

RESOLUTION NO. R 002 21

AUTHORIZING DESEU TO CONDUCT THE COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM (D-PACE), WITHIN SUSSEX COUNTY

WHEREAS, the Sussex County Council is committed to encouraging responsible economic development, promoting sustainable energy and protecting our environment; and

WHEREAS, Delaware Code, Title 29, Chapter 80, Subchapter II, relating to Delaware Voluntary Clean Energy Financing Program Based on Property Assessment or Other Local Assessment (the “D-PACE Program”) establishes 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 directs SUSTAINABLE ENERGY UTILITY, INC., a non-profit corporation created by Delaware statute, d/b/a Energize Delaware (“DESEU”), to establish and administer the D-PACE Program; and

WHEREAS, Pursuant the Statute, DESEU may only establish and administer the D-PACE Program in the County if the County authorizes it to do so by resolution; and

WHEREAS, The County wishes to authorize DESEU to administer projects through the D- PACE Program in the County; and

WHEREAS, The County and DESEU have agreed on the terms of the D-PACE Participation Agreement substantially in the form attached hereto (the “Participation Agreement”); and

NOW THEREFORE BE IT RESOLVED that the Sussex County Council authorizes the County Council President to sign the Participation Agreement effective date of this Resolution, which shall be February 2, 2021.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 002 21 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 2ND DAY OF FEBRUARY 2021.

**ROBIN A. GRIFFITH
CLERK OF THE COUNCIL**