

2 **RESOLUTION: Authorize Winnebago County to Become a Member of the Property**
3 **Assessed Clean Energy (PACE) Commission**

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6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, pursuant to § 66.0301, Wis Stats, two or more municipalities in the State of Wisconsin may by
8 contract create a commission for the joint exercise of any power or duty required or authorized by law; and

9 **WHEREAS**, Winnebago County is a "municipality" as that term is defined in § 66.0301, Wis Stats, and a
10 political subdivision located in the State of Wisconsin; and

11 **WHEREAS**, Winnebago County is empowered by law to promote economic, cultural, and community
12 development including, without limitation, the promotion of opportunities for the creation or retention of employment,
13 the stimulation of economic activity, the increase of the tax base, and the promotion of opportunities for education,
14 cultural improvement, public health, safety, and general welfare which may be accomplished by various means; and

15 **WHEREAS**, § 66.0627(8), Wis Stats, authorizes a city, village, town, and county in this state to, among other
16 things, make a loan to or otherwise arrange, participate in, or facilitate the financing of an energy improvement, a
17 water efficiency improvement, or a renewable resource application to a real property within its jurisdiction and to
18 provide for such financing through the imposition of a special charge against the property benefitted by the energy or
19 water efficiency improvement or renewable resource project; and

20 **WHEREAS**, such financings are commonly referred to as "Property Assessed Clean Energy," or PACE,
21 financings; and

22 **WHEREAS**, Winnebago County has determined that it is in the public interest to provide real property
23 owners, lessees, lenders, and other transaction parties in Winnebago County with access to a
24 uniformly-administered program for PACE financing; and

25 **WHEREAS**, the Wisconsin Counties Association, League of Wisconsin Municipalities, Green Tier Legacy
26 Communities, and other stakeholders have studied the possibility of creating a commission pursuant to § 66.0301,
27 Wis Stats, to be known as the Wisconsin PACE Commission (Commission); and

28 **WHEREAS**, Winnebago County has evaluated joining the Commission and the benefits of PACE financing
29 and has determined that it is in the County's best interests to join the Wisconsin PACE Commission and authorize
30 the execution of the Commission Agreement; and

31 **WHEREAS**, the PACE Commission would be formed and operated in accordance with a Joint Exercise of
32 Powers Agreement Relating to Wisconsin PACE Commission; and

33 **WHEREAS**, it is the intent of this Resolution to authorize Winnebago County to become a member of the
34 Commission and authorize the Winnebago County Executive and Winnebago County Clerk to execute a Commission
35 Agreement.

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37 **NOW, THEREFORE, BE IT RESOLVED** that the Winnebago County Board of Supervisors hereby supports
38 the Property Assessed Clean Energy (PACE) program, authorizes entering into the PACE Commission Agreement,
39 and authorizes the Winnebago County Executive and County Clerk to sign such document after receipt of preliminary
40 approval from the other participating municipalities, approval from the Winnebago County Treasurer, and approval of
41 the Corporation Counsel for Winnebago County.

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BE IT FURTHER RESOLVED that the Winnebago County Executive is hereby directed to appoint himself or a Winnebago County Board Supervisor to act as Winnebago County's official representative in relation to the final approval of the form of the Commission Agreement and to otherwise take all action necessary to effectuate the intent of this Resolution.

BE IT FURTHER RESOLVED that the Winnebago County Executive is further directed to appoint an elected County Official as Representative Director of the Board of Directors of the Commission to conform with the Commission Agreement.

Respectfully submitted by:
INDUSTRIAL DEVELOPMENT BOARD

Board Vote: **7-0**

Respectfully submitted by:
PERSONNEL AND FINANCE COMMITTEE

Committee Vote: **3-1**

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this ____ day of _____, 2017.

Mark L Harris
Winnebago County Executive