

AUTHORIZING DANE COUNTY TO JOIN THE WISCONSIN PROPERTY
ASSESSED CLEAN ENERGY (PACE) COMMISSION

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.

Dane County is a “municipality” as that term is defined in Wis. Stat. § 66.0301 and a political subdivision located in the State.

Dane 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.

Section 66.0627(8) of the Wisconsin Statutes authorizes a city, a village, a town and 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.

Such financings are commonly referred to as “Property Assessed Clean Energy” or “PACE” financings.

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

In 2016, Dunn, Eau Claire, and La Crosse counties, with the support and counsel of the Wisconsin Counties Association, League of Wisconsin Municipalities, Green Tier Legacy Communities and other stakeholders, created a commission pursuant to Wis. Stat. § 66.0301 to be known as the Wisconsin PACE Commission (“Commission”). The Wisconsin PACE Commission was created and is operated in accordance with a Joint Exercise of Powers Agreement Relating to Wisconsin PACE Commission (“Commission Agreement”) which is attached to this resolution. Since 2016, 12 other County members have joined the Commission. The members include the Counties of Bayfield, Chippewa, Douglas, Dunn, Eau Claire, Fond du Lac, Iowa, Jefferson, La Crosse, Manitowoc, Ozaukee, Racine, Sheboygan, St. Croix, and Washington.

47 It is in Dane County's best interests to join the Wisconsin PACE Commission
48 and authorize the execution of the Commission Agreement.

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50 In accordance with Wis. Stat. § 66.0627 and the provisions of the Commission
51 Agreement, Dane County must adopt an Ordinance relating to the administration of
52 PACE financings in Dane County and throughout the State ("PACE Ordinance"); and
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54 Attached to this Resolution is proposed Ordinance No. 2017 OA-005, which will
55 be considered at the same meeting at which this Resolution is being considered
56 ("PACE Ordinance"); and
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58 Adoption of the PACE Ordinance is a necessary condition to Dane County
59 entering into the Commission Agreement; and
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61 It is the intent of this Resolution to authorize Dane County to become a member
62 of the Commission.
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64 SO, NOW, THEREFORE, BE IT RESOLVED:
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66 That the Dane County Board of Supervisors hereby approves the Commission
67 Agreement, a copy of which is attached to this Resolution, and authorizes and directs
68 the Dane County Executive to sign such document; and
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70 BE IT FURTHER RESOLVED:
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72 That the Dane County Executive is hereby directed to appoint, with the
73 approval of the County Board, a local public official in accordance with the
74 Commission Agreement to act as Dane County's official representative in relation to
75 taking all action necessary to effectuate the intent of this Resolution, and that he or
76 she is to serve an initial term ending upon the third Tuesday in April of the next even
77 numbered year, and shall thereafter, be appointed by the County Executive, with the
78 approval of the County Board, to serve two-year terms ending on the third Tuesday in
79 April of even-numbered years or as soon thereafter as successors are appointed and
80 qualified.