

1 **BOARD BILL NO. 308** **INTRODUCED BY PRESIDENT LEWIS REED,**  
2 **ALDERMAN JOSEPH VACCARO AND ALDERWOMAN CAROL HOWARD,**  
3 **ALDERWOMAN LYDA KREWSON**

4 An ordinance to enable the City of St. Louis to join the Missouri Clean Energy  
5 District in order to provide an additional authorized entity through which owners of property  
6 within the City may obtain financing for energy efficiency improvements or renewable  
7 energy improvements to their property pursuant to the Property Assessment Clean Energy  
8 Act, sections §67.2800 to §67.2835 of the Revised Statutes of Missouri; and stating the steps  
9 to be taken by the City in connection therewith and the activities such district may conduct  
10 within the city.

11 **WHEREAS**, the General Assembly of the State of Missouri has adopted the Property  
12 Assessment Clean Energy Act, Sections 67.2800 to 67.2835, Revised Statutes of Missouri  
13 (the “Act”), and

14 **WHEREAS**, Section 67.2810.1 authorizes one or more Municipalities (as defined in  
15 Section §67.2800.7) to establish a Clean Energy Development Board to initiate and  
16 administer a Property Assessment Clean Energy (“PACE”) Program so that owners of  
17 qualifying property can access funding for energy efficiency improvements or renewable  
18 energy improvements to their properties located in such Municipalities; and

19 **WHEREAS**, the development, production, and efficient use of clean energy and  
20 renewable energy, as well as the installation of energy efficiency improvements to publicly  
21 and privately owned real property, will create jobs for residents of the City of St. Louis,

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1 Missouri, advance the economic well-being and public and environmental health of the City  
2 of St. Louis, Missouri, and contribute to the energy independence of our nation; and

3 **WHEREAS**, the primary intent of funding energy efficiency and renewable energy  
4 improvements pursuant to the Act is to promote the public purposes described above; and

5 **WHEREAS**, by Ordinance 69056, the City established the Clean Energy  
6 Development Board of The City of St. Louis, Missouri (the “Board”) to operate a PACE  
7 program within the City; and

8 **WHEREAS**, on January 3, 2011, a statewide clean energy development board, now  
9 named the Missouri Clean Energy District (“MCED”), was created to offer additional  
10 participation opportunities to municipal and county governments throughout the State of  
11 Missouri and reduce the bureaucratic burden on local government; and

12 **WHEREAS**, the best interests of the City of St. Louis, Missouri and its residents will  
13 be served by the City’s additional membership in the MCED, expanding resident access to  
14 the programs, expertise and financial resources for PACE Projects available through MCED;  
15 and

16 **WHEREAS**, by joining the District, the City is offering additional resources to  
17 property owners seeking to participate in PACE funding for authorized energy  
18 improvements. Such membership election does not diminish the power or authority of the  
19 Board to continue to operate its PACE program but instead increases the available tools and  
20 resources for residents of the City; and

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1           **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN**  
2           **OF THE CITY OF ST. LOUIS, MISSOURI, AS FOLLOWS:**

3           **SECTION ONE:** Findings of Fact. The Board of Aldermen hereby finds and  
4 determines that it is in the best interests of the City and the health, safety, and welfare of City  
5 residents for the City to become a member of the MCED and authorize it to administer its  
6 PACE program within the City, in addition to the PACE program offered by the Clean  
7 Energy Development Board of the City of St. Louis, Missouri.

8           **SECTION TWO:** City to Join District. The City hereby approves and authorizes  
9 the City to join and participate in the MCED and authorizes the MCED to offer programs and  
10 financing in accordance with Sections §67.2800 to §67.2835, inclusive, RSMo., the  
11 “Property Assessment Clean Energy Act”.

12           **SECTION THREE:** Appointment of Member of Advisory Council. Upon passage  
13 of this ordinance, the Mayor is authorized and directed to appoint a city representative to the  
14 advisory council of the MCED. Such appointee shall be a resident of the City of St. Louis  
15 and a registered voter therein, and shall serve until the appointee resigns or is replaced by the  
16 Mayor.

17           **SECTION FOUR:** Definitions and Administration.

18           A.     Definitions. Except as specifically defined below, words and phrases used in  
19 this Ordinance shall have their customary meanings. Words and phrases defined in Section  
20 67.2800.2 of the Missouri Revised Statutes (2000), as amended, shall have their defined

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1 meanings when used in this Ordinance. As used in this Ordinance, the following words and  
2 phrases shall have the meanings indicated:

3 i. “MCED” or “District” means the Missouri Clean Energy District.

4 ii. “PACE Assessment” means a special assessment made against  
5 qualifying property in consideration of PACE Funding.

6 iii. “PACE Funding” means funds provided to the owner(s) of qualified  
7 property by the District for an energy efficiency improvement or renewable energy  
8 improvement.

9 iv. “Qualifying Property” means real property located in The City of St.  
10 Louis, Missouri.

11 B. Administration, The District shall administer its PACE program within the  
12 City by:

13 i. providing property owners with an application form in order to apply  
14 to the District for PACE Funds;

15 ii. developing standards for the approval of Projects submitted to it by  
16 property owners;

17 iii. reviewing applications submitted to it and selecting qualified Projects;

18 iv. entering into Assessment Contracts with property owners;

19 v. providing a copy of each executed Notice of Assessment to the City’s  
20 Assessor and causing a copy of each such Notice of Assessment to be recorded in the  
21 real estate records in the Office of the Recorder of Deeds for the City;

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- 1           vi.           authorizing and disbursing the PACE Funds to the property owners;
- 2           vii.          receiving PACE Assessments from the City Collector;
- 3           viii.         recording any lien, if needed, due to nonpayment of a PACE
- 4           Assessment; and
- 5           ix.           exercising all powers granted by Section 67.2810.2 of the Missouri
- 6           Revised Statutes (2000), as amended, including, but not limited to, the power to levy
- 7           and collect special assessments under an assessment contract with a property owner.

8           **SECTION FIVE: Severability and Superseding of Inconsistent Provisions.** The

9           sections of this Ordinance shall be severable. In the event that any section of this Ordinance

10          is found by a court of competent jurisdiction to be invalid or unenforceable, the remaining

11          sections of this Ordinance shall nevertheless be valid and enforceable.

12          **SECTION SIX: Delivery of Ordinance.** The Register of the City is hereby

13          authorized and directed to deliver a duly executed copy of this Ordinance to the Board of

14          Directors of the District.

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