

**CITY OF CIRCLE PINES, MINNESOTA
REGULAR CITY COUNCIL MEETING**

**May 12, 2020
7:00 P.M.**

AGENDA

1. Call to Order
2. Roll Call

*Dave Bartholomay, Mayor
Matt Percy, Council Member
Jennifer Rauner, Council Member
Dean Goldberg, Council Member
Steve McChesney, Council Member
Patrick Antonen, City Administrator*

3. Setting of Agenda **Note:** Consent Agenda items will be acted on with one motion unless a council member requests their placement on the regular agenda -
4.
 - a. Taxpayer Comments
 - b. Council Member Comments
 - c. Mayor Comments

5. COMMITTEE REPORTS

- a. Police Governing Board
- b.

6. COUNCIL BUSINESS

- a. Consent Agenda

Item

Action

- | | |
|---|---------|
| 1. Minutes - 4/28/20 Regular Council Meeting (Enclosed) | Approve |
| 2. General Fund Disbursements (Enclosed) | Approve |
| 3. Police Disbursements (Enclosed) | Approve |
| 4. Fire Disbursements (Enclosed) | Approve |
| 5. Licenses (Enclosed) | Approve |

Council Action_____

- b. Resolution No. 2020-06 Issuance and Sale of GO Bonds 2020A (Draft Enclosed)

Council Action_____

- c. Resolution No. 2020-07 Amending the Joint and Cooperative Agreement for the North Metro Telecommunications Commission (Enclosed)

Council Action _____

- d. Resolution No. 2020-08 in Support of Community Television (Enclosed)

Council Action _____

- e. Pay Voucher No. 1 – 2020 Street Reconstruction Project

Council Action _____

- f. _____

Council Action _____

7. ADJOURN TO WORK SESSION

**CITY OF CIRCLE PINES, MINNESOTA
REGULAR CITY COUNCIL MEETING**

**Tuesday, April 28, 2020
7:00 p.m.**

1. CALL TO ORDER

Mayor Bartholomay called the meeting to order at 7:00 p.m. He noted the meeting is being conducted via online video means pursuant to Minnesota Statutes Section 13D.021.

2. ROLL CALL

Also present via video conferencing were Council Members McChesney, Goldberg, Rauner and Percy. City Administrator Antonen was present in Circle Pines city council chambers and participating via video conferencing.

3. SETTING OF AGENDA

There were no changes to the agenda.

4. COMMENTS

a. Taxpayer Comments

It was noted there were no audience members present in council chambers.

b. Council Member Comments

Council Member Rauner expressed thanks to the community for donating over 600 masks to Centennial Fire Station #1 and over 300 masks to Station #3.

Council Member Percy asked when the Iron-enhanced Sand Filter project would be active. City Administrator Antonen said he spoke with city engineers today and the hope is to turn on the system next week. Rauner asked if the city would always rely on the contractor to turn it on. Antonen said it is in the contract for the contractor to do a winterization in the fall and conduct a start-up in the Spring while it is still under warranty.

Council Member Goldberg reported there has been a 77.2 percent response rate so far for the 2020 Census in Circle Pines. He mentioned there will soon

be a letter sent from the mayor to rental properties in an effort to increase the number of responses.

c. Mayor Comments

Mayor Bartholomay commented on the following:

- Spring Recycling/Cleanup Day cancelled
- Green Lights Recycling coupon for residents in city newsletter
- April 24 governor's conference call
- April 30 Metro Cities annual meeting via video conferencing
- May 1-8 weeklong GiveAtHomeMN support for local churches and nonprofits
- Emailed concerns from residents regarding traffic issues
- Anoka County traffic study on Lake Drive from Lexington Avenue to Main Street in Lino Lakes
- Repair of Pine Drive at Lake Drive
- Yard waste pickup on Shepherd Court
- 2020 street project
- COVID-19 impacts on schools and students

5. COMMITTEE REPORTS

a. Utilities Commission

Mayor Bartholomay reported the commission met May 15 and business included a report on COVID-19 impact on utilities and customers' ability to make payments, request from Public Utilities Commission to extend the Cold Weather Rule, decision to waive late fees and offer payment plans.

City Administrator Antonen added that the Department of Commerce was also part of the request from the PUC.

b. Fire Steering Committee

Council Member Percy reported the committee met April 16 and received an annual report from auditing firm MMKR who reported the district is in good shape. He said annual appointments were made to the Fire Relief Board, and the committee heard a report from the fire chief on calls, personnel and equipment and how operations are affected by COVID-19.

Percy added that fire duty crews have been fully implemented. He said there was also discussion on a proposal to hire an outside firm to conduct a study of the district to look for ways to improve efficiency and service and that proposal was approved by resolution. The study is expected to take four to six months.

c. Anoka County Fire Protection Council

Council Member Goldberg reported this meeting was well attended and the budget was approved with a 2.3 percent increase in revenue and a 0.6 percent increase in expenses. He said both amounts are in the range of \$415,000 and \$410,000 respectively.

d. Cable Commission

Council Member McChesney reported the commission met April 15 and adopted a resolution supporting the protection of Community Television Act, approved a settlement agreement with CenturyLink regarding their alleged consumer fraud. City Administrator Antonen said both agreements will likely be brought to the council at a future meeting.

6. COUNCIL BUSINESS

a. Consent Agenda

Items included:

1. Minutes – 04/14/20 Regular Council Meeting
2. General Fund Disbursements
3. Police Disbursements
4. Fire Disbursements
5. Licenses

MOTION: Percy moved, seconded by Goldberg, to approve the Consent Agenda as presented. **Motion carried by Roll Call Vote of 5 Ayes and 0 Nays.**

b. COVID-19 Update

Mayor Bartholomay commented that council and staff are constantly monitoring the status of COVID-19. He said there was a recent city call with the governor where the governor expressed his commitment to Local Government Aid. Bartholomay said purchases and expenditures are being monitored and proposed changes would be brought before the council. He mentioned that next year's budget meetings will begin in June and the current situation will be part of those discussions.

City Administrator Antonen commented that Local Government Aid is roughly 18 percent of the city's budget, so the governor's commitment to that is important. He said the city always strives to come in under budget and use tax dollars to the best of its ability.

Antonen said the city and utilities are returning to a somewhat normal schedule beginning tomorrow, socially distancing staff while still being able to complete projects. He said city hall is being used to separate administrative staff and breaks and lunch shifts will be separated for Public Works and Parks employees. He explained staff is also looking at making changes to work spaces at city hall to allow for more social distancing.

Bartholomay suggested potential long-term changes also be looked at for city hall. Antonen said there are a number of areas in the office where improvements could be made for efficiency as well as keeping employees safe.

Council Member McChesney asked what the status is for potentially reopening city hall or council members attending meetings in council chambers. Antonen responded we will wait to see what the governor directs and use the best available data. He said there haven't been many disruptions in services, so the process of reopening will be slow to make sure protective measures are in place.

c. Summer Parks Plan

Mayor Bartholomay commented this falls into the framework of the governor's rules for social distancing etc.

City Administrator Antonen said due to the COVID-19 situation, the city is looking at a number of decisions. He said in Golden Lake Park staff has decided it is not feasible to open the concession stand due to the inability to social distance and there would not be enough personal protective equipment on hand throughout the summer for attendants to serve food. He said it is therefore, timely for the city to conduct some improvements to the concession stand and update amenities to the outside of the concession stand this summer.

Antonen said in addition, staff recommends parks bathrooms, pavilions, playgrounds, pickle ball, tennis and sand volleyball courts only be opened once the Stay At Home order is lifted and when we receive further guidance from the state from CDC, DNR and the governor's office as to when and how these public areas should be opened safely. He said the bathrooms require cleaning supplies so if we do run out of those, then it's not safe to have those facilities open. Antonen said a phased approach is best for opening the facilities.

Bartholomay asked for input from council members on the possibility of not opening the concession stand this season. Council Member Percy pointed out that two people are necessary for the stand to open and there isn't enough room for them to stay safely apart, so it makes sense to keep it closed. Council Member Rauner agreed.

Council Member McChesney agreed, noted a potential estimated \$10,000 shortfall between the concession stand and pavilion rentals, and asked how that would be handled. Antonen said there would be a cost savings by not hiring seasonal employees so that should offset a majority of that, added to items that we're not able to do this year, and hopefully we would be ahead or break even. He said generally the concession stand doesn't make money for the city and runs a little negative every year but is an amenity that protects Golden Lake Park and provides something unique to the citizens.

Council Member Goldberg agreed with closing the concession stand.

Bartholomay commented that the pavilions shouldn't be rented because it gives the impression that people are considered safe there. He said there are other activities that can be done safely. Antonen said the current CDC guidelines do not include tennis, sand volleyball or pickle ball as activities.

Goldberg said the governor's emergency executive order references the necessity of people going outdoors but does not get into the details of what's opened and closed. It references the Minnesota Department of Health document that references the CDC document that is specifically titled Resources for Parks and Recreational Facilities. He said the CDC recommendation is based on the recommendation to not congregate in groups, specifically citing tennis courts, pickle ball courts, baseball fields, and other related things. He said the recommendation would also include places of congregation such as pavilions and playgrounds as it's not possible to socially distant yourself in those areas. He said if those were open, the city would be obligated to clean and disinfect them on a routine basis. Goldberg added he thinks the state will continue to defer to what the CDC recommendations are for these kind of areas.

Antonen said the recommendation is to allow staff latitude to follow the state and CDC guidance as to the best time to slowly phase in opening of the parks activities.

