

**RESOLUTION NO. 2009-260**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE COUNTY OF SACRAMENTO TO APPLY FOR STATE ENERGY  
PROGRAM FUNDS FROM THE CALIFORNIA ENERGY COMMISSION ON BEHALF  
OF THE CITY AND ITS RESIDENTS**

**WHEREAS**, the City of Elk Grove (the "City") recognizes that it is in the interest of the regional, state, and national economy to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency within our jurisdiction; and

**WHEREAS**, State Energy Program (SEP) funds are available through the California Energy Commission's SEP for grants to eligible local governments for energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

**WHEREAS**, SEP allows for cities, counties, or groups of cities and counties in California to apply for SEP funds on behalf of eligible local governments; and

**WHEREAS**, the City is eligible for SEP funding under the California Energy Commission's SEP; and

**WHEREAS**, the City is proposing to collaborate with the County of Sacramento (the "County") to implement a program for financing the energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by ARRA, which program is described in Exhibit A for the purpose of qualifying for SEP funds from the California Energy Commission; and

**WHEREAS**, the City has considered the application of the California Environmental Quality Act (CEQA) to the approval of the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by ARRA described in Exhibit A; and

**NOW, THEREFORE, BE IT RESOLVED**, that in compliance with CEQA, the City of Elk Grove accepts the County's findings, described in Exhibit B, that the approval of the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by ARRA described in Exhibit A is not a "project" under CEQA, because the program does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4)).

- 1) That the City authorizes the County to submit a collaborative application on its behalf to the California Energy Commission for up to \$17 million in SEP funds

for the implementation of the financing program authorized by ARRA and described in Exhibit A.

- 2) If recommended for funding by the California Energy Commission, City authorizes the County to accept a grant award on its behalf and to enter into all necessary contracts and agreements, and amendments thereto, on its behalf to implement and carry out the program for financing the project/s described in Exhibit A.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9<sup>th</sup> day of December 2009.



PATRICK HUME, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

# EXHIBIT A

## DRAFT

### **CaliforniaFIRST Program Collaborative Partnership Summary of Proposed Scope & Budget Framework** California Energy Commission SEP Funding Opportunity AB 811 Program

#### **DRAFT Budget Basics:**

- ✓ \$15 Million Budget, divided between each participating jurisdiction
- ✓ Primary program budget components include: California FIRST set-up fees and costs, grant administration, agency steering committee participation, education/marketing/incentives, and coordination/supplies.
- ✓ Includes CaliforniaFIRST costs & fees for 160 jurisdictions: 14 Counties + 146 Cities
- ✓ Includes Coordination, Marketing, et al for 141 jurisdictions: 13 Counties + 128 Cities

#### **1. CaliforniaFIRST costs and fees (~\$5.5M)**

Guided by California Communities, and their contractor Renewable Funding, this program element will buy-down the interest rate on the initial round(s) of projects financed by the CaliforniaFIRST program, cover fixed costs associated with bond counsel, bond disclosure, and bond rating and fund set-up fees for counties and cities, cover legal and validation costs, as well as the deployment of technology (web portal) to support local programs.

#### **2. Grant/Contract Administration & Steering Committee Liaison: (~\$1.5M)**

On behalf the applicant agency, grant/contractor administration includes including reporting, financial oversight and invoicing, contract administration, tracking, monitoring and deliverable oversight. In addition, the grant administrator will serve as the partner liaison between all participating steering committees to maintain coordination, and consistency between parties as well as provide technical assistance, training and advice to participating agencies.

#### **3. Regional Program Coordination & Marketing: (~\$8M)**

In line with the overall project goals, funding has been budgeted on a regional basis to each of the four primary program regions in the following amounts, based on total number of Counties:

- Capitol Region (Sacramento/Yolo): \$1,800,000
- Central Valley Region (Fresno/Kern): \$1,150,000
- Bay Area Region: (Alameda/San Mateo/Santa Clara/Solano): \$2,300,000
- Central Coast Region: (Monterey/Santa Cruz/San Benito): \$1,725,000
- Southern Central Coast Region: (San Luis Obispo/Ventura): \$1,150,000

This final program element serves to provide each region with the resources necessary to help facilitate the rapid adoption of energy efficiency and renewable energy generation system installations throughout the target area by connecting property owners to any and all available on-the-ground or proposed resources, rebates, incentives, and services, providing a streamlined framework for easy navigation, reduced out-of-pocket expenses and overall increased cost effectiveness for both the individual and the program overall. The focus of the program will be to create region-wide (or county-wide, where appropriate) cooperative project design, implementation, marketing and coordination to maximize economies of scale, take advantage of overlaps markets and ultimately allow each dollar to go farther to benefit all parties.

