



County of Lackawanna

Lackawanna County
Government Center
at The Globe
123 Wyoming Ave
Scranton, Pennsylvania
18503

Certified Copy

Resolution: 24-0081

File Number: 24-0081

Establishing a Property Assessed Clean Energy Program

WHEREAS, Title 12 of the Pennsylvania Consolidated Statutes, 12 P.S. §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, 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 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 the Sustainable Energy Fund can perform the role of Program Administrator for an established Program; and

WHEREAS, The Lackawanna County Commissioners desire the County to establish the Program and enter into the Cooperation Agreement with Sustainable Energy Fund for the administration of the Program; and

WHEREAS, The Lackawanna County Department of Economic Development provided notice to every municipality within the County that the County Commissioners intend to establish the Program throughout the entire County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF LACKAWANNA COUNTY, PENNSYLVANIA that:

1. A property assessed Clean Energy Program shall be established in the County and shall be known as the "Lackawanna County C-PACE Program".
2. The Lackawanna County Commissioners designate the entire County as the District, as defined in Section 4302 of Title 12 of the Pennsylvania Consolidated Statutes, 12 P.S. §4302.

3. The Sustainable Energy Fund shall be authorized to administer the Lackawanna County C-PACE Program in accordance with the Cooperation Agreement.

4. The County and the Sustainable Energy Fund shall negotiate the terms of the Cooperation Agreement.

5. The Lackawanna County Commissioners authorizes the Lackawanna County Chairman to execute the Cooperation Agreement.

6. The Lackawanna County Commissioners authorize the Lackawanna County CFO or designee to execute any and all other necessary documents as may be required to facilitate the successful implementation of the Lackawanna County C-PACE Program.

7. Any reference in this Resolution to any officer of the County or any officer or member of the Lackawanna County Commissioners shall be deemed to refer to his or her duly qualified successor in office, if applicable.

8. The County approves, ratifies and confirms all action heretofore taken by its officers, its designated representative or representatives, and other persons on its behalf in connection with the undertakings herein contemplated, to the extent not inconsistent with this Resolution.

9. In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Lackawanna County Commissioners that such remainder shall be and shall remain in full force and effect.

10. All prior resolutions or parts of prior resolutions that are inconsistent with this Resolution are hereby repealed.

11. This Resolution shall become effective immediately upon it having been recorded in the minutes of the Lackawanna County Commissioners, and the Lackawanna County Commissioners hereby directs that this Resolution be recorded immediately following its adoption.

ADOPTED at a regular meeting of the Board of Commissioners of Lackawanna County held on April 3, 2024.


COUNTY OF LACKAWANNA


BILL GAUGHAN


MATT MCGLOIN


CHRIS CHERMAK

ATTEST:


BRIAN JEFFERS
CHIEF OF STAFF

Approved as to form and legality:


DONALD J. FREDERICKSON
COUNTY SOLICITOR