Percy commented he understands and appreciates the guidelines from the CDC, but he is concerned that this may be more government overreach than we want to apply. He said we have a responsibility to keep people safe in enclosed spaces such as the concession stand, but when people are in an outdoor setting, he feels it's OK for them to take on that responsibility themselves. Percy said he thinks people are taking this seriously as there have been groups walking around Golden Lake that are together but keeping a distance apart. He said it's important to give people that latitude to be smart in their own personal decisions.

Percy said there is only so far we can go as city government to try to keep people safe from themselves and at some point we have to let them take on

that responsibility on their own. He said he is not comfortable with the idea of roping off everything and to him there is not much difference between people at a tennis court and where two people are throwing a Frisbee in the park.

McChesney said he agrees with everyone, and is a little closer to Percy's beliefs. He said obviously we don't want to rent pavilions or open the concession stand because then it feels like we're endorsing doing the wrong thing. He agreed with leaving people to make their personal choices for themselves and their families, and said roping everything off and essentially telling people what to do is not the right thing either. He said everybody understands social distancing at this point and we have to trust them to make the decisions.

Rauner commented on the need to keep an eye on what the CDC recommends and what is in the best interest of our community and keep a dialogue on it.

Goldberg said he thinks when the CDC says "do not congregate and do not use playgrounds," that language is strong and that is written for national, state and local governments. He said he thinks we'd be remiss in our duty to citizens to do what small things we can and our duty to public safety in the middle of a pandemic that is a highly infectious condition if we did not follow CDC recommendations.

Percy said that is an excellent point and for him it comes down to how much responsibility we have to educate versus to enforce. He said he would be in favor of signage in parks that shows social distancing guidelines, but is not sure he wants to enforce that for everyone who wants to use the resource. Goldberg said he thinks it is more of a recommendation to not play on playgrounds or use a pavilion when we are taping it off.

Antonen commented staff will to the best of its ability keep things open that should be open, but it's possible that park bathrooms may not be open all summer. He said staff will digest council comments and will come up with a plan. It was noted that portable restrooms will remain open.

McChesney pointed out that Little League communications are that a decision will be made by May 14. Antonen commented that not "setting things in stone" now is helpful to staff as things are changing rapidly.

Percy asked if the city will run out of supplies for the restrooms eventually. Antonen said he is specifically talking about cleaning supplies for restrooms at the concession stand. He said there is a stockpile left over from last year and we are trying to add to it but cleaning and paper supplies are still limited and we could potentially run out sometime this summer. He said the supply chain is very stressed right now.

Bartholomay said the need for a staff person to check on the restrooms would be greater than the supplies. Antonen said seasonal employees would be taking that on as well.

Goldberg mentioned the CDC also has guidelines for administrators and parks and recreational facilities that addresses restrooms specifically. He said it says you have to maintain the restrooms that remain open by frequently disinfecting high touch surfaces, but there is not that same requirement for portable restrooms.

Bartholomay commented staff has the latitude to do what is right, not only for the community so they can enjoy parks and trails, but also for safety purposes.

7. ADJOURNMENT

MOTION: Rauner moved, seconded by Goldberg, to adjourn the meeting at 8:11 p.m. **Motion carried by Roll Call Vote of 5 Ayes and 0 Nays.**

Mayor

Clerk

Invoice	Seq	Type	Description	Invoice Date	Total Cost	Per
05/05/2020						
31008 COMCAST						
51220	1	Invoice	May Internet	05/12/2020	33.48	05/20
Total 51220:					33.48	
Total 31008 COMCAST:					33.48	
31147 CONTINENTAL RESEARCH CORP						
13737	1	Invoice	Glass cleaner	05/12/2020	16.70	05/20
13737	2	Invoice	Glass cleaner	05/12/2020	8.35	05/20
Total 13737:					25.05	
Total 31147 CONTINENTAL RESEARCH CORP:					25.05	
31320 COVERALL OF THE TWIN CITIES						
7070275884	1	Invoice	May CH Cleaning	05/12/2020	293.40	05/20
Total 7070275884:					293.40	
Total 31320 COVERALL OF THE TWIN CITIES:					293.40	
90157 I U O E LOCAL 49						
51220	1	Invoice	June Benefits	05/12/2020	862.50	05/20
51220	2	Invoice	June Benefits	05/12/2020	1,840.00	05/20
51220	3	Invoice	June Benefits	05/12/2020	230.00	05/20
51220	4	Invoice	June Benefits	05/12/2020	1,035.00	05/20
Total 51220:					3,967.50	
Total 90157 I U O E LOCAL 49:					3,967.50	
230105 WH SECURITY						
51220	1	Invoice	Mar. Monitoring	05/12/2020	21.02	05/20
Total 51220:					21.02	
Total 230105 WH SECURITY:					21.02	
Total 05/05/2020:					4,340.45	

Invoice	Seq	Type	Description	Invoice Date	Total Cost	Per
05/06/2020						
30540 CENTURY LINK						
051220	1	Invoice	GL PHONE MAY	05/12/2020	28.11	05/20
Total 051220:					28.11	
Total 30540 CENTURY LINK:					28.11	
31238 CORPORATE CONNECTION INC						
54553	1	Invoice	HAND SANITIZER COVID-19	05/12/2020	50.16	05/20
54553	2	Invoice	HAND SANITIZER COVID-19	05/12/2020	8.36	05/20
54553	3	Invoice	HAND SANITIZER COVID-19	05/12/2020	4.18	05/20
Total 54553:					62.70	
54569	1	Invoice	SEASONAL T-SHIRTS	05/12/2020	61.30	05/20
Total 54569:					61.30	
54594	1	Invoice	PW SEASONAL T-SHIRTS	05/12/2020	16.06	05/20
Total 54594:					16.06	
Total 31238 CORPORATE CONNECTION INC:					140.06	
50030 ECKBERG LAMMERS, P.C.						
04 2020	1	Invoice	PROSECUTIONS APRIL	05/12/2020	3,554.05	05/20
Total 04 2020:					3,554.05	
Total 50030 ECKBERG LAMMERS, P.C.:					3,554.05	
110240 KUECHLE UNDERGROUND, INC.						
PAY APPL 1	1	Invoice	2020 STREET PROJ PAY APPL 1	05/12/2020	472,794.75	05/20
Total PAY APPL 1:					472,794.75	
Total 110240 KUECHLE UNDERGROUND, INC.:					472,794.75	
140890 NYSTROM PUBLISHING CO., INC.						
43114	1	Invoice	MAY CITY NEWSLETTER	05/12/2020	689.31	05/20
43114	2	Invoice	Postage	05/12/2020	369.48	05/20
Total 43114:					1,058.79	
Total 140890 NYSTROM PUBLISHING CO., INC.:					1,058.79	
160520 PRESS PUBLICATIONS INC						
663188	1	Invoice	CENSUS AD	05/12/2020	250.00	05/20
Total 663188:					250.00	
665404	1	Invoice	EARTH DAY BANNER AD	05/12/2020	137.50	05/20

Invoice	Seq	Type	Description	Invoice Date	Total Cost	Per
Total 665404:					137.50	
Total 160520 PRESS PUBLICATIONS INC:					387.50	
180330 REHBEINS BLACK DIRT						
10150	1	Invoice	BLACK DIRT	05/12/2020	196.00	05/20
Total 10150:					196.00	
Total 180330 REHBEINS BLACK DIRT:					196.00	
200126 TURFWERKS, INC						
E111209	1	Invoice	PARTS FOR LEAF VAC	05/12/2020	123.42	05/20
Total E111209:					123.42	
Total 200126 TURFWERKS, INC:					123.42	
230100 W S B & ASSOCIATES, INC						
R-013714-00	1	Invoice	MARCH 2020 STREET PROJ	05/12/2020	24,768.00	05/20
Total R-013714-000-14:					24,768.00	
Total 230100 W S B & ASSOCIATES, INC:					24,768.00	
Total 05/06/2020:					503,050.68	
Grand Totals:					507,391.13	

Report GL Period Summary

Vendor number hash: 0
 Vendor number hash - split: 0
 Total number of invoices: 0
 Total number of transactions: 0

Report Criteria:

Invoice Detail.GL Account = 10110100-506477506710,70210100-702499702730

Report Criteria:
 Report type: Summary

GL Period	Check Issue Date	Ck No	Payee	Description	Check Amount
04/20	04/29/2020	13189	AMAZON	COPY PAPER	78.05
04/20	04/29/2020	13190	ANOKA CO TREASURY OFFICE	BROADBAND	75.00
04/20	04/29/2020	13191	ASPEN MILLS, INC	UNIFORMS MG	503.65
04/20	04/29/2020	13192	CENTENNIAL UTILITIES	UTILITIES MARCH	436.65
04/20	04/29/2020	13193	DON'S CIRCLE SERVICE	VEHICLE REPAIRS & MTC	95.90
04/20	04/29/2020	13194	EMERGENCY CONTRACTORS	MONTHLY LANDSCAPING	815.00
04/20	04/29/2020	13195	KENNEDY & GRAVEN, CHARTERED	MARCH LEGAL	28.50
Grand Totals:					<u>2,032.75</u>

