



Legislation Text

File #: RES 14-1572, **Version:** 1

Authorizing the City of Saint Paul to enter into a Joint Powers Agreement with the Saint Paul Port Authority to implement and administer the Property Assessed Clean Energy Program.

WHEREAS, the Port Authority of the City of Saint Paul (the "Port Authority") has established a Property Assessed Clean Energy Program ("PACE of MN") to finance the acquisition and construction or installation of energy efficiency and conservation improvements on properties located throughout the state of Minnesota through the use of special assessments pursuant to Minnesota Statutes Sections 216C.435 and 216C.436 and Chapter 429 (the "Act"), and

WHEREAS, the Port Authority is authorized by the Act to implement and administer the PACE of MN program, and has a proven track record of administering governmental programs to provide financing within the city of Saint Paul and in other areas of the state of Minnesota, and

WHEREAS, the City of Saint Paul ("City") desires that the Port Authority implement and administer the PACE of MN program within the city of Saint Paul and provide financing through a designated lending institution ("Loans") or the Port Authority's issuance of special assessment bonds (the "Bonds"), to qualifying properties within its boundaries for energy improvements ("Improvements") that will benefit the properties and the citizens of the city, and

WHEREAS, the City agrees to assist in financing the Improvements by levying special assessments on properties participating in the PACE of MN program, in accordance with the Application and Petition for Special Assessments submitted by property owners and approved by the Port Authority, and

WHEREAS the City understands that the Port Authority will be solely responsible for repayment of the Loans or PACE OF MN special assessment revenue bond(s) issued to finance the Improvements, and that the City's sole responsibility under the PACE of MN program is to impose and collect said special assessments, and WHEREAS, the City will apply an interest rate to the special assessments equal to the interest rate on the Loans or Bonds as reported by the Port Authority, and will further apply an administrative fee to recover its costs to process the special assessments, and

WHEREAS, after levying said special assessments, the City will collect payments either directly from the assessed properties or indirectly through Ramsey County (the "County") of the amounts certified annually to the County for collection with property taxes; and the City will remit all assessments received, less its administrative fee, to the Port Authority, and

WHEREAS, if any assessed properties become tax delinquent, the City's only obligation is to transfer any collection of assessments actually received and, if any assessed properties are forfeited to the State of Minnesota for failure to pay property taxes and subsequently returned to private ownership, the City will take action to reassess the properties for the outstanding balance in accordance with Chapter 14 of the City Charter and/or Minn. Stat. Section 429.071, Subd. 4, now

THEREFORE BE IT RESOLVED, by the City Council of the City of Saint Paul, that the Mayor, Director of the Office of Financial Services and City Clerk and/or their designees are authorized to execute on behalf of the City, the Joint Powers Agreement, attached in substantially final form, and any other documents, certificates or agreements necessary to implement the PACE of MN program authorized by this resolution.