## **Suggested Major Program Coordination & Marketing Program Elements:**

### **A. Agency Coordination / Steering Committee Participation**

In recognition of the additional coordination time required to get new programs off the ground, individual counties may elect to include a modest amount of staff time for agency representatives to participate in the program steering committee and other activities to drive program design, educational/marketing material development, form and protocol development, etc. By investing this time at the onset, we are able to develop a self-sustaining program for the long term. County agencies (auditor/tax collector/controller) will receive a small % incorporated into each loan to cover regular ongoing program administration costs in years beyond the grant term. Some jurisdictions may instead wish to contribute this time as project leveraged funds/resources to increase overall program cost effectiveness based on their individual needs and resources. Regional partnership may also elect to use a portion of the resources from this program element toward informal or formalized staff/personnel training within their jurisdictions.

### **B. Education / Outreach/ Incentives / Marketing**

Successful program adoption requires thoughtful design, convenient procedures, and a robust program education component to encourage and energize program participation and enthusiasm. Achieving this goal, the project team will create clear, consistent and thematic program branding imagery, educational and recruitment tools such as program brochures, incentive awards for Tier 1 energy efficiency elements, and a property owner grant assistance for disadvantaged or other target populations to encourage and facilitate increased Tier 2 and Tier 3 adoption/installation. The program will be supported by the CaliforniaFIRST web portal and links to new and existing partner and complementary websites, frequently asked questions, applications and/or other program materials. In addition, the project will engage a wide-stretching network of partners to promote, recruit and disseminate program information utilizing existing mechanisms of door-to-door outreach, community event tabling, workshops and presentations, or other appropriate energy efficiency and complementary program participation activities. Major elements might include:

- ✓ Outreach Promotional Materials: Brochures, Door-hangers, Postcard Mailers, Bill Inserts, etc.
- ✓ Program Marketing Advertisements: Print Ads, Radio/TV Ads, PSA Production
- ✓ Promotional Outreach Events, Trade Shows or Community Workshops
- ✓ Homeowner/Business/Contractor/Staff Training Seminars
- ✓ Sustainability Site Signage and/or Participant Awards Incentives
- ✓ Tier 1 Energy Efficiency Incentives
- ✓ Tier 2/Tier 3 Energy Efficiency Property Owner Grants
- ✓ Green Building and/or LEED Certification Technical Assistance/ Incentives

### **C. Community Coordinator / Partner Liaison / Supplies**

The community coordinator is envisioned to serve as the single point regional program coordinator to unify, inform, collaborate, and engage all program parties, respond to public inquiries and facilitate the education, outreach, marketing, recruitment and promote program adoption by the target community. In addition the coordinator is responsible for coordinating with the grant administrator, tracking/reporting necessary progress and metrics, meeting/exceeding grant milestones and targets, incorporating required complementary program components, and providing for quality control/quality assurance. Specific tasks will be driven by the overall project goals as well as the specific needs of each region, and may include:

- ✓ **Coordination** with Grant Administrator/Steering Committee Liaison
- ✓ **Coordination** with CaliforniaFIRST Municipal Finance District
- ✓ **Facilitation** of local Regional Steering Committee Members and Partners
- ✓ **Assist** with Implementation Strategy, Documents, Procedures & Protocols Development
- ✓ **Guide** Promotion, Marketing, Education, Recruitment & Program Information Dissemination
- ✓ **Link** Program Participants to Regional Energy Efficiency & Complementary Programs
- ✓ **Connect** to Concurrent Complementary Workforce Development Training/Graduates
- ✓ **Administer** Regional Program Budget, Competitive Bidding, Other Program Transparency Reqs
- ✓ **Track** and/or compile, Monitor & Evaluate Program Progress, Energy Savings, GHG Reductions Achieved, Partner Leveraged Funds and Ancillary Environmental Benefits

**Sample County Budget:**

A sample budget based on the above framework is provided below. Please note, these amounts are subject to change based on the actual needs of each participating jurisdiction and feedback obtained regarding funder and partner thresholds for competitiveness.