Name	Vendor #	Invoice	Seq	Type	Description	Invoice Date	Pmt Due Date	Total Cost	GL Account	GL Period	GL Activity
04/29/2020											
10400 AMAZON											
AMAZON	10400	042920	1	Invoi	BIOHAZARD WASTE BAGS COVID	04/29/2020	04/29/2020	17.64	901-42-2100-216	04/20	2020
AMAZON	10400	042920	2	Invoi	COPY PAPER	04/29/2020	04/29/2020	60.41	901-42-2100-201	04/20	0
Total 10400 AMAZON:								<u>78.05</u>			
10790 ANOKA CO TREASURY OFFICE											
ANOKA CO	10790	B20042	1	Invoi	BROADBAND	04/29/2020	04/29/2020	75.00	901-42-2100-321	04/20	0
Total 10790 ANOKA CO TREASURY OFFICE:								<u>75.00</u>			
11565 ASPEN MILLS, INC											
ASPEN MIL	11565	255806	1	Invoi	UNIFORMS MG	04/29/2020	04/29/2020	503.65	901-42-2100-218	04/20	0
Total 11565 ASPEN MILLS, INC:								<u>503.65</u>			
30480 CENTENNIAL UTILITIES											
CENTENNI	30480	042920	1	Invoi	UTILITIES MARCH	04/29/2020	04/29/2020	436.65	901-42-2100-380	04/20	0
Total 30480 CENTENNIAL UTILITIES:								<u>436.65</u>			
40700 DON'S CIRCLE SERVICE											
DON'S CIR	40700	042920	1	Invoi	VEHICLE REPAIRS & MTC	04/29/2020	04/29/2020	67.90	901-42-2100-404	04/20	0
DON'S CIR	40700	219944	1	Invoi	VEHICLE REPAIRS & MTC	04/29/2020	04/29/2020	28.00	901-42-2100-404	04/20	0
Total 40700 DON'S CIRCLE SERVICE:								<u>95.90</u>			
50160 EMERGENCY CONTRACTORS											
EMERGEN	50160	1035	1	Invoi	MONTHLY LANDSCAPING	04/29/2020	04/29/2020	815.00	901-42-2100-401	04/20	0
Total 50160 EMERGENCY CONTRACTORS:								<u>815.00</u>			
110125 KENNEDY & GRAVEN, CHARTERED											
KENNEDY	110125	042920	1	Invoi	MARCH LEGAL	04/29/2020	04/29/2020	28.50	901-42-2100-304	04/20	0
Total 110125 KENNEDY & GRAVEN, CHARTERED:								<u>28.50</u>			
Total 04/29/2020:								<u>2,032.75</u>			

4/29/2020 GL Period Summary

GL Period	Amount
04/20	2,032.75
Grand Totals:	<u>2,032.75</u>
Grand Totals:	<u>2,032.75</u>

Report GL Period Summary

<u>GL Period</u>	<u>Amount</u>
04/20	<u>2,032.75</u>
Grand Totals:	<u><u>2,032.75</u></u>

Vendor number hash: 304920
Vendor number hash - split: 315320
Total number of invoices: 8
Total number of transactions: 9

<u>Terms Description</u>	<u>Invoice Amount</u>	<u>Discount Amount</u>	<u>Net Invoice Amount</u>
Open Terms	<u>2,032.75</u>	<u>.00</u>	<u>2,032.75</u>
Grand Totals:	<u><u>2,032.75</u></u>	<u><u>.00</u></u>	<u><u>2,032.75</u></u>

Agenda Item 6a4

CENTENNIAL FIRE DISTRICT

Invoice Register - Edit Report
Input Dates: 4/22/2020 - 5/5/2020

Page: 1
May 05, 2020 12:38PM

Name	Vendor Number	Invoice	Seq	Type	Description	Invoice Date	Payment Due Date	Total Cost	GL Account	GL Period
05/05/2020										
10850 ANOKA COUNTY TREASURY DEPT.										
ANOKA CO	10850	B200420C	1	Invoi	May Broadband	05/05/2020	05/05/2020	112.50	801-42-2210-321	05/20
Total 10850 ANOKA COUNTY TREASURY DEPT.:								112.50		
30480 CENTENNIAL UTILITIES										
CENTENNI	30480	5 5 20	1	Invoi	Mar Gas, Water (Station 1)	05/05/2020	05/05/2020	133.40	801-42-2210-380	05/20
Total 30480 CENTENNIAL UTILITIES:								133.40		
60650 FRATTALLONE'S HARDWARE STORE										
FRATTALL	60650	71475/G	1	Invoi	Paper Towels	05/05/2020	05/05/2020	14.99	801-42-2210-202	05/20
FRATTALL	60650	71475/G	2	Invoi	Fuel and Oil	05/05/2020	05/05/2020	36.57	801-42-2210-204	05/20
FRATTALL	60650	71492/G	1	Invoi	Clorox	05/05/2020	05/05/2020	91.03	801-42-2210-202	05/20
FRATTALL	60650	71514/G	1	Invoi	Kleenex, Piping	05/05/2020	05/05/2020	24.06	801-42-2210-401	05/20
Total 60650 FRATTALLONE'S HARDWARE STORE:								166.65		
120443 THE LINCOLN NATL LIFE INS CO										
THE LINCO	120443	5 5 20	1	Invoi	May Life Ins Prem (Chief & Asst.	05/05/2020	05/05/2020	152.40	801-42-2210-130	05/20
THE LINCO	120443	5 5 20	1	Invoi	May EMS Coord. Life Ins Prem (E	05/05/2020	05/05/2020	80.34	801-42-2240-130	05/20
Total 120443 THE LINCOLN NATL LIFE INS CO:								232.74		
220200 VERIZON WIRELESS										
VERIZON	220200	98526467	1	Invoi	3/16-4/15 Mobile Broadband & Mo	05/05/2020	05/05/2020	210.06	801-42-2210-321	05/20
Total 220200 VERIZON WIRELESS:								210.06		
Total 05/05/2020:								855.35		

5/5/2020 GL Period Summary

GL Period	Amount
05/20	855.35
Grand Totals:	855.35
Grand Totals:	855.35

Report GL Period Summary

GL Period	Amount
05/20	855.35
Grand Totals:	855.35

Vendor number hash: 684366
Vendor number hash - split: 745016

<u>Terms Description</u>	<u>Invoice Amount</u>	<u>Discount Amount</u>	<u>Net Invoice Amount</u>
Total number of invoices:	8		
Total number of transactions:	9		
<u>Terms Description</u>	<u>Invoice Amount</u>	<u>Discount Amount</u>	<u>Net Invoice Amount</u>
Open Terms	855.35	.00	855.35
Grand Totals:	<u>855.35</u>	<u>.00</u>	<u>855.35</u>

Report Criteria:

Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Check Amount
05/20	05/05/2020	8810	10850	ANOKA COUNTY TREASURY DE	May Broadband	112.50
05/20	05/05/2020	8811	30480	CENTENNIAL UTILITIES	Mar Gas, Water (Station 1)	133.40
05/20	05/05/2020	8812	60650	FRATTALLONE'S HARDWARE S	Kleenex, Piping	166.65
05/20	05/05/2020	8813	120443	THE LINCOLN NATL LIFE INS C	May EMS Coord. Life Ins Prem (E	232.74
05/20	05/05/2020	8814	220200	VERIZON WIRELESS	3/16-4/15 Mobile Broadband & Mo	210.06
Grand Totals:						855.35

2020 Licenses Needing Approval

All licenses on this list have insurance, bond, worker's comp, and have paid fee.

Date for Council Approval: 5/12/2020

- 1 Performance Pool & Spa Inc.
- 2 Ed's Heating & Air, Inc.
- 3 Blacktop Pros



City of

200 Civic Heights Circle
Circle Pines, MN 55014
Office: (763) 784-5898
TDD: (763) 784-9724

CIRCLE PINES

Fax: (763) 785-2859
www.ci.circle-pines.mn.us

Agenda Item 6b

Memo

To: City Council Members
From: Patrick Antonen 
Date: May 8, 2018
Re: Series 2020A Bond Sale

You will find enclosed a draft resolution for the 2020 street improvement bonds related to the street reconstruction project. Nick Anhut from Ehlers will be present to review the bids and answer your questions on the proposed resolution. Since the bids will not be received until Tuesday May 12th an updated resolution will be presented at the meeting. The requested action is to approve Resolution No. 2020-06.

PA

Enclosures: (1), Draft Resolution No. 2020-06

EXTRACT OF MINUTES OF A MEETING
OF THE CITY COUNCIL
CITY OF CIRCLE PINES, MINNESOTA

HELD: May 12, 2020

Pursuant to due call, a regular or special meeting of the City Council of the City of Circle Pines, Anoka County, Minnesota, was duly held at the City Hall on May 12, 2020, at 7:00 P.M, for the purpose in part of considering authorizing the issuance and awarding the sale of \$7,485,000 General Obligation Bonds, Series 2020A.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2020-06

RESOLUTION AUTHORIZING THE ISSUANCE AND AWARDING THE SALE OF \$7,485,000 GENERAL OBLIGATION BONDS, SERIES 2020A, PLEDGING FOR THE SECURITY THEREOF SPECIAL ASSESSMENTS, TAX INCREMENTS AND NET REVENUES AND LEVYING A TAX FOR THE PAYMENT THEREOF

A. WHEREAS, the City Council (the "Council") of the City of Circle Pines, Minnesota (the "City") has heretofore determined and declared that it is necessary and expedient to issue \$7,485,000 General Obligation Bonds, Series 2020A for (the "Bonds" or individually, a "Bond"), pursuant to Minnesota Statutes, Chapters 475 and (i) Section 429 to finance various municipal improvements (the "Improvements"); (ii) Section 444.075 to finance improvements to the municipal water, sanitary sewer and storm sewer systems (the "Utility Improvements"); and (iii) to current refund City's outstanding General Obligation Improvement and Refunding Bonds, Series 2012A, dated June 14, 2012 (the "Prior Bonds"); and

