

CITY OF MAPLE PLAIN, MINNESOTA

RESOLUTION NO. 2026-0526-11

**A RESOLUTION PROVIDING
FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION
IMPROVEMENT BONDS, SERIES 2026A IN THE
PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$5,295,000 AND OBLIGATING THE CITY
TO BE BOUND BY AND USE THE PROVISIONS OF MINNESOTA STATUTES, SECTION
446A.086 TO GUARANTEE THE PAYMENT OF THE PRINCIPAL AND INTEREST ON
CERTAIN BONDS AND AUTHORIZING THE EXECUTION OF A CREDIT ENHANCEMENT
PROGRAM AGREEMENT**

BE IT RESOLVED by the City Council (the “Council”) of the City of Maple Plain, Minnesota (the “City”) as follows:

Section 1. Bonds Authorized

1.01. Certain assessable public improvements within the City, including street improvements (the “Assessable Improvements”) associated with the project in the City designated as the 2026 Downtown Reconstruction and Industrial Street Improvement Projects (the “Project”), have been made, duly ordered or contracts let for the construction thereof pursuant to the provisions of Minnesota Statutes, Chapters 429 and 475, as amended (the “Act”).

1.02. It is necessary and expedient to the sound financial management of the affairs of the City to issue general obligation bonds in the aggregate principal amount of \$5,295,000 (the “Bonds”), pursuant to the Act, to provide financing for the Assessable Improvements.

1.03 City staff are authorized and directed to take all other actions necessary to carry out the intent of this resolution.

1.04. The City desires to participate in the Minnesota Public Facilities Authority Credit Enhancement Program (the “Credit Enhancement Program”) with the Minnesota Public Facilities Authority (the “PFA”) to provide credit enhancement for the Bonds pursuant to Minnesota Statutes, Section 446A.086 (the “PFA Act”).

Section 2. Authority of Municipal Advisor. Ehlers and Associates, Inc. (the “Municipal Advisor”) is authorized and directed to negotiate the sale of the Bonds. The City Council will meet on Monday, June 22, 2026, or another date selected by City staff, to consider proposals on the Bonds and take any other appropriate action with respect to the Bonds.

Section 3. Authority of Bond Counsel. The law firm of Kutak Rock LLP, as bond counsel for the City (“Bond Counsel”), is authorized to act as bond counsel and to assist in the preparation and review of necessary documents, certificates and instruments relating to the Bonds. The officers, employees and agents of the City are hereby authorized to assist Bond Counsel in the preparation of such documents, certificates, and instruments.

Section 4. Covenants. In the resolution awarding the sale of the Bonds, the City Council will set forth the covenants and undertakings required by the Act.

Section 5. Official Statement. In connection with the sale of the Bonds, the officers or employees of the City are authorized and directed to cooperate with the Municipal Advisor and participate in the preparation of an official statement for the Bonds and to deliver it on behalf of the City upon its completion.

Section 6. Credit Enhancement Application; Fee; Agreement. The Mayor and City Administrator, or designee, are hereby authorized to submit, on behalf of the City, an application to the PFA to participate in the Credit Enhancement Program with the PFA along with a nonrefundable application fee in the amount of \$500.00, and to enter into an agreement with the PFA (the "Agreement"), all in accordance with and as required by the Act. The Mayor and City Administrator, or designee, are hereby authorized to execute any and all applicable forms prescribed by the PFA in connection with the Credit Enhancement Program.

Section 7. Guarantee of Payment.

(a) The City hereby covenants and obligates itself to notify the PFA of a potential default in the payment of principal and interest on the Bonds, and to use the provisions of the Act to guarantee payment of the principal of and interest on the Bonds when due. The City further covenants to deposit with the registrar or any successor paying agent 3 days prior to the date on which a payment is due, an amount sufficient to make that payment or to notify the PFA that it will be unable to make all or a portion of that payment. The registrar for the Bonds is authorized and directed to notify the City Administrator and the PFA if it becomes aware of a potential default in the payment of principal or interest on the Bonds or if, on the day 2 business days prior to the date a payment is due on the Bonds, there are insufficient funds to make that payment on deposit in the registrar. The City understands that as a result of its covenant to be bound by the provisions of the Act and the PFA Act, the provisions of those laws shall be binding as long as the Bonds remain outstanding.

(b) The City further covenants to comply with all procedures now or hereafter established by the PFA and the Commissioner of Management and Budget of the State of Minnesota pursuant to the Act, and otherwise to take such actions as necessary to comply with that section.

Section 8. Declaration of Official Intent to Reimburse Expenditures.

8.01 The Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; the City expects to incur certain expenditures with respect to the Project that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of the tax-exempt Bonds in a principal amount of up to \$5,295,000.

8.02 The City has determined to make a declaration of official intent (the "Declaration") to reimburse certain costs with respect to the Project from proceeds of the Bonds in accordance with the Reimbursement Regulations.

8.03 All reimbursed expenditures will be capital expenditures, costs of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

8.04 This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of the Bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5% of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20% of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City

to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

8.05 This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the Bonds described herein are consistent with the City’s budgetary and financial circumstances. No sources other than proceeds of the Bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City’s budget or financial policies to pay such expenditures.

8.06 This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Approved this May 26, 2026, by the City Council of the City of Maple Plain, Minnesota.

**CITY OF MAPLE PLAIN,
MINNESOTA**

Julie M. Maas-Kusske, Mayor

ATTEST:

Jacob W. Schillander, City Administrator