<i>Component</i>	<i>% Overall</i>	<i>Gross Benefit Per County</i>	<i>Net Benefit Per County</i>
1. CaliforniaFIRST Costs & Fees	39%	\$ 428,571.43	-
2. Grant Administration & Technical Assistance	10%	\$ 107,142.86	-
3A. Steering Advisory Committee	10%	\$ 115,000.00	\$ 115,000.00
3B. Education, Outreach, Incentives, Marketing	23%	\$ 258,750.00	\$ 258,750.00
3C. Community Coordination	18%	\$ 201,250.00	\$ 201,250.00
<b>Total:</b>	<b>100%</b>	<b>\$ 1,110,714.29</b>	<b>\$ 575,000.00</b>

**Grant Development Team:**

- **County of Sacramento**—Lead Agency (Applicant), will oversee grant writing, provide final edits, required signatures and submit finalized proposal on behalf of entire collaborative team based on the approved proposed program scope and budget framework
- **Ecology Action**—Partner Grant Writers, will develop narrative based on proposed program scope and budget framework, especially as it pertains to project administration, technical assistance, regional coordination and marketing, to meet all grant requirements and maximize proposal competitiveness.
- **Renewable Funding**—Partner Grant Writers, will develop narrative based on proposed program scope and budget framework, especially for CaliforniaFIRST related program elements, to meet all grant requirements and maximize proposal competitiveness.

**Partner (Cities/Counties) Contributions/Timeline—What do we need from you?**

- **11/5-11/10: Review & Provide Feedback** on Proposed Program Scope/Budget Framework
- **11/10/09: Approve Proposed Program Scope and Budget Framework**, empowering grant writing team to move forward developing and finalizing the narrative proposal.
- **Fri 11/13/09: Provide Relevant Information** from your jurisdiction to be included in narrative, based on the questions listed on the following page. Please note, answers to these questions do not need to be extensive, rather provide basic information that our development team can pursue in greater depth, as appropriate (e.g. this will help us to establish the basic lay of the land in each region and work to maximize program consistency throughout).
- **Fri 11/20/09: Grant Program Letter of Commitment Due** to CaliforniaFIRST. Please note, a sample letter has been prepared and is available from CaliforniaFIRST basecamp. A sample staff report is expected by 11/6.
- **Mon 1/18/10: (2) Board Resolutions** as described below. Please note, sample resolutions will be provided shortly. Both resolutions may be taken to your governing body under the same action.
  - i. To **authorize the collaborative lead agency** bidder [County of Sacramento] to apply for and receive funding on behalf of our agency, and
  - ii. To **authorize our agency to join** California Statewide Communities Development Authority (California Communities) CaliforniaFIRST program
- **1/1/10-3/31/12: Project Grant Term.** Participate as appropriate in regional Steering Advisory Committee to guide program design, policy, protocol, education development, marketing, et al. Track in-kind leveraged funds or empower coordinator to track on your behalf.

## EXHIBIT B

### ATTACHMENT 13

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE FORM

The California Environmental Quality Act (CEQA) requires state and local agencies (public agencies) to identify the significant environmental impacts of their actions and to avoid or mitigate them, if feasible. (For an explanation of the CEQA process, please visit <http://ceres.ca.gov/ceqa/summary.html>.) All awards (contracts, grants, and loans) funded by the Energy Commission are considered "projects" under CEQA,<sup>1</sup> and must therefore comply with CEQA in order to receive funding.

The Lead Agency is the public agency that has the greatest responsibility for preparing environmental documents under CEQA, and for carrying out, supervising, or approving a project. Where the award recipient is a public agency, the Lead Agency is typically the public agency. Where the award recipient is a private entity, the Lead Agency is the public agency that has greatest responsibility for supervising or approving the project as a whole.<sup>2</sup> The Energy Commission, as the funding agency, must develop CEQA findings based on review of the Lead Agency's environmental documents. **This form must be completed by the authorized legal representative of each applicant for Energy Commission funding.**

The Energy Commission may request additional information in order to clarify answers provided on this form.

- 1. Has a public agency (other than the Energy Commission) determined that the activity is a "project" under CEQA (i.e., may cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment)?**

**Yes** (please state the name of the public agency below, and continue to question #2)

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**No** (please explain why the public agency does not consider the activity to be a "project" under CEQA):

The proposed project consists of data collection leading to the establishment of a program to fund activities such as bond counsel, bond disclosures, legal costs, marketing and outreach costs and development of a web site. It can be seen with

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<sup>1</sup> A "project" is an activity that may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Cal. Pub. Res. Code § 21065.