B. WHEREAS, the Improvements and all their components have been ordered prior to the date hereof, after a hearing thereon for which notice was given describing the Improvements or all their components by general nature, estimated cost, and area to be assessed; and

C. WHEREAS, the City owns and operates a municipal water utility system, a municipal sanitary sewer utility system and a municipal storm sewer utility system (collectively, the "System") which are operated as separate revenue producing public utilities under the jurisdiction of the Council and the Public Utilities Commission of the City of Circle Pines, Minnesota (the "Commission"); and

D. WHEREAS, the net revenues of the System are pledged to the City's outstanding (i) "Net Revenue Portion" of General Obligation Bonds, Series 2018A, in the original principal amount of \$5,900,000, dated May 24, 2018; (ii) "Net Revenue Portion" of General Obligation Bonds, Series 2016B, in the original principal amount of \$3,320,000, dated April 14, 2016; (iii)

"Net Revenue Refunding Portion" of General Obligation Improvement and Refunding Bonds, Series 2015A, in the original principal amount of \$2,320,000, dated July 16, 2015; and (iv) "Net Revenue Portion" of General Obligations Bonds, Series 2014A, in the original principal amount of \$3,315,000, dated July 17, 2014; (collectively, the "Outstanding Bonds"); and

E. WHEREAS, \$3,380,000 aggregate principal amount of the Prior Bonds which matures on and after February 1, 2021 (the "Refunded Bonds"), are callable on June 15, 2020 (the "Call Date"), at a price of par plus accrued interest, as provided in the Resolution adopted by the City Council on May 22, 2012, authorizing the issuance of the Prior Bonds (the "Prior Resolution"); and

F. WHEREAS, the refunding of the Refunded Bonds on the Call Date is consistent with covenants made with the holders thereof, and is necessary and desirable for the reduction of debt service cost to the City; and

G. WHEREAS, the Housing and Redevelopment Authority of Circle Pines, Minnesota (the "Authority"), has heretofore created Redevelopment Project No. 1 (the "Redevelopment Project"), pursuant to the provisions of Minnesota Statutes, Sections 469.001 through 469.047, and has approved a Redevelopment Plan (the "Redevelopment Plan") with respect to the Redevelopment Project; and

H. WHEREAS, the Authority has also heretofore created Tax Increment Financing Districts Nos. 1-1 and 1-4 as redevelopment districts and Tax Increment Financing District No. 1-3 as a housing district within the Redevelopment Project (together, the "Tax Increment District") under the provisions of Minnesota Statutes, Sections 469.174 through 469.179 and has approved tax increment financing plans and amendments (collectively, the "Plan") with respect to the Tax Increment District; and

I. WHEREAS, with respect to the TIF Refunding Portion of the Prior Bonds (hereinafter defined), pursuant to a pledge agreement (the "Pledge Agreement"), to be entered into between the Authority and the City, tax increments derived from the Tax Increment District that are not pledged to the payment of notes issued under that certain Amended and Restated Development Agreement by and among City, the Authority, Circle Pines Mainstreet, Inc. and Circle Pines Mainstreet, LLC or are otherwise available pursuant to the tax increment financing law (the "Pledged Tax Increments") established pursuant to the Plan, will be pledged to the payment of the TIF Refunding Portion of the Bonds and interest thereon.

J. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9) and proposals to purchase the Bonds have been solicited by Ehlers; and

K. WHEREAS, the proposals set forth on Exhibit A attached hereto were received by the City Administrator, or designee, at the offices of Ehlers at 10:30 A.M. this same day pursuant to the Preliminary Official Statement for the Bonds, dated April 30, 2020; and

L. WHEREAS, it is in the best interests of the City that the Bonds be issued in book-entry form as hereafter provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Circle Pines, Minnesota, as follows:

1. Acceptance of Proposal. The proposal of _____ (the "Purchaser"), to purchase the Bonds, in accordance with the Preliminary Official Statement established for the Bonds, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$_____, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received, is hereby accepted and the Bonds are hereby awarded to the Purchaser. The City Finance Director is directed to retain the deposit of the Purchaser and to forthwith return to the unsuccessful bidders their good faith checks or drafts.

2. Bond Terms.

(a) Original Issue Date; Denominations; Maturities; Term Bond Option. The Bonds shall be dated June 4, 2020, as the date of original issue, be issued forthwith on or after such date in fully registered form, be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021		2029	
2022		2030	
2023		2031	
2024		2032	
2025		2033	
2026		2034	
2027		2035	
2028		2036	

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Allocation. The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Improvements (the "Improvement Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the Utility Improvements (the "Utility Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the refunding of the Improvement Portion of the Refunded Bonds (the "Improvement Refunding Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the refunding of the "Current Refunding Portion" of the Prior Bonds, now

herein called the "TIF Refunding Portion"). The aggregate principal amount of \$_____ maturing in each of the years and amounts hereinafter set forth are issued to finance the refunding of the "Crossover Refunding Portion" of the Prior Bonds, now herein called the "CIP Refunding Portion"). The Improvement Refunding Portion, TIF Refunding Portion and the CIP Refunding Portion are sometimes collectively referred to herein as the "Refunding Portion of the Bonds".

<u>Year</u>	<u>Improvement Portion</u>	<u>Utility Portion</u>	<u>Improvement Refunding Portion</u>	<u>TIF Refunding Portion</u>	<u>CIP Refunding Portion</u>	<u>Total</u>
2021						
2022						
2023						
2024						
2025						
2026						
2027						
2028						
2029						
2030						
2031						
2032						
2033						
2034						
2035						
2036						

If Bonds are prepaid, the prepayments shall be allocated to the portions of debt service (and hence allocated to the payment of Bonds treated as relating to a particular portion of debt service) as provided in this paragraph. If the source of prepayment moneys is the general fund of the City, or other generally available source, the prepayment may be allocated to either or both of the portions of debt service in such amounts as the City shall determine. If the source of a prepayment is special assessments pledged to and taxes levied for the Improvements, the prepayment shall be allocated to the Improvement Portion of debt service. If the source of a prepayment is excess net revenues of the System pledged to the Utility Improvements, the prepayment shall be allocated to the Utility Portion of debt service. If the source of a prepayment is special assessments pledged to and taxes levied to the Improvement Portion of the Refunded Bonds, the prepayment shall be allocated to the Improvement Refunding Portion of debt service. If the source of the prepayment is Pledged Tax Increments pledged to the TIF Portion of the Refunded Bonds, the prepayment shall be allocated to the TIF Refunding Portion of debt service. If the source of the prepayment is taxes levied for the CIP Refunding Portion of the Refunded Bonds, the prepayment shall be allocated to the CIP Refunding Portion of debt service.

(c) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or its

successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

- (i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 10 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.
- (ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Bond Registrar (as hereinafter defined) in the name of CEDE & CO, as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").
- (iii) With respect to the Bonds neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the City, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the City may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.
- (iv) The City and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to the Holder or the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the

principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

- (v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10, references to the Nominee hereunder shall refer to such new Nominee.
 - (vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or City, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").
 - (vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.
 - (viii) In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the City or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the City or the Bond Registrar may establish a special record date for such consent or other action. The City or the Bond Registrar shall, to the extent possible, give the Depository notice of such special record date not less than 15 calendar days in advance of such special record date to the extent possible.
 - (ix) Any successor Bond Registrar in its written acceptance of its duties under this Resolution and any paying agency/bond registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.
- (d) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:
- (i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the City and discharging its responsibilities with respect thereto under applicable law. The City may terminate the services of the Depository with respect to the Bond if it determines

that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the City or the Beneficial Owners.

- (ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the City, is willing and able to assume such functions upon reasonable or customary terms, or if the City determines that it is in the best interests of the City or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10, the Bonds will be delivered to the Beneficial Owners.
- (iii) Nothing in this subparagraph (d) shall limit or restrict the provisions of paragraph 10.

(e) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purpose; Findings. The Bonds shall provide funds to finance the Improvements and the Utility Improvements (collectively, the "Project"), and to current refund the Refunded Bonds (the "Refunding"). The total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Improvement Portion and the Utility Portion of the Bonds. Work on the Project shall proceed with due diligence to completion. The City covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained. It is hereby found, determined and declared that the Refunding is pursuant to Minnesota Statutes, Section 475.67, and shall result in a reduction of debt service cost to the City.

4. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2021, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2021		2029	
2022		2030	
2023		2031	
2024		2032	

2025	2033
2026	2034
2027	2035
2028	2036

5. Redemption. All Bonds maturing on February 1, 2029, and thereafter, are subject to redemption on February 1, 2028, and on any date thereafter at the option of the City at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the City; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds not more than sixty (60) days and not fewer than thirty (30) days prior to the date fixed for redemption.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the City or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the City and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the City shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

6. Bond Registrar. Bond Trust Services Corporation, in Roseville, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the City and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and in paragraph 12.

7. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
ANOKA COUNTY
CITY OF CIRCLE PINES

R-_____ \$_____

GENERAL OBLIGATION BOND, SERIES 2020A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
___%	February 1, ____	June 4, 2020	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Circle Pines, Anoka County, Minnesota (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, unless called for earlier redemption, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2021, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of Bond Trust Services Corporation, in Roseville, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in the Letter of Representations, as defined in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Optional Redemption. The Bonds of this issue (the "Bonds") maturing on February 1, 2029, and thereafter, are subject to redemption and prepayment at the option of the Issuer on February 1, 2028, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the Issuer; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds not more than sixty (60) days and not fewer than thirty (30) days prior to the date fixed for redemption.

