



4. The following types of projects are qualified projects for PACE financing that may be subject to such contractual assessments: Projects that (a) involve the installation or modification of a permanent improvement fixed to privately owned commercial, industrial, or residential real property with five (5) or more dwelling units, and (b) are intended to decrease energy or water consumption or demand, including a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature.

An assessment may not be imposed to repay the financing of facilities for undeveloped lots or lots undergoing development at the time of the assessment or the purchase or installation of products or devices not permanently fixed to real property.

5. The boundaries of the entire geographic area within the City's jurisdiction are the boundaries of the region where PACE financing and assessments can occur.
6. Financing for qualified projects under the PACE program will be provided by qualified third-party lenders chosen by the owners. Such lenders will execute written contracts with the City's authorized representative to service the assessments, as required by the PACE Act. The contracts will provide for the lenders to determine the financial ability of owners to fulfill the financial obligations to be repaid through assessments, advance the funds to owners on such terms as are agreed between the lenders and the owners for the installation or modification of qualified projects, and service the debt secured by the assessments, directly or through a servicer, by collecting payments from the owners pursuant to contracts executed between the lenders and the owners. The lender contracts will provide that the City will maintain and continue the assessments for the benefit of such lenders and enforce the assessment lien for the benefit of a lender in the event of a default by an owner. The City will not, at this time, provide financing of any sort for the PACE program.
7. The City intends to enter into an interlocal agreement with the Alamo Area Regional Council of Government, which will serve as the independent third-party Authorized Representative.
8. The City will consult with the County Tax Assessor/Collector for Bexar County.
9. The report on the proposed PACE program prepared as provided by Tex. Local Gov't Code Sec. 399.009, is available for public inspection on the City's internet website and in the office of the City Manager at 3300 Hillcrest, Balcones Heights, TX 78201, and is incorporated in this resolution and made a part hereof for all purposes.

The City Council will hold a public hearing on the proposed PACE program and report on April, 26, 2021 at 6:00 p.m. in the Justice Center, located at 3300 Hillcrest Drive, Balcones Heights, Texas, 78201.

Adopted this 5<sup>th</sup> day of April, 2021.

---

Honorable Suzanne de Leon, Mayor

---

Honorable Stephen Lara  
Councilmember

---

Honorable Gloria Cantu  
Councilmember

---

Honorable John Halpin  
Councilmember

---

Honorable Lamar Gillian  
Councilmember

---

Honorable Miguel Valverde  
Mayor Pro Tem/Councilmember

**ATTEST:**

**Delia R. Sanchez**  
**City Secretary**