitation and successful implementation of the Erie County C-PACE Program. PROVIDED, however, any Statement of Levy, Lien and Assessment Agreement entered into between the County, the Property Owner and the Capital Provider shall be subject to the approval of County Council.

This Resolution shall be effective immediately upon adoption.

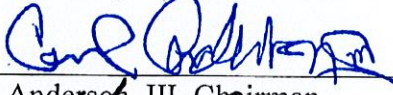
ADOPTED this 2nd day of March 2021, by the County Council of the County of Erie, Pennsylvania in lawful session duly assembled.

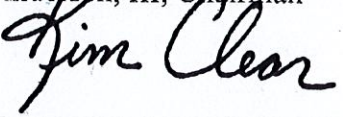
Attest:

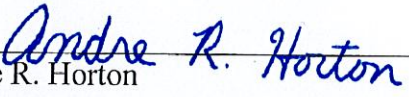

Douglas R. Smith
County Clerk

Date: March 2, 2021

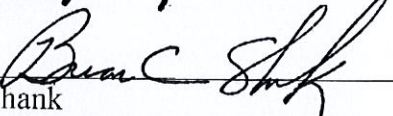
COUNTY COUNCIL OF THE
COUNTY OF ERIE, PENNSYLVANIA

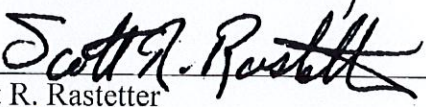

Carl Anderson, III, Chairman

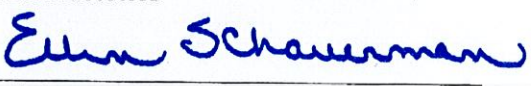

Kim Clear

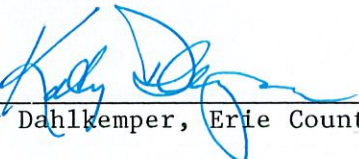

Andre R. Horton


Mary Rennie


Brian Shank


Scott R. Rastetter


Ellen Schauerman


Kathy Dahlkemper, Erie County Executive