Prior to the date on which any Bond or Bonds are directed by the Issuer to be redeemed in advance of maturity, the Issuer will cause notice of the call thereof for redemption identifying the Bonds to be redeemed to be mailed to the Bond Registrar and all Bondholders, at the addresses shown on the Bond Register. All Bonds so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption have been duly deposited.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of the Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the Issuer shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$7,485,000, all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and pursuant to a resolution adopted by the City Council on May 12, 2020 (the "Resolution"), for the purpose of providing funds to finance the construction of public improvements within the jurisdiction of the Issuer and for a current refunding of certain outstanding general obligation bonds of the Issuer. This Bond is payable out of the General Obligation Bonds, Series 2020A Fund of the Issuer. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full

payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Denominations; Exchange; Resolution. The Bonds are issuable solely in fully registered form in Authorized Denominations (as defined in the Resolution) and are exchangeable for fully registered Bonds of other Authorized Denominations in equal aggregate principal amounts at the principal office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the principal office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or by the Holder's attorney duly authorized in writing at the principal office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an Authorized Denomination or Denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except as otherwise provided herein with respect to the Record Date) and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Qualified Tax-Exempt Obligation. This Bond has been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law; that the Issuer has covenanted and agreed with the Holders of the Bonds that it will impose and collect charges for the service, use and availability of its municipal water, sanitary sewer and storm sewer utility systems (collectively, the "System") at the times and in amounts necessary to produce net revenues, together with other sums pledged to the payment of the Utility Portion of

the Bonds, as defined in the Resolution, adequate to pay all principal and interest when due on the Utility Portion of the Bonds; and that the Issuer will levy a direct, annual, irrevocable ad valorem tax upon all of the taxable property of the Issuer, without limitation as to rate or amount, for the years and in amounts sufficient to pay the principal and interest on Utility Portion of the Bonds as they respectively become due, if the net revenues from the System, and any other sums irrevocably appropriated to the Debt Service Account are insufficient therefor; and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Circle Pines, Anoka County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the facsimile signatures of its Mayor and its City Administrator, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

Registrable by: BOND TRUST SERVICES CORPORATION

Payable at: BOND TRUST SERVICES CORPORATION

BOND REGISTRAR'S
CERTIFICATE OF
AUTHENTICATION

CITY OF CIRCLE PINES,
ANOKA COUNTY, MINNESOTA

This Bond is one of the Bonds described in the Resolution mentioned within.

/s/ Facsimile
Mayor

Bond Trust Services Corporation
Roseville, Minnesota
Bond Registrar

/s/ Facsimile
City Administrator

By: _____
Authorized Signature

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with right of survivorship and not as tenants in common
- UTMA - _____ as custodian for _____
(Cust) (Minor)
under the _____ Uniform
(State)
Transfers to Minors Act

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____
Notice: _____ The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other "Eligible Guarantor Institution" as defined in 17 CFR 240.17 Ad-15(a)(2).

The Bond Registrar will not effect transfer of this Bond unless the information concerning the transferee requested below is provided.

Name and Address: _____

(Include information for all joint owners if the Bond is held by joint account.)

8. Execution. The Bonds shall be in typewritten form, shall be executed on behalf of the City by the signatures of its Mayor and City Administrator and be sealed with the seal of the City; provided, as permitted by law, both signatures may be photocopied facsimiles and the corporate seal has been omitted. In the event of disability or resignation or other absence of either officer, the Bonds may be signed by the manual or facsimile signature of the officer who may act on behalf of the absent or disabled officer. In case either officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

9. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on the Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the City on each Bond by execution of the Certificate of Authentication on the Bond and by inserting as the date of registration in the space provided the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue of June 4, 2020. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

10. Registration; Transfer; Exchange. The City will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the City.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the City evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or the Holder's attorney duly authorized in writing

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the City contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Finance Director is hereby authorized to negotiate and execute the terms of said agreement.

11. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

12. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the City maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten days prior to the Special Record Date.

13. Treatment of Registered Owner. The City and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the City nor the Bond Registrar shall be affected by notice to the contrary.

14. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Finance Director to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

15. Fund and Accounts. There is hereby created a special fund to be designated the "General Obligation Bonds, Series 2020A Fund" (the "Fund") to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the

manner herein specified until all of the Bonds and the interest thereon have been fully paid. The Operation and Maintenance Account heretofore established by the City for the Water System shall continue to be maintained in the manner heretofore provided by the City. The Operation and Maintenance Account heretofore established by the City for the Sewer System shall continue to be maintained in the manner heretofore provided by the City. The Operation and Maintenance Account heretofore established by the City for the Storm Sewer System shall continue to be maintained in the manner heretofore provided by the City. (The Operation and Maintenance Account for the Water System, the Operation and Maintenance Account for the Sewer System and the Operation and Maintenance Account for the Storm Sewer System are referred to collectively herein as the "Operation and Maintenance Accounts".) All moneys remaining after paying or providing for the items set forth in the resolution establishing the Operation and Maintenance Accounts shall constitute and are referred to as "net revenues" until the Utility Portion of the Bonds have been paid. There shall be maintained in the Fund the following separate accounts to which shall be credited and debited all income and disbursements of the System as hereinafter set forth. The Finance Director of the City and all officials and employees concerned therewith shall establish and maintain financial records of the receipts and disbursements of the System in accordance with this resolution. In such records there shall be established accounts or accounts shall continue to be maintained as the case may be, of the Fund for the purposes and in the amounts as follows:

(a) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Improvement Portion of the Bonds and the Utility Portion of the Bonds, less capitalized interest, plus any special assessments levied with respect to the Improvements and collected prior to completion of the Improvements and payment of the costs thereof. From the Construction Account there shall be paid all costs and expenses of making the Improvements listed in paragraph 16 and all costs and expenses of the Utility Improvements, including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65. Moneys in the Construction Account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Improvement Portion of the Bonds and the Utility Portion of the Bonds may also be used to the extent necessary to pay interest on the Improvement Portion of the Bonds and the Utility Portion of the Bonds due prior to the anticipated date of commencement of the collection of taxes, special assessments or net revenues herein levied or covenanted to be levied; and provided further that if upon completion of the Improvements there shall remain any unexpended balance in the Construction Account from the Improvement Portion of the Bonds, such balance (other than any special assessments) shall be transferred to the Debt Service Account or may be transferred to the fund of any other improvement instituted pursuant to Minnesota Statutes, Chapter 429, and provided further that any special assessments credited to the Construction Account shall only be applied towards payment of the costs of the Improvements upon adoption of a resolution by the City Council determining that the application of the special assessments for such purpose will not cause the City to no longer be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Payment Account. To the Payment Account there shall be credited the proceeds of the sale of the Refunding Portion of the Bonds. On or prior to the Call Date, the Finance Director shall transfer \$_____ of the proceeds of the Refunding Portion of the Bonds from the Payment Account to the paying agent for the Prior Bonds, which sums are sufficient,

together with other funds on deposit in debt service funds for the Refunded Bonds, to pay the principal and interest due on the Refunded Bonds due after the Call Date, including the principal of the Refunded Bonds called for redemption on the Call Date. Any monies remaining in the Payment Account after payment of costs of issuance of the Refunding Portion of the Bonds and payment of the Refunded Bonds shall be transferred to the Debt Service Account.

(c) Debt Service Account. There shall be maintained five separate subaccounts in the Debt Service Account to be designated the "Improvements Debt Service Subaccount", the "Utility Improvements Debt Service Subaccount", the "Improvement Refunding Debt Service Subaccount", the "TIF Refunding Debt Service Subaccount", and the "CIP Refunding Debt Service Subaccount". There are hereby irrevocably appropriated and pledged to, and there shall be credited to the separate subaccounts of the Debt Service Account:

- (i) Improvements Debt Service Subaccount. To the Improvements Debt Service Subaccount there shall be credited: (A) all collections of special assessments herein covenanted to be levied with respect to the Improvements and either initially credited to the Construction Account and not already spent as permitted above and required to pay any principal and interest due on the Improvement Portion of the Bonds or collected subsequent to the completion of the Improvements and payment of the costs thereof; (B) any collections of all taxes herein or hereinafter levied for the payment of the Improvement Portion of the Bonds and interest thereon; (C) capitalized interest in the amount of \$_____ (together with interest earnings thereon and subject to such other adjustments as are appropriate to provide sufficient funds to pay interest on the Improvement Portion of the Bonds on or before August 1, 2020); (D) a pro rata share of all funds remaining in the Construction Account after completion of the Project and payment of the costs thereof; (E) all investment earnings on funds held in the Improvements Debt Service Subaccount; and (F) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Improvements Debt Service Subaccount. The Improvements Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Improvement Portion of the Bonds and any other General Obligation Improvement Bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.
- (ii) Utility Improvements Debt Service Subaccount. To the Utility Improvements Debt Service Subaccount there shall be credited: (A) the net revenues of the System not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the Utility Improvements Debt Service Subaccount, sufficient to meet the requirements of Minnesota Statutes, Section 475.61 for the payment of the principal and interest of the Utility Portion of the Bonds; (B) any collections of all taxes which may hereafter be levied in the event that the net revenues of the System and other funds herein pledged to the payment of the principal and interest on the Utility Portion of the Bonds are insufficient therefore; (C) a pro rata share of all funds remaining in the Construction Account after completion of the Project and payment of the costs

thereof; (D) all investment earnings on funds held in the Utility Improvements Debt Service Subaccount; and (E) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Utility Improvements Debt Service Subaccount. The Utility Improvements Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Utility Portion of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

