

**CITY OF EDEN PRAIRIE
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION NO. 2013-100

**A RESOLUTION APPROVING THE JOINT POWERS AGREEMENT BY AND
BETWEEN THE CITY OF EDEN PRAIRIE AND THE PORT AUTHORITY OF THE
CITY OF SAINT PAUL RELATING TO THE MN PACE PROGRAM AND
DESIGNATING THE PORT AUTHORITY AS THE IMPLEMENTING ENTITY TO
ADMINISTER THE PROGRAM ON BEHALF OF THE CITY**

WHEREAS, Minnesota Statutes, Sections 216C.435 and 216C.436 (the “Act”) authorize the City to provide for the financing of the acquisition and construction or installation of energy efficiency and conservation improvements (the “Improvements”) on qualifying real property located within the boundaries of the City through the use of Minnesota Statutes, Chapter 429 special assessments; and

WHEREAS, the Act authorizes the City to designate an authority other than the City to implement the program under the Act on behalf of the City; and

WHEREAS, the Port Authority of the City of Saint Paul (“Port Authority”) has created a program under the Act known as the Property Assessed Clean Energy Program (“MN PACE”) for purposes of implementing and administering the activities described in the Act, and the Port Authority is willing to implement and administer that program on behalf of the City; and

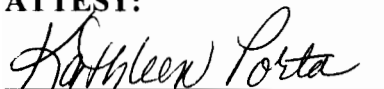
WHEREAS, the City and the Port Authority desire to enter into a written Joint Powers Agreement pursuant to Minnesota Statutes section 471.59, subd. 1, whereby the City will designate the Port Authority as the implementing entity to implement and administer the MN PACE program on behalf of the City to finance the Improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDEN PRAIRIE, that execution of the Joint Powers Agreement by and between the City and the Port Authority is hereby approved and that the Port Authority is hereby designated as the implementing entity to implement and administer the MN PACE program on behalf of the City.

ADOPTED by the City Council of the City of Eden Prairie this 19th day of November, 2013.


Nancy Tyra-Lukens, Mayor

ATTEST:


Kathleen Porta, City Clerk