



Snohomish County Council

Legislation Text

File #: 2022-1126, Version: 1

Executive/Council Action Form (ECAF)

ITEM TITLE:

Motion 22-475, approving the 2022 Snohomish County Commercial Property Assessed Clean Energy and Resiliency (C-Pacer) Program Guide

DEPARTMENT: Conservation & Natural Resources

ORIGINATOR: Bill Leif

EXECUTIVE RECOMMENDATION: Lacey Harper (11/7/22)

PURPOSE: County Council approval via Motion of C-PACER Program Guide in accordance with SCC 2.900.030

BACKGROUND: In 2020 the Washington State Legislature passed HB 2405, which created the Commercial Property Assessed Clean Energy and Resiliency (C-PACER) Program, codified in [Chapter 36.165 Revised Code of Washington \(RCW\) <https://app.leg.wa.gov/RCW/default.aspx?cite=36.165>](https://app.leg.wa.gov/RCW/default.aspx?cite=36.165). A C-PACER Program allows a private owner of an eligible property to obtain a “C-PACER loan” for specific capital improvements to the property that increase or provide public benefits such as energy efficiency, renewable energy, water conservation, potable water lead reduction, and resiliency. The C-PACER loan is attached to the property with a lien, and the loan obligation stays with the property in the event of sale. The intent is to provide a financial incentive to private property owners to make capital improvement that benefit the public as described in Ch. 36.165 RCW. Ch. 36.165 RCW authorizes each county in Washington to establish a C-PACER program applicable to both incorporated and unincorporated areas of the county. In 2021, the Snohomish County Council adopted Chapter 2.900 Snohomish County Code (SCC) - Commercial Property Assessed Clean Energy and Resiliency (C-PACER). 2.900.010 SCC directs the County Executive to establish a C-PACER program and make it available to eligible properties within incorporated and unincorporated Snohomish County. 2.900.010 SCC states that in accordance with RCW [36.165.030 <https://snohomish.county.codes/WA/RCW/36.165.030>](https://snohomish.county.codes/WA/RCW/36.165.030), the C-PACER program shall be established and begin accepting applications no later than one year after December 26, 2021, which was the effective date of the ordinance adopting Chapter 2.900 SCC. 2.900.020 states that the program shall be administered through the Department of Conservation and Natural Resources or through a third-party administrator, and that the program administrator shall be responsible for ensuring the program complies with Chapter [36.165 <https://snohomish.county.codes/WA/RCW/36.165>](https://snohomish.county.codes/WA/RCW/36.165). RCW. 2.900.030 states that the program administrator shall develop a program guide consistent with the requirements of RCW [36.165.020 <https://snohomish.county.codes/WA/RCW/36.165.020>](https://snohomish.county.codes/WA/RCW/36.165.020), and that, prior to initial program implementation, the Executive shall submit the guidebook and all documents created in conjunction with the guidebook to the County Council by motion for approval. The Department of Conservation and Natural Resources has prepared a Snohomish County C-PACER Program Guide in accordance with the requirements of RCW 36.165.020, including a stakeholder process. 2.900.070 SCC directs the Executive to establish an application fee that achieves cost recovery for program implementation and operation, and that the Executive may adjust the fee

as necessary. This fee has been initially established in the Program Guide at \$1,500 per C-PACER project application.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL			

DEPARTMENT FISCAL IMPACT NOTES: The C-PACER Program is intended to be cost-neutral through recovery of administrative costs through collecting a fee charged for each project.

CONTRACT INFORMATION:

ORIGINAL _____ CONTRACT# _____ AMOUNT _____
 AMENDMENT _____ CONTRACT# _____ AMOUNT _____

Contract Period

ORIGINAL START _____ END _____
 AMENDMENT START _____ END _____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Reviewed/approved by Finance (Nathan Kennedy 10/25/22).