

Request for Board Action Details

File #: 2020-580

Type: Administrative Item **Status:** Passed

In control: Board of Commissioners

On agenda: 12/22/2020 **Final action:** 12/22/2020

Title: Certification of Property Assessed Clean Energy (PACE) Charges for Energy Improvements

Sponsors: Community & Economic Development

Indexes:

Code sections:

Attachments: 1. Request Letter from Saint Paul Port Authority, 2. PACE OF MN Project and Assessment Tracking Sheet, 3. Resolution

| Date | Ver. | Action By | Action | Result |
|------------|------|------------------------|----------|--------|
| 12/22/2020 | 1 | Board of Commissioners | approved | Pass |

Sponsor: Community & Economic Development

Title
Certification of Property Assessed Clean Energy (PACE) Charges for Energy Improvements

Recommendation

1. Request the County Auditor to extend the proposed special assessment plus interest on the following property:

Owner: Zone 5 Group, LLC
 Property Address: 2161 University Avenue West Saint Paul
 PIN: 322923110043
 Project Type: Solar array
 Assessment Request: \$220,500.00
 Interest Rate: 5 %
 Finance Period: 10 years

Such assessments shall be payable in equal annual principal and interest installments extending over the term of the special assessment. The first of the installments shall be payable with general property taxes in 2021, and shall bear interest at the rates per annum and interest start dates stated above, and to the first installment shall be added interest on the entire assessment from the interest start date until December 31 of the tax payable year to which the first installment will be extended, and to each subsequent installment, when due, shall be added interest for one year on all unpaid installments and to each installment shall also be added the special assessment administration fee required by Minnesota Statutes section 429.061, subd. 5.

2. Direct the Chief Clerk to send a certified copy of this Resolution to the County Auditor to extend this assessment on the property tax lists of the County.

Background and Rationale

On November 24, 2015, the Ramsey County Board of Commissioners approved an agreement with the Port Authority of Saint Paul (Saint Paul Port Authority or SPPA) for the administration and implementation of Property Assessed Clean Energy Program of Minnesota (PACE OF MN) on behalf of County for energy improvements to eligible properties and providing for the imposition of special assessments as needed in connection with the program.

The following business submitted an application to SPPA:

Owner: Zone 5 Group, LLC
Property Address: 2161 University Avenue West Saint Paul
PIN: 322923110043
Project Type: Solar array
Assessment Request: \$220,500.00
Interest Rate: 5 %
Finance Period: 10 years

SPPA has reviewed the application and determined the interested property owner meets all eligibility requirements. SPPA, on behalf of the property owner, requests the County apply a special assessment and collect repayment on property tax bills on behalf of the SPPA.

The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property. An owner may at any time thereafter, pay to the county auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

PACE OF MN Process/Eligibility/Requirements

Commercial and industrial businesses, non-profits (including religious institutions), and owners of multi-family housing are eligible for PACE OF MN. Approved projects are eligible for 100% financing from SPPA and other non-county sources and the repayment schedule is structured to have an immediate positive cash flow. Interest rates vary depending on the length of the financing term and include SPPA processing charges.

Interested applicants for the PACE OF MN program connect with the SPPA. Applicants are required to be the legal owner of the property and all of the legal owners of the property must agree to participate. The interested property owner must be current on any existing mortgage and the property owner must not have defaulted on the deeds of trust. Property must not be subject to any involuntary liens or judgments, not be delinquent on property taxes and the property owner must not be in bankruptcy. SPPA performs a thorough credit analysis and applications are approved by the

SPPA's Credit Committee prior to the SPPA submitting an assessment request to the County.

Following review by SPPA, SPPA requests the County apply a special assessment and collect repayment on property tax bills on behalf of the SPPA. Loan payments for PACE OF MN projects cannot exceed the greater of 20% of the property's assessed value as determined by the county assessor or 20% of an appraised value that has been accepted or approved by the mortgage lender. The second clause allows PACE assessments to be applied to new construction where the value increase has not yet been realized from a property tax perspective. The assessment stays with the property in the event of a sale. The special assessment becomes a lien against the property at the point that it is extended to the tax rolls. If not timely paid, the special assessment would accrue penalties and interest as with other delinquent taxes and is subject to tax forfeiture. Unpaid assessments become a lien on the property like any other special assessment or unpaid property taxes

County Goals (Check those advanced by Action)

Well-being

Prosperity

Opportunity

Accountability

Racial Equity Impact

The racial equity impact of PACE assessments is unclear at this time. The Community and Economic Development department is exploring ways to understand the racial equity impact of this program. To date, the utilization of this program has varied from larger, well capitalized property owners and developers to religious institutions and non-profit organizations.

Community and Economic Development is currently completing an economic analysis and will be analyzing current and possible future business and redevelopment programming as part of the Economic Competitiveness and Inclusion Vision Plan. Ramsey County strives to ensure the program availability is fair and equitable. PACE special assessments are self-imposed by a property owner and can provide property owners with a way to finance energy efficiency improvements.

Community Participation Level and Impact

The Saint Paul Port Authority, PACE administrator for Ramsey County, engages businesses directly or through other economic development partners in increasing awareness of this program. The community is also informed of the availability of this program through the County's website at

<https://www.ramseycounty.us/businesses/property-development/property-development-programs/property-assessed-clean-energy-program-pace>

Inform Consult Involve Collaborate Empower

Fiscal Impact

The processing of loan applications to participate in the PACE OF MN program is the responsibility of the SPPA, with loan repayments being the responsibility of the property owner. No additional budget or FTE are required for the Community and Economic Development and Property Tax, Records and Election Services departments to manage the program and assess participating properties.

County Manager Comments

Per Minnesota Statutes, Section 429.061, the County Board is required to adopt by resolution each assessment. This action is the fourteenth certification of PACE OF MN special assessments; the first was completed December 22, 2015. With these special assessments, property owners have invested over \$26 million in energy improvements.

Last Previous Action

On November 24, 2015, the Ramsey County Board of Commissioners approved an agreement with the Port Authority of Saint Paul for the administration and implementation of PACE OF MN on behalf of County for energy improvements to eligible properties and providing for the imposition of special assessments as needed in connection with the program (Resolution B2015-355).

Attachments

1. Request Letter from Saint Paul Port Authority
2. PACE OF MN Project and Assessment Tracking Sheet