

**BOARD OF COMMISSIONERS
COUNTY OF YORK, PENNSYLVANIA**

RESOLUTION NO. 2024-16

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

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 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 York County Board of Commissioners has been exploring the feasibility and benefits of establishing a Program with the Sustainable Energy Fund; and

WHEREAS, the Sustainable Energy Fund is a Pennsylvania 501(c)(3) 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, the Sustainable Energy Fund can perform the role of Program Administrator for an established Program; and

WHEREAS, the establishment of the Program in York County will propel economic growth within the community of York; and

WHEREAS, the revitalization of properties resulting from implementation of the Program will help to build a better York County; and

WHEREAS, the York County Board of Commissioners desires that the County enter into a Cooperation Agreement with Sustainable Energy Fund for the administration of the Program; and

WHEREAS, notice has been provided to every municipality within the County that the Board of Commissioners intends to establish the Program throughout the entire County.

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED AS FOLLOWS:

1. A Property Assessed Clean Energy Program shall be established in the County and shall be known as the “York County C-PACE Program”.
2. The Board of Commissioners designates 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 York County C-PACE Program in accordance with a Cooperation Agreement.
4. The County and the Sustainable Energy Fund shall negotiate the terms of the Cooperation Agreement.
5. The York County Board of Commissioners authorizes the Chief Clerk to execute the mutually agreed upon Cooperation Agreement.
6. The York County Board of Commissioners authorizes the Chief Clerk to execute any and all other necessary documents as may be required to facilitate the successful implementation of the York County C-PACE Program.
7. Any reference in this Resolution to any officer of the County or any officer or member of the York County Board of 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 York County Board of 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 York County Board of Commissioners, and the York County Board of

Commissioners hereby directs that this Resolution be recorded immediately following its adoption.

12. This Resolution shall be effective immediately.

ADOPTED this 17th day of April 2024, by the Board of Commissioners of the County of York, Pennsylvania in lawful session duly assembled.

ATTEST:

BOARD OF COMMISSIONERS



Gregory E. Monskie, Chief Clerk



Julie Wheeler, President



J. Scott Burford, Vice President



Doug Hoke, Commissioner