

## **CITY OF NEW PRAGUE**

### **RESOLUTION #CC-26-02-17-03**

#### **RESOLUTION AUTHORIZING THE CITY OF NEW PRAGUE TO EXERCISE THE POWERS OF A MUNICIPAL POWER AGENCY**

BE IT RESOLVED By the City Council (the “Council”) of the City of New Prague, Le Sueur and Scott Counties, Minnesota (the “City”) as follows:

##### Section 1. Background; Findings.

1.01. The City, acting through its Utilities Commission (the “Commission”), owns and operates facilities for the generation and distribution of electric energy in the City and elsewhere.

1.02. Minnesota Statutes, Chapter 453, as amended (the “Act”), authorizes the formation of a municipal power agency with the power and authority to finance and acquire facilities for the generation or transmission of electric energy, or interests in such facilities or rights to part of all of the capacity thereof. Section 453.58, subdivision 1 of the Act authorizes the City by resolution of the Council to exercise the powers of a municipal power agency, upon fulfillment of the conditions provided in Sections 453.51 to 453.62 of the Act for the exercise of any such power, but without the need to comply with Section 453.53 of the Act relating to incorporation, and notwithstanding any provision of the Charter of the City or any other law denying, limiting, or placing conditions on upon the exercise of any such power.

1.03. It is found and determined that it is in the best interests of the City and the Commission that the City be authorized to exercise all of the powers of a municipal power agency, including but not limited to the issuance of bonds or notes to provide sufficient funds to carry out the purposes contemplated by the Act.

1.04. Pursuant to Section 453.58, subdivision 2 of the Act, the City is required to publish any resolution adopted by the Council in accordance with Section 453.58, subdivision 1 of the Act in the official newspaper of the City. No action may be brought and no defense may be interposed in an action brought more than thirty (30) days after publication of such resolution, placing at issue the validity of any provision of the resolution or the power of the City to make any contract or to issue any bond, note, or other obligation authorized thereby.

##### Section 2. Approvals; Authorizations.

2.01. The Council hereby determines, pursuant to Section 453.58, subdivision 1 of the Act, to exercise all of the powers of a municipal power agency as described in the Act.

2.02. The City Administrator is authorized and directed to promptly publish this resolution in the official newspaper of the City to satisfy the requirements of Section 453.58, subdivision 2 of the Act.

Adopted by the City Council of the City of New Prague on this 17<sup>th</sup> day of February, 2026.

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Charles Nickolay, Mayor

ATTEST:

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Joshua M. Tetzlaff, City Administrator