

BILL NO. 13- 510

ORDINANCE NO. 13- 510

AN ORDINANCE AUTHORIZING THE CHAIRMAN OF THE VILLAGE OF THE UPLANDS PARK BOARD OF TRUSTEES TO EXECUTE AN AGREEMENT WITH THE COUNTY OF ST. LOUIS REGARDING A RESIDENTIAL ENERGY EFFICIENCY LOAN PROGRAM

WHEREAS, the Board of Trustees of the Village of Uplands Park, State of Missouri (“Village”) finds and declares that it is in the best interests of its taxpayers and residents to ensure that the Village is able to participate in a certain Residential Energy Efficiency Loan Program.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES AS FOLLOWS:

Section 1. Attached hereto as Exhibit A is a copy of a form of an Agreement whereby the Village would enter into an agreement with the County of St. Louis, State of Missouri relating to a certain Residential Energy Efficiency Loan Program. The Chairman of the Board is hereby authorized to execute that Agreement and to cause the Village to be bound thereby.

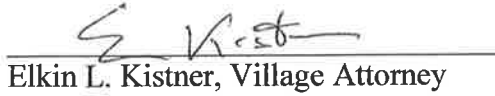
Section 2. This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law.

Section 3. Any and all Village ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall not be published in the Village’s Code of Ordinances.

PASSED and APPROVED this 11th day of February, 2013.



Johnetta Williams
Chairman, Village of Uplands Park



Elkin L. Kistner, Village Attorney

PASSED AND APPROVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
UPLANDS PARK, MISSOURI, THIS 11th DAY OF FEBRUARY, 2013.

EXHIBIT A

RESIDENTIAL ENERGY EFFICIENCY LOAN PROGRAM COOPERATION AGREEMENT

This **RESIDENTIAL ENERGY EFFICIENCY LOAN PROGRAM COOPERATION AGREEMENT** (this "Agreement") is entered into this 11th day of February, 2013, by and among **ST. LOUIS COUNTY, MISSOURI** (the "County") and all incorporated cities, towns and villages located in the County that have joined this Agreement (collectively, the "Municipalities" and each, a "Municipality").

RECITALS

WHEREAS, the County has developed a program to provide low interest rate loans to residential property owners to make energy efficiency improvements (the "Program"); and

WHEREAS, the implementation of the Program throughout the County will serve the public purposes of energy conservation and economic development by stimulating the County's residents to undertake residential energy efficiency improvements; and

WHEREAS, the provisions of Sections 70.210 to 70.320, RSMo., empower political subdivisions to contract with each other for a common service and Section 2.180 of the County Charter provides that the County Council may by ordinance authorize contracts between the County and an incorporated area for a common service;

WHEREAS, the County Council has authorized this Agreement by Ordinance No. 24,694, 2011; and

WHEREAS, the County desires to the make the Program available throughout the County and to have the incorporated cities, towns and villages located in the County assist in the marketing the Program.

AGREEMENT

NOW, THEREFORE, for and in consideration of the above recitals, the County and the Municipalities do hereby agree as follows:

1. The County shall have sole administrative control over the Program and may make any changes to underwriting criteria, eligible projects and other aspects of the Program as it may determine are desirable from time to time.

2. The Program shall be offered, without geographic restrictions or allocations, to residential property owners in unincorporated areas of the County and in the Municipalities that have approved this Agreement. By approval of this Agreement, each Municipality is consenting to the County offering the Program within the Municipality.

3. The County intends to make low interest loans under the Program to eligible residential property owners in the priority in which applications are received, subject to underwriting criteria, loan documentation and other administrative requirements of the Program.

4. The Municipalities shall cooperate in the marketing of the Program by:

(a) Posting an informational flyer provided by the County's Director of Energy Sustainability (the "Sustainability Director") at the meeting place of the governing body of the Municipality and/or other public areas operated by the City (i.e., recreation centers, libraries, etc.), which the Municipality determines will be beneficial to the effective marketing of the Program;

(b) If the Municipality maintains a newsletter, including a communication from the Sustainability Director describing the Program;

(c) If the Municipality maintains a website, including a link to the Program website from the Municipality's website; and

(d) If the Municipality owns or operates an electric utility, cooperating in good faith with the Sustainability Director to obtain any utility usage information that the Sustainability Director deems beneficial to the marketing or monitoring of the Program.

5. The Municipality may terminate this Agreement by providing 30 days written notice to the Sustainability Director. Any such termination will not affect prior loans made under the Program to residential property owners in the Municipality.

6. The County may terminate this Agreement by providing 30 days written notice to the chief executive officer of the Municipality. Any such termination will not affect prior loans made under the Program to residential property owners in the Municipality.

7. Neither the Municipality nor any of its officers, employees or agents will bring any claim against the County, its officers, employees or agents related to the Program.

8. This Agreement will remain in effect so long as the Program has funds to continue operating. The County and Municipalities acknowledge that, as of the date first written above, and unless additional funding is identified, the Program is anticipated to make loans over a three-year period.

[Remainder of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their respective names by their duly authorized signatories.

ST. LOUIS COUNTY, MISSOURI

By: _____
County Executive

[SEAL]

ATTEST:

By: _____
Administrative Director

Approved as to legal form:

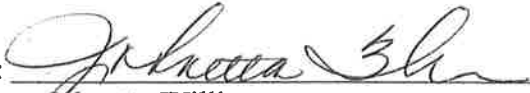
County Counselor

Approved:

Accounting Officer


Agreed to this 11th day of February, 2013

VILLAGE OF UPLANDS PARK

By: 
Name: Johnetta Williams
Title: Chairman, Village of Uplands Park

[SEAL]

ATTEST:

By: 
Name: BIRDIE C. MCKEE
Title: Village Clerk