

## **Resolution No. 6-0816**

### **RESOLUTION APPROVING PACE COMMISSION AGREEMENT AND AUTHORIZING DESIGNATION OF A SUPERVISOR AS “REPRESENTATIVE DIRECTOR” OF THE PACE COMMISSION BOARD OF DIRECTORS**

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

**WHEREAS**, Iowa County is a “municipality” as that term is defined in Wis. Stat. § 66.0301 and a political subdivision located in the State; and

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

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

**WHEREAS**, such financings are commonly referred to as “Property Assessed Clean Energy” or “PACE” financings; and

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

**WHEREAS**, Iowa County and other counties, with the support and counsel of the Wisconsin Counties Association, League of Wisconsin Municipalities, Green Tier Legacy Communities, and other stakeholders, have studied the possibility of creating a commission pursuant to Wis. Stat. § 66.0301 to be known as the Wisconsin PACE Commission (“Commission”); and

**WHEREAS**, the Wisconsin PACE Commission would be formed and operated in accordance with a Joint Exercise of Powers Agreement Relating to Wisconsin PACE Commission (“Commission Agreement”) of which a substantially final draft is attached to this Resolution; and

**WHEREAS**, it is in Iowa County’s best interests to join the Wisconsin PACE Commission and authorize the execution of the Commission Agreement; and

**WHEREAS**, in accordance with Wis. Stat. § 66.0627 and the provisions of the Commission Agreement, Iowa County must adopt an Ordinance relating to the administration of PACE financings in Iowa County and throughout the State (“PACE Ordinance”); and

**WHEREAS**, attached to this Resolution is proposed Ordinance No. \_\_\_\_\_, which will be considered at the same meeting at which this Resolution is being considered (“PACE Ordinance”); and

**WHEREAS**, adoption of the PACE Ordinance is a necessary condition to Iowa County entering into the Commission Agreement; and

**WHEREAS**, it is the intent of this Resolution to authorize Iowa County to become a member of the Commission and authorize a duly-appointed representative of Iowa County to finalize and execute the final Commission Agreement in substantially the form of the draft Commission Agreement attached to this Resolution;

**SO, NOW, THEREFORE, BE IT RESOLVED:** That the Iowa County Board of Supervisors hereby approves the draft Commission Agreement, a copy of which is attached to this Resolution, and authorizes and directs the Iowa County Board Chair to sign such document after receipt of preliminary approval from the other participating municipalities, approval from the Iowa County official duly-appointed to approve the final form of the Commission Agreement, and approval of the Iowa County Corporation Counsel; and

**BE IT FURTHER RESOLVED:** That the Chair of the Iowa County Board of Supervisors is hereby directed to appoint a board supervisor to act as Iowa 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; and

**BE IT FINALLY RESOLVED:** That \_\_\_\_\_ is designated as the Iowa County “Representative Director” of the Board of Directors of the Commission in accordance with the Commission Agreement, he or she to serve at the pleasure of the Iowa County Board of Supervisors

Resolution drafted by Iowa County Corporation Counsel at the request of the Iowa County Administrator and respectfully submitted to the General Government Committee.

Adopted by the Iowa County Board of Supervisors this \_\_\_ day of \_\_\_\_\_, 2016.