- (iii) Improvement Refunding Debt Service Subaccount. To the Improvement Refunding Debt Service Subaccount there is hereby pledged and irrevocably appropriated and there shall be credited: (A) all uncollected special assessments pledged to the payment of the Improvement Refunding Portion of the Bonds; (B) any balance remaining after the Call Date in the Prior Bonds Improvements Debt Service Subaccount of the General Obligation Improvement and Refunding Bonds, Series 2012A Fund created by the Prior Resolution; (C) any collections of all taxes heretofore levied for the payment of the Improvement Refunding Portion of the Prior Bonds and interest thereon which are not needed to pay the Improvement Refunding Portion of the Prior Bonds as a result of the Refunding; (D) any collections of all taxes herein or hereinafter levied for the payment of the principal and interest on the Improvement Refunding Portion of the Bonds; (E) all investment earnings on funds in the Improvement Refunding Debt Service Subaccount; and (F) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Improvement Refunding Debt Service Subaccount. The amount of any surplus remaining in the Improvement Refunding Debt Service Subaccount when the Improvement Refunding Portion of the Prior Bonds and interest thereon are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The moneys in the Improvement Refunding Debt Service Subaccount shall be used solely to pay the principal of and interest on the Improvement Refunding Portion of the Bonds or any other bonds hereafter issued and made payable from the Fund.
- (iv) TIF Refunding Debt Service Subaccount. To the TIF Refunding Debt Service Subaccount there shall be credited: (A) any uncollected Pledged Tax Increments which were heretofore pledged for the payment of the "Current Refunding Portion" of the Prior Bonds and are herein pledged to the payment of the TIF Refunding Portion of the Bonds; (B) any balance remaining after the Call Date in the Tax Increment Bonds Debt Service Subaccount of the General Obligation Improvement and Refunding Bonds, Series 2012A Fund created by the Prior Resolution; (C) any collections of all taxes heretofore levied for the payment of the Improvement Refunding Portion of the Prior Bonds and interest thereon which are not needed to pay the Improvement Refunding Portion of the Prior Bonds as a result of the Refunding; (D) any collections of all taxes herein or hereinafter levied for the payment of the principal and interest on the TIF Refunding Portion of the Bonds and interest thereon; (E) all investment earnings on funds held in the TIF Refunding Debt Service Subaccount; and (F) any and all other moneys which are properly available and are appropriated by the governing body of the City to

the TIF Refunding Debt Service Subaccount. The amount of any surplus remaining in the TIF Refunding Debt Service Subaccount when the TIF Refunding Portion of the Bonds are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The TIF Refunding Debt Service Subaccount shall be used solely to pay the principal and interest and any premiums for redemption of the TIF Refunding Portion of the Prior Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said account as provided by law.

- (v) CIP Refunding Debt Service Subaccount. To the CIP Refunding Debt Service Subaccount there shall be credited: (A) money received from the Cities of Centerville and Lexington; (B) any balance remaining after the Call Date in the Capital Improvement Bonds Debt Service Subaccount of the General Obligation Improvement and Refunding Bonds, Series 2012A Fund created by the Prior Resolution; (C) any collections of all taxes heretofore levied for the payment of the Improvement Refunding Portion of the Prior Bonds and interest thereon which are not needed to pay the Improvement Refunding Portion of the Prior Bonds as a result of the Refunding; (D) any collections of all taxes herein levied for the payment of the principal and interest on the CIP Refunding Portion of the Bonds and interest thereon; (E) all investment earnings on funds held in the CIP Refunding Debt Service Subaccount; and (F) any and all other moneys which are properly available and are appropriated by the governing body of the City to the CIP Refunding Debt Service Subaccount. The amount of any surplus remaining in the CIP Refunding Debt Service Subaccount when the CIP Refunding Portion of the Bonds are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The CIP Refunding Debt Service Subaccount shall be used solely to pay the principal and interest and any premiums for redemption of the CIP Refunding Portion of the Prior Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said account as provided by law.

No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (2) in addition to the above in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Construction Account or Debt Service Account (or any other City account which will be used to pay principal or interest to become due on the bonds payable therefrom) in excess of amounts which under then applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

16. Covenants Relating to the Improvement Portion of the Bonds.

(a) Assessments. It is hereby determined that no less than twenty percent of the cost to the City of each Improvement within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3), shall be paid by special assessments to be levied against every assessable lot, piece and parcel of land benefited by any of the Improvements. The City hereby covenants and agrees that it will let all construction contracts not heretofore let within one year after ordering each Improvement unless the resolution ordering the Improvement specifies a different time limit for the letting of construction contracts. The City hereby further covenants and agrees that it will do and perform as soon as they may be done all acts and things necessary for the final and valid levy of such special assessments, and in the event that any such assessment be at any time held invalid with respect to any lot, piece or parcel of land due to any error, defect, or irregularity in any action or proceedings taken or to be taken by the City or the City Council or any of the City officers or employees, either in the making of the assessments or in the performance of any condition precedent thereto, the City and the City Council will forthwith do all further acts and take all further proceedings as may be required by law to make the assessments a valid and binding lien upon such property. It is hereby determined that the special assessments shall be payable in equal, consecutive, annual installments, with general taxes for the years shown below and with interest on the declining balance of all such special assessments at a rate per annum not greater than the maximum permitted by law and not less than the rates per annum shown opposite their collection years specified below:

<u>Improvement Designation</u>	<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>	<u>Rate</u>
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See Attached Schedule in Exhibit B

At the time the special assessments are in fact levied the City Council shall, based on the then current estimated collections of the special assessments, make any adjustments in any ad valorem taxes required to be levied in order to assure that the City continues to be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Tax Levy. To provide moneys for payment of the principal and interest on the Improvement Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(c) Coverage Test. The tax levies are such that if collected in full they, together with estimated collections of special assessments and other revenues herein pledged for the payment of the Improvement Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Improvement Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Improvement Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and

power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

17. Covenants Relating to the Utility Portion of the Bonds.

(a) Sufficiency of Net Revenues; Coverage Test. It is hereby found, determined and declared that the net revenues of the System are sufficient in amount to pay when due the principal and interest on the Utility Portion of the Bonds and the Outstanding Bonds and a sum at least five percent in excess thereof. The net revenues of the System are hereby pledged on a parity lien with the Outstanding Bonds and shall be applied for that purpose, but solely to the extent required to meet the principal and interest requirements of the Bonds as the same become due.

Nothing contained herein shall be deemed to preclude the City from making further pledges and appropriations of the net revenues of the System for the payment of other or additional obligations of the City, provided that it has first been determined by the City Council that the estimated net revenues of the System will be sufficient in addition to all other sources, for the payment of the Utility Portion of the Bonds and such additional obligations and any such pledge and appropriation of the net revenues of the System may be made superior or subordinate to, or on a parity with the pledge and appropriation herein.

(b) Excess Net Revenues. Net revenues in excess of those required for the foregoing may be used for any proper purpose.

(c) Covenant to Maintain Rates and Charges. In accordance with Minnesota Statutes, Section 444.075, the City hereby covenants and agrees with the Holders of the Bonds that it will impose and collect charges for the service, use, availability and connection to the System at the times and in the amounts required to produce net revenues adequate to pay all principal and interest when due on the Utility Portion of the Bonds. Minnesota Statutes, Section 444.075, Subdivision 2, provides as follows: "Real estate tax revenues should be used only, and then on a temporary basis, to pay general or special obligations when the other revenues are insufficient to meet the obligations."

18. Covenants Relating to Improvement Refunding Portion.

(a) Assessments. The City has heretofore levied special assessments pursuant to the Prior Resolution, which have been pledged to the payment of the principal and interest on the Improvement Refunding Portion of the Prior Bonds. All uncollected special assessments are now pledged to the payment of principal of and interest on the Improvement Refunding Portion of the Bonds. The balance of the special assessments shall be payable in equal, consecutive, annual installments with general taxes for the years shown below and with interest on the declining balance of all such installments as follows:

<u>Improvement Designations</u>	<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>	<u>Rate</u>
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See Attached Schedule in Exhibit B

(b) Tax Levy. To provide moneys for payment of the principal and interest on the Improvement Refunding Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(c) Coverage Test. The tax levies are such that if collected in full they, together with any other revenues including any special assessments against benefitted properties herein pledged for the payment of the Improvement Refunding Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Improvement Refunding Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Improvement Refunding Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

(d) Cancellation of Certain Tax Levies. Upon payment of the Improvement 2007A Refunding Portion of the Prior Bonds, the uncollected taxes levied in the Prior Resolution authorizing the issuance of the Prior Bonds which are not needed to pay the Improvement 2007A Refunding Portion of the Prior Bond as a result of the Refunding shall be canceled.

19. Covenants Relating to the TIF Refunding Portion of the Bonds.

(a) Pledged Tax Increments. The City hereby pledges and appropriates the Pledged Tax Increments to the Tax Increment Bonds Debt Service Subaccount, which pledge and appropriation shall continue until all of the TIF Refunding Portion of the Bonds, and any additional bonds payable from the Tax Increment Bonds Debt Service Subaccount, are paid or discharged. The City hereby expressly reserves the right to use the Pledged Tax Increments to finance costs set forth in the Redevelopment Plan and Plan not financed hereby or to finance costs of other projects to be undertaken from time to time within the Project Area in accordance with the Redevelopment Plan and the Plan, as may be from time to time amended.

