



Commission Members:
Hon. P. Brooks Banta, President
Hon. Terry L. Pepper, Vice President
Hon. Allan F. Angel
Hon. Eric L. Buckson
Hon. Jeffrey W. Hall
Hon. Glen M. Howell
Hon. George "Jody" Sweeney

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RESOLUTION 3818

AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE DELAWARE SUSTAINABLE ENERGY UTILITY TO PARTICIPATE IN THE DELAWARE VOLUNTARY COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM TO ENCOURAGE COMMERCIAL CLEAN ENERGY PROJECTS

- WHEREAS,** Kent County is committed to encouraging responsible economic development, promoting sustainable energy and protecting our environment; and
- WHEREAS,** on August 29, 2018, Governor Carney signed into law Senate Bill No. 113, codifying 29 *Del. C.* § 8061 (the Delaware Voluntary Clean Energy Financing Program based on property assessments (D-PACE) or other local assessments); and
- WHEREAS,** the stated purpose of D-PACE is (a) to establish a statewide voluntary commercial property assessed clean energy program to provide access to financing for clean energy systems and energy efficient technologies with free and willing commercial property owners of both existing properties and new construction within the State and (b) to utilize the Delaware Sustainable Energy Utility (DESEU) and the unique capabilities and qualities inherent within its structure and finances to launch D-PACE to ensure private capital lenders can participate in this program; and
- WHEREAS,** D-PACE is a voluntary program, administered by the DESEU, in which any county in the State may participate by entering into an agreement with the DESEU, as approved by its legislative body, pursuant to which the county agrees to levy and collect benefit assessments for qualifying energy improvements for benefited commercial property owners; and
- WHEREAS,** according to the PACENation data base 2,507 commercial clean energy projects have been completed nationwide using PACE. And local interest in D-PACE financing to fund energy efficiency projects in Kent County has been expressed; and
- WHEREAS,** Kent County would have an essential but limited role in the program, primarily focused on billing and collecting assessments for the DESEU or its assignees; and

"Serving Kent County With Pride"

WHEREAS, by authorizing the County Administrator to sign the Kent County D-PACE Participation Agreement (the "Agreement"), Kent County would become the second county in Delaware to participate in D-PACE.

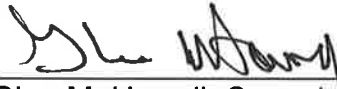
NOW, THEREFORE, BE IT RESOLVED by and for the Levy Court of Kent County that the Levy Court hereby authorizes the County Administrator to execute the Agreement in substantially the form attached hereto, and to execute any amendments as may be necessary for continued participation in D-PACE.



P. Brooks Banta, President



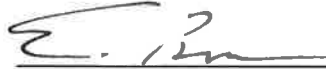
Terry L. Pepper, Vice-President



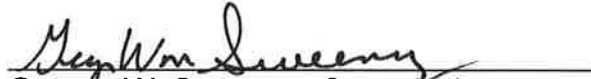
Glen M. Howell, Commissioner



Allan F. Angel, Commissioner



Eric L. Buckson, Commissioner



George W. Sweeney, Commissioner



Jeffrey W. Hall, Commissioner

SYNOPSIS: This Resolution authorizes the Kent County Administrator to sign an agreement with the Delaware Sustainable Energy Utility in substantially the form attached hereto, to participate in D-PACE.

The fiscal impact of this agreement, if approved, will result in one-time servicing fees to be paid to the County of \$700-\$1,500 per affected parcel, depending on the length of the financing term of the benefit assessment.