

CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION

May 13, 2015

No. 15-09

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**RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED JOINT POWER AGREEMENT WITH PROPERTY ASSESSED CLEAN ENERGY PROGRAM (PACE OF MN)**

**WHEREAS**, the City of Falcon Heights and the Saint Paul Port Authority entered into a Joint Powers Agreement, dated June 18, 2014 in connection with the PACE Program; and

**WHEREAS**, the Port Authority is seeking to amend this agreement to ensure that the Joint Power Agreement accurately reflects the PACE Program; and

**WHEREAS**, under the revised Joint Power Agreement, the fundamental terms and conditions of the Joint Power Agreement remains in full force and effect; and

**WHEREAS**, the Saint Paul Port Authority would like to amend the current Joint Power Agreement as long as the amendments do not "impair the rights" of any holders of debt; and

**WHEREAS**, the two modifications will address funding sources as outlined by the amended agreement and amended language describing the termination of said amended agreement as shown and described as Exhibit A.

**NOW THEREFORE BE RESOLVED**, the City Council of the City of Falcon Heights, Minnesota hereby approves the amended and restated Joint Power Agreement with Property Assessed Energy Program ("PACE OF MN").

Adopted by the City Council of Falcon Heights, Minnesota this day of May 13<sup>th</sup>, 2015.

Moved by: MERCER-TAYLOR

Approved by: Peter Lindstrom  
Peter Lindstrom  
Mayor

LINDSTROM            4    In Favor  
BROWN THUNDER  
HARRIS                0    Against  
LONG  
MERCER-TAYLOR

Attested by: Sack Thongvanh  
Sack Thongvanh  
City Administrator