(b) Tax Levy. To provide moneys for payment of the principal and interest on the TIF Refunding Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(c) Coverage Test. The tax levies are such that if collected in full they, together with estimated collections of the Pledged Tax Increments and other revenues herein pledged for the payment of the TIF Refunding Portion of the Bonds, will produce at least five percent in excess

of the amount needed to meet when due the principal and interest payments on the TIF Refunding Portion of the Bonds. The tax levies shall be irrevocable so long as any of the TIF Refunding Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

(d) Cancellation of Certain Tax Levies. Upon payment of the TIF Portion of the Prior Bonds, the uncollected taxes levied in the Prior Resolution authorizing the issuance of the Prior Bonds which are not needed to pay the TIF Portion of Prior Bonds as a result of the Refunding shall be canceled.

(e) Authorization to Execute Pledge Agreement. The Pledge Agreement is hereby approved in substantially the form now on file in the office of the Administrator; and the Mayor and Administrator of the City are authorized to execute the Pledge Agreement in the name of and on behalf of the City. In the event of the disability or the resignation or other absence of the Mayor or Administrator of the City, such other officers of the City who may act in their behalf shall without further act or authorization of the City do all things and execute all instruments and documents required to be done or to be executed by such absent or disabled officials. The approval hereby given to the Pledge Agreement includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney and by the City officials authorized herein to execute the Pledge Agreement prior to its execution; and said City officials are hereby authorized to approve said changes on behalf of the City.

20. Covenants Relating to the CIP Refunding Portion of the Bonds.

(a) Tax Levy. To provide moneys for payment of the principal and interest on the CIP Refunding Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Year of Tax Levy</u>	<u>Year of Tax Collection</u>	<u>Amount</u>
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See Attached Schedule in Exhibit B

(b) Coverage Test. The tax levies are such that if collected in full they, together with any other revenues herein pledged for the payment of the CIP Refunding Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the CIP Refunding Portion of the Bonds. The tax levies shall be irrevocable so long as any of the CIP Refunding Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

(c) Cancellation of Certain Tax Levies. Upon payment of the CIP Portion of Prior Bonds, the uncollected taxes levied in the Prior Resolution authorizing the issuance of the Prior

Bonds which are not needed to pay the CIP Portion of the Prior Bonds as a result of the Refunding shall be canceled.

21. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein.

22. Prior Bonds; Security and Prepayment. Until retirement of the Prior Bonds, all provisions for the security thereof shall be observed by the City and all of its officers and agents. The Refunded Bonds shall be redeemed and prepaid on the Call Date in accordance with the terms and conditions set forth in the Notice of Call for Redemption attached hereto as Exhibit C, which terms and conditions are hereby approved and incorporated herein by reference.

23. Supplemental Resolution. The Prior Resolutions authorizing the issuance of the Prior Bonds are hereby supplemented to the extent necessary to give effect to the provisions hereof.

24. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

25. Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure").

The City hereby certifies and/or covenants as follows:

(a) Not later than sixty days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed twenty percent of the "issue price" of the Bonds, and (ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bonds.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds and in all events within the period ending on the date which is the later of three years after payment of the Reimbursement Expenditure or one year after the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph upon receipt of an opinion of its Bond Counsel for the Bonds stating in effect that such action will not impair the tax-exempt status of the Bonds.

26. Continuing Disclosure. The City is the sole obligated person with respect to the Bonds. The City hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described to:

(a) Provide or cause to be provided to the Municipal Securities Rulemaking Board (the "MSRB") by filing at www.emma.msrb.org in accordance with the Rule, certain annual financial information and operating data in accordance with the Undertaking. The City reserves the right to modify from time to time the terms of the Undertaking as provided therein.

(b) Provide or cause to be provided to the MSRB notice of the occurrence of certain events with respect to the Bonds in not more than ten (10) business days after the occurrence of the event, in accordance with the Undertaking.

(c) Provide or cause to be provided to the MSRB notice of a failure by the City to provide the annual financial information with respect to the City described in the Undertaking, in not more than ten (10) business days following such occurrence.

(d) The City agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking is intended to be for the benefit of the Holders of the Bonds and shall be enforceable on behalf of such Holders; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

The Mayor and City Administrator of the City, or any other officer of the City authorized to act in their place (the "Officers") are hereby authorized and directed to execute on behalf of the City the Undertaking in substantially the form presented to the City Council subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the Purchaser of the Bonds, and (iii) acceptable to the Officers.

27. Certificate of Registration. A certified copy of this resolution is hereby directed to be filed with the County Auditor of Anoka County, together with such other information as the Director shall require, and there shall be obtained from the Director a certificate that the Bonds have been entered in the Bond Register and that the tax levy required by law has been made.

28. Records and Certificates. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

29. Negative Covenant as to Use of Bond Proceeds and Project. The City hereby covenants not to use the proceeds of the Bonds or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

30. Tax-Exempt Status of the Bonds; Rebate.

(a) Allocation to the Improvement Portion of the Bonds and the Utility Portion of the Bonds. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Improvement Portion of the Bonds and the Utility Portion of the Bonds, including without limitation (i) requirements relating to temporary periods for investments, (ii) limitations on

amounts invested at a yield greater than the yield on the Improvement Portion and Utility Portion of the Bonds, and (iii) the rebate of excess investment earnings to the United States. The City expects to satisfy the 24-month exemption for gross proceeds of the Improvement Portion and Utility Portion of the Bonds as provided in Section 1.148-7(e) of the Regulations. The Mayor and/or City Administrator are hereby authorized and directed to make such elections as to arbitrage and rebate matters relating to the Improvement Portion and Utility Portion of the Bonds as they deem necessary, appropriate or desirable in connection with the Improvement Portion and Utility Portion of the Bonds, and all such elections shall be, and shall be deemed and treated as, elections of the City.

(b) Allocation to the Refunding Portion of the Bonds. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Refunding Portion of the Bonds, including without limitation (i) requirements relating to temporary periods for investments, (ii) limitations on amounts invested at a yield greater than the yield on the Refunding Portion of the Bonds, and (iii) the rebate of excess investment earnings to the United States. The City expects to satisfy the six month expenditure exemption from gross proceeds of the Refunding Portion of the Bonds as provided in Section 1.148-7(c) of the Regulations. The Mayor and/or City Administrator are hereby authorized and directed to make such elections as to arbitrage and rebate matters relating to the Refunding Portion of the Bonds as they deem necessary, appropriate or desirable in connection with the Bonds, and all such elections shall be, and shall be deemed and treated as, elections of the City.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

31. Designation of Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

- (a) the Bonds are issued after August 7, 1986;
- (b) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (c) the City hereby designates the Bonds as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (d) the reasonably anticipated amount of tax exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2019 will not exceed \$10,000,000;
- (e) not more than \$10,000,000 of obligations issued by the City during this calendar year 2019 have been designated for purposes of Section 265(b)(3) of the Code; and
- (f) the aggregate face amount of the Bonds does not exceed \$10,000,000.

Furthermore, with respect to the Refunding Portion of the Bonds:

- (g) each of the Refunded Bonds was designated as a "qualified tax exempt obligation" for purposes of Section 265(b)(3) of the Code;
- (h) the average maturity of the Refunding Portion of the Bonds does not exceed the remaining average maturity of the Refunded Bonds;
- (i) no part of the Refunding Portion of the Bonds has a maturity date which is later than the date which is thirty years after the date the Refunded Bonds were issued; and
- (j) the Refunding Portion of the Bonds are issued to refund, and not to "advance refund" the Prior Bonds within the meaning of Section 149(d)(5) of the Code, and shall not be taken into account under the \$10,000,000 issuance limit to the extent the Refunding Portion of the Bonds do not exceed the outstanding amount of the Prior Bonds and therefor such portion is "deemed designated" within the meaning of Section 265 of the Code.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

32. Official Statement. The Official Statement relating to the Bonds prepared and distributed by Ehlers is hereby approved and the officers of the City are authorized in connection with the delivery of the Bonds to sign such certificates as may be necessary with respect to the completeness and accuracy of the Official Statement.

33. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to Old National Bank, Chaska, Minnesota, on the closing date for further distribution as directed by the City's municipal advisor, Ehlers.

34. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

35. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF ANOKA
CITY OF CIRCLE PINES

I, the undersigned, being the duly qualified and acting City Administrator of the City of Circle Pines, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of the City, duly called and held on the date therein indicated, insofar as the minutes relate to considering proposals and awarding the sale of \$7,485,000 General Obligation Bonds, Series 2020A.

WITNESS my hand on May 12, 2020.

City Administrator

EXHIBIT A

Proposals

[To be supplied by Ehlers & Associates, Inc.]

EXHIBIT B
SCHEDULES

[To be supplied by Ehlers & Associates, Inc.]

EXHIBIT C

NOTICE OF CALL FOR REDEMPTION
GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 2012A
CITY OF CIRCLE PINES, ANOKA COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that by order of the City Council of the City of Circle Pines, Anoka County, Minnesota, there have been called for redemption and prepayment on

June 15, 2020

those outstanding bonds of the City designated as General Obligation Improvement and Refunding Bonds, Series 2012A, dated as of June 14, 2012, having stated maturity dates in the years 2021 through 2029, inclusive, and totaling \$3,380,000 in principal amount and having CUSIP numbers listed below:

<u>Year</u>	<u>Amount</u>	<u>CUSIP</u>
2021	\$575,000	172630 HS7
2022	390,000	172630 HT5
2023	395,000	172630 HU2
2024	345,000	172630 HV0
2025	360,000	172630 HW8
2026	370,000	172630 HX6
2027	385,000	172630 HY4
2028	395,000	172630 HZ1
2029	165,000	172630 JA4

The bonds are being called at a price of par plus accrued interest to June 15, 2020, on which date all interest on the bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment, at the office of Bond Trust Services Corporation, 3060 Centre Pointe Drive, Roseville, Minnesota 55113.