<sup>2</sup> 14 C.C.R. §§ 15050, 15051. The Lead Agency typically has general governmental powers (such as a city or county), rather than a single or limited purpose (such as an air pollution control district).

certainty that there is no possibility that the project has the potential to cause a significant effect on the environment.

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**Agency has not completed review** (please provide an estimated date for completion of review):

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**Uncertain** (please state reason for uncertainty):

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**2. Has the public agency determined that the project is exempt from CEQA?**

For an explanation of CEQA exemptions, please visit:  
<http://ceres.ca.gov/ceqa/flowchart/exemptions/index.html>.

**Yes** (please check the appropriate boxes below and list the relevant California Public Resources Code (PRC) and/or California Code of Regulations (CCR) section number, then continue to question #3):

**Statutory exemption**  
PRC number: \_\_\_\_\_  
CCR number: \_\_\_\_\_

**Categorical exemption**  
CCR number: \_\_\_\_\_

**Common sense exemption** (i.e., no possible significant effect)  
CCR number: 14 CCR §15061(b)(3) (please explain why this exemption applies to the project):

The proposed project consists of data collection leading to the establishment of a program to fund activities such as bond counsel, bond disclosures, legal costs, marketing and outreach costs and development of a web site. It can be seen with certainty that there is no possibility that the project has the potential to cause a significant effect on the environment.

**No** (continue to question #4)

**Agency has not completed review** (please provide an estimated date for completion of review):

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**3. Has the public agency filed a Notice of Exemption (NOE) with the County Clerk and/or Governor's Office of Planning and Research?**

For an explanation of the NOE filing process, please visit:  
<http://ceres.ca.gov/ceqa/flowchart/noe.html>.

To obtain an NOE form, please visit:  
<http://ceres.ca.gov/ceqa/guidelines/appendices.html>.

**Yes** (please submit a copy of the NOE along with this form)

**No** (please provide an estimated filing date below. Alternatively, please submit an authorizing resolution<sup>3</sup> that includes a finding of exemption, or an agenda item accompanying the resolution that includes a finding of exemption):

January 2, 2010

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**4. Has the public agency completed an Environmental document for the project (i.e., Initial Study, Negative Declaration, Mitigated Negative Declaration, Notice of Preparation, Environmental Impact Report), or does the public agency plan to complete an Environmental document?**

**Yes** (please complete the following information, then continue to question #5):

Type of Environmental Review	Title of Environmental Document	State Clearinghouse Number	Completion Date	Planned Completion Date
Initial Study				
Negative Declaration				

<sup>3</sup> See Attachments [ ] of this solicitation for examples of authorizing resolutions.



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Mitigated Negative  
Declaration

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Notice of  
Preparation  
Environmental  
Impact Report

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Please submit a copy of the completed Environmental document(s) to the Energy Commission.

**No** (please explain why the public agency has not completed or does not plan to complete an Environmental document):

The project is exempt from CEQA. See #1 above.

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**5. Has the public agency filed a Notice of Determination (NOD) with the County Clerk and/or Governor's Office of Planning and Research?**

For an explanation of the NOD filing process, please visit:  
<http://ceres.ca.gov/ceqa/flowchart/NODlolead.html>.

To obtain an NOD form, please visit:  
<http://ceres.ca.gov/ceqa/guidelines/appendices.html>

**Yes** (please submit a copy of the Notice of Determination along with this form)

**No** (please provide an estimated filing date):

A NOD is not necessary for an exemption. A Notice of Exemption will be filed in 2010 (see #3 above).

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**This form was completed by:** Antonia Barry

**Title:** Assistant Environmental Coordinator



**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-260**

STATE OF CALIFORNIA       )  
COUNTY OF SACRAMENTO    )     ss  
CITY OF ELK GROVE         )

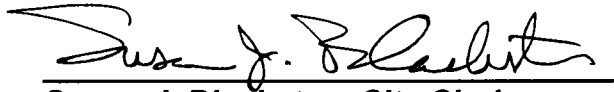
*I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 9, 2009 by the following vote:*

**AYES :**       **COUNCILMEMBERS:**     *Hume, Scherman, Cooper, Davis, Detrick*

**NOES:**       **COUNCILMEMBERS:**     *None*

**ABSTAIN :**   **COUNCILMEMBERS:**     *None*

**ABSENT:**    **COUNCILMEMBERS:**     *None*

  
\_\_\_\_\_  
**Susan J. Blackston, City Clerk**  
**City of Elk Grove, California**