Resolution authorizing the execution of member acknowledgement addendums of the Regional Collaborative Services Agreement with the Association of Bay Area Governments to safeguard consumer interest of San Francisco residents' participation in residential Property-Assessed Clean Energy ("PACE") Programs.

WHEREAS, The Association of Bay Area Governments ("ABAG") has developed a Regional Collaborative Services Agreement ("RCSA") for residential Property Assessed Clean Energy ("PACE") programs; and

WHEREAS, ABAG developed the RCSA for more efficient and cost effective review and approval of residential potential PACE providers that commit to certain consumer protection standards; and

WHEREAS, The RCSA safeguards consumer interests, level the playing field and create transparency for host communities, such as the City, participating in PACE programs; and

WHEREAS, The RCSA establishes terms, conditions and roles each Residential PACE Provider ("RPP") will follow when operating in ABAG territory, and the RCSA includes language stating that it also applies to actions of the RPP in participating cities/towns that choose to authorize PACE programs with RPPs; and

WHEREAS, Provisions of the RCSA include, among other things, (i) designation of ABAG as the liaison to the RPPs locally, (ii) requires all RPPs to have clearly visible disclosures regarding the Federal Housing Finance Authority's policies on residential PACE programs, (iii) requires all RPPs to participate in the State's PACE Loss Reserve program, (iv) limits claims that RPPs (or their designated contractors) can make to applicants regarding the
tax deductibility of PACE assessments, (v) requires data sharing between the RPPs and PACE programs to monitor program performance locally and report out to local agencies, and (vi) requires RPPs to accept responsibility for negligence in administering PACE programs; and

WHEREAS, The following six residential PACE programs have executed the RCSA with ABAG:

- California HERO Program
- AllianceNRG Program
- PACE Funding Program
- YgreneWorks PACE Program
- Figtree PACE Program
- E3; and

WHEREAS, Residents of the City participating in residential PACE programs would benefit from increased disclosure and transparency by RPPs, now, therefore, be it RESOLVED, That Board finds and declares that the foregoing recitals are true and correct; and, be it

FURTHER RESOLVED, That the Controller, the Executive Director of the Department of the Environment and the Director of the Office of Public Finance and their respective designees are hereby authorized and directed to execute and deliver such certificates, and related documents as are reasonably required by ABAG to cause the execution and delivery of the RCSA; provided however that nothing herein shall require the City to be responsible for

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costs associated with the execution of the RCSA or in connection with City residents
determining to participate in any residential PACE program; and, be it

FURTHER RESOLVED, This Resolution shall take effect immediately upon its
adoption.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Mark D. Blake
Deputy City Attorney

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June 08, 2017 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR

July 20, 2017 Budget and Finance Sub-Committee - RECOMMENDED

September 05, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 9/5/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved