



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/9/2014)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-4 DATE _____
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 8/28/15 9/3/15
Agenda Item #: R.4
Est. Start Time: 10:30 am approx
Date Submitted: 8/26/15

Agenda Title: Authorizing the County Chair to Execute an Intergovernmental Agreement with the Portland Development Commission to Administer the Commercial Property Assessed Clean Energy ("CPACE") Program in Multnomah County

Requested: September 3rd, 2015 **Time Needed:** 10 minutes
Department: Non-Departmental **Division:** District 1
Contact(s): Megan Beyer, Chief of Staff
Phone: 503-988-6786 **Ext.** X86786 **I/O Address:** 503/6th Floor
Presenter Name(s) & Title(s): Sam Baraso, Program Specialist Senior (Office of Sustainability), Patrick Quinton, Executive Director (Portland Development Commission)

General Information

1. What action are you requesting from the Board?

Authorizing the County Chair to Execute an Intergovernmental Agreement with the Portland Development Commission to Administer the Commercial Property Assessed Clean Energy Program ("CPACE") in Multnomah County.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Using our authority under ORS 223.396, Multnomah County will delegate the function of CPACE Program Administrator to the Portland Development Commission ("PDC"). The PDC has the resources and personnel to administer the CPACE Program effectively and efficiently. Administration of the CPACE Program will include the following functions:

- Evaluate and approve CPACE Projects for participation in the CPACE Program per program requirements outlined in the Administrative Guidelines (Exhibit A of the Intergovernmental Agreement).
- Ensure prudent fiscal stewardship of CPACE program, including the evaluation of CPACE Projects to determine whether they can be reasonably expected to achieve any savings-to-investment ratio, loan to value, or other criteria requirement that may be outlined in the Administrative Guidelines.
- Ensure written notice is given to all mortgagees of the property and written consent is given by mortgagees stating that a CPACE Loan does not constitute an event of default or give rise to any remedies under the terms of the mortgage loan agreements.

- Provide summary reports on CPACE program activities.

CPACE will be piloted over 2 years in order to test and refine program design elements necessary to support ongoing CPACE implementation in Multnomah County. Multnomah County Office of Sustainability staff will provide support and oversight for the adaptation and implementation of the CPACE Program. The implementation of the CPACE Program supports the County's commitment to reducing greenhouse gas emissions, preparing for the impacts of climate change, and Program Offer#10018-16 Office of Sustainability.

3. Explain the fiscal impact (current year and ongoing).

There is no fiscal impact. The Portland Development Commission will administer CPACE both during the pilot period and through on-going implementation. All of the County's responsibilities fall under the County's normal course of business. During the 2-year pilot, Multnomah County will leverage existing staff resources to collaboratively refine the CPACE program with the Portland Development Commission. On-going oversight of CPACE administration will be implemented in upcoming fiscal years using existing staff resources.

4. Explain any legal and/or policy issues involved.

The Multnomah County Board adopted Resolution No. 2015-076, directing implementation of the 2015 Climate Action Plan. The 2015 Climate Action Plan established a goal of reducing countywide greenhouse gas emissions to 80% below 1990 levels by the year 2050. It included a number of short-term actions to be completed by Multnomah County and the City of Portland to put the community on a path to achieving those reductions. These actions include establishing a CPACE program that is broadly accessible. The 2015 Climate Action Plan also brings a strong focus on equity as well as community co-benefits of climate action. The Office of Sustainability will need to ensure that equity remains central to program design.

5. Explain any citizen and/or other government participation that has or will take place.

Multnomah County's Advisory Committee on Sustainability and Innovation convened a subcommittee including external stakeholders to advise the development of CPACE four times from February 2015 through August 2015. The CPACE team also convened an industry stakeholder group meeting in April of 2015 to discuss technical elements of CPACE. Over 50 stakeholders from the energy auditing, contracting, labor, workforce equity, and lending industries have been engaged in these combined efforts. The County has also engaged the Oregon Department of Energy as well as the City of Portland's Bureau of Planning and Sustainability in the development of CPACE.

Required Signature

**Elected
Official or
Department**

Director: Megan Beyer /s/ **Date:** 8/26/15

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. _____

Authorizing the County Chair to Execute an Intergovernmental Agreement with the Portland Development Commission to Administer the Commercial Property Assessed Clean Energy ("CPACE") Program in Multnomah County.

The Multnomah County Board of Commissioners Finds:

- a. ORS 223.396 authorizes Multnomah County to establish a program to assist owners of commercial property with the financing of cost-effective energy improvements.
- b. The CPACE Program in Multnomah County was established in Resolution No. _____.
- c. The County desires to have the CPACE program administered by the Portland Development Commission ("PDC") because the PDC has the resources and personnel to administer the CPACE program effectively and efficiently.
- d. The PDC and County have negotiated an intergovernmental agreement, as authorized by ORS Chapter 190, in substantially the same form attached hereto as Exhibit A ("CPACE IGA").

The Multnomah County Board of Commissioners Resolves:

1. The County Chair is authorized to sign the CPACE IGA with PDC, in substantially the same form attached hereto as Exhibit 1. Board approval is needed for any modification or amendment that results in a material increase or decrease in the obligations of, or benefits to, the County under the CPACE IGA.

ADOPTED this 3rd day of September, 2015.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Lindsay Kandra, Assistant County Attorney

SUBMITTED BY: Jules Bailey, Commissioner District 1