Dated: May 12, 2020

BY ORDER OF THE CITY COUNCIL

/s/ Patrick Antonen, City Administrator

*The City shall not be responsible for the selection of or use of the CUSIP numbers, nor is any representation made as to their correctness indicated in the notice. They are included solely for the convenience of the holders.

NORTH METRO TV

TO: OPERATIONS COMMITTEE
FROM: HEIDI ARNSON
SUBJECT: CABLE COMMISSION JOINT POWERS AGREEMENT UPDATES
DATE: 4/16/2020

The North Metro Telecommunications Commission approved recommended updates to the organization's Joint Powers Agreement at their April 15, 2020 meeting.

Recommended changes include:

- Removing references to two budgets (the Commission/NMTV has had one budget for the last twelve years)
- Removing the requirement that a city joining the Commission must be contiguous to a current member city
- Rephrasing quorum requirements that maintain the status quo, but would not require additional changes should cities join the Commission
- Removing reporting and oversight language no longer applicable due to law/rule changes
- Including PEG fees as fees available for payments for bonds

These changes would give the Commission and Cities more control over who could join the Commission, and over how franchise and PEG fees are spent.

Any changes to the Joint Powers Agreement will require approval of the Member City Councils.

The Commission recommends that the Member Cities approve the updates to the organization's Joint Powers Agreement.

RESOLUTION NO. 2020-07

**STATE OF MINNESOTA
COUNTY OF ANOKA
CITY OF CIRCLE PINES**

**RESOLUTION AMENDING THE JOINT AND COOPERATIVE AGREEMENT FOR
THE NORTH METRO TELECOMMUNICATIONS COMMISSION**

WHEREAS, the City of Circle Pines is a member of the North Metro Telecommunications Commission (the “Commission”), a municipal joint powers entity organized pursuant to a Joint and Cooperative Agreement, as amended (the “JPA”), adopted by the Cities of Blaine, Centerville, Circle Pines, Ham Lake, Lexington, Lino Lakes, and Spring Lake Park, Minnesota (the “Member Cities”) pursuant to Minn. Stat. § 471.59; and

WHEREAS, the Commission has reviewed and unanimously recommended certain changes to the JPA contained in Attachment A to update Commission membership eligibility and weighted voting, to clarify the use of PEG Fees to pay for certain expenses, and to eliminate archaic language that was no longer applicable to the Commission or its Member Cities.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Circle Pines as follows:

1. That the Joint and Cooperative Agreement for the Administration of a cable communications system shall be amended as noted in Attachment A.

PASSED by the City Council of the City of Circle Pines this 12th day of May, 2020.

Dave Bartholomay, Mayor

ATTEST:

(SEAL)

Patrick Antonen, City Clerk

Attachment A

FINAL

NORTH METRO TELECOMMUNICATIONS COMMISSION

AMENDED AND RESTATED

**JOINT AND COOPERATIVE AGREEMENT
FOR THE ADMINISTRATION OF A CABLE COMMUNICATIONS SYSTEM**

PARTIES

The parties to this agreement are governmental units of the State of Minnesota. This agreement is made pursuant to Minnesota Statutes Section 471.59, as amended.

I. GENERAL PURPOSE

The general purpose of this agreement is to establish an organization to monitor the operation and activities of cable communications, and in particular, the Cable Communications System (System) of the parties; to provide coordination of administration and enforcement of the franchises of parties for their respective System; to produce, edit and transmit video programming for the parties of this agreement; to make video production, editing and studio facilities and equipment available to the citizens of the parties to this agreement through the operation of a Community Media Center; to promote the development of locally produced cable television programming; to ensure public access to emerging telecommunications technologies; and to conduct such other activities authorized herein as may be necessary to insure equitable and reasonable rates and service levels for the citizens of the Members to this agreement.

II. NAME

The name of the organization is the North Metro Telecommunications Commission (NMTC).

III. DEFINITION OF TERMS

Section 1. For the purposes of this agreement, the terms defined in this Article shall have the meanings given them.

Section 2. "Commission" means the Board of Directors created pursuant to this agreement.

Section 3. "Community Media Center" means the North Metro TV studio and any other media center and facilities operated by the Commission, along with all related equipment and staff.

Section 4. "Council" means the governing body of a Member.

Section 5. "Executive Director" means a staff person that may be hired by the Commission for the purpose of providing administrative support to the Commission and day to day management of the Community Media Center.

Section 6. "Franchise" means that cable communications franchise granted by all cities listed in Article V, Section 1.

Section 7. "Grantee" means the person or entity to whom a franchise has been granted by Member.

Section 8. "Member" means a municipality which enters into this agreement.

Section 9. "Operations Committee" means a committee, made up of the administrators from each Member City, and the Executive Director as an Ex-Officio member, that meets for the purpose of providing day to day oversight and coordination of the Community Media Center operation, supervision and support of the Executive Director, and advice and counsel to the Commission.

Section 10. "Subscriber" means any individual or location which receives Telecommunications service from which the City collects a franchise fee.

Section 11. "Telecommunications" means traditional television technology and any new, related communications technologies that may be delivered via wire or air.

IV. MEMBERSHIP

Section 1. The municipalities of Blaine, Centerville, Circle Pines, Ham Lake, Lexington, Lino Lakes, and Spring Lake Park are the Members of the Commission. Any municipality served by a cable communications system through the same Grantee, may become a Member pursuant to the terms of this agreement.

Section 2. Any municipality desiring to become a Member shall execute a copy of this agreement and conform to all requirements herein.

Section 3. Municipalities, in addition to those listed in Article V, Section 1 of this agreement, desiring to become Members may be admitted by an affirmative vote of the Members of the Commission as specified in Article VI, Section 8 of this agreement. The Commission may by resolution impose conditions upon the admission of additional Members.

V. DIRECTORS: VOTING

Section 1. Each Member shall be entitled to on (1) director to represent it on the Commission who shall be a council member from the Member City. Each director is entitled to on (1) vote for each 1,000 subscribers or fraction thereof subscribing in the municipality represented by the director provided, however, that each director shall have at least one vote. The number of subscribers per City shall be determined as of December 31st of each year. Prior to the first Commission meeting in February of each year, the Secretary of the Commission shall determine the number of votes for each Member in accordance with this section and certify the results to the Chair.

Section 2. A director shall be appointed by official action of each Member. Each Member shall

notify the Commission in writing of the appointment. A director shall serve until a successor is appointed. Directors shall serve without compensation from the Commission.

Section 3. Each Member shall appoint at least one alternate who shall be a council member from the Member City. A Member may appoint any number of additional alternate directors, each of whom must also be a council member from that Member City. The Commission, in its By-Laws, may prescribe the extent of an alternate's powers and duties.

Section 4. A vacancy in the office of director will exist for any of the reasons set forth in Minnesota Statutes Section 351.02, or upon a revocation of a director's appointment duly filed by a Member with the Commission. Vacancies shall be filled by appointment for the unexpired portion of the term of director by the council of the Member whose position on the Board is vacant.

Section 5. There shall be no voting by proxy, but all votes must be cast by the director or the duly authorized alternate at a Commission meeting.

Section 6. The presence of either (1) a majority of the appointed directors representing a majority of the total authorized votes of all directors, or (2) three-fourths (3/4) of the appointed directors shall constitute a quorum, but a smaller number may adjourn from time to time.

Section 7. A director shall not be eligible to vote on behalf of the director's municipality during the time said municipality is in default on any contribution or payment to the Commission. During the existence of such default, the vote or votes of such Member shall not be counted for the purposes of this agreement.

Section 8. All official actions of the Commission must receive either:

- (1) a simple majority (51%) of all authorized votes cast on the issue at a duly constituted meeting of the Commission and the affirmative vote of a majority of the appointed directors; or
- (2) the affirmative vote of three-fourths (3/4) of the appointed directors.

VI. EFFECTIVE DATE: MEETINGS: ELECTION OF OFFICERS

Section 1. A municipality may enter into this agreement by resolution of its council and the duly authorized execution of a copy of this agreement by its proper officers. Thereupon, the clerk or other appropriate officer of the municipality shall file a duly executed copy of this agreement, together with a certified copy of the authorizing resolution, with the Executive Director of the North Metro Telecommunications Commission. The resolution authorizing the execution of the agreement shall also designate the director and the alternate for the municipality on the Commission, along with said director's and alternate's address and phone number.

Section 2. This agreement is effective on the date when executed agreements and authorizing resolution of five of the municipalities named in Article V, Section 1 have been filed as provided in this Article.

Section 3. At the organizational meeting, or as soon thereafter as it may reasonably be done, the

Commission shall select from among the directors a Chair, Vice-Chair, Secretary and Treasurer, adopt By-Laws governing its procedures including the time, place, notice for and frequency of its regular meetings, adopt a procedure for calling special meetings, and such other matters as are required by this agreement.

Section 4. Officers of the Commission shall be elected annually for one year terms. Officers completing on full one year term shall only succeed themselves once in another full one year term in the same office.

VII. POWERS AND DUTIES OF THE COMMISSION

Section 1. The powers and duties of the Commission shall include the powers set forth in this Article.

Section 2. The Commission may make such contracts, grants, and take such other action as it deems necessary and appropriate to accomplish the general purposes of the organization. The Commission may not contract for the purchase of real estate without the prior authorization of the Member municipalities. Any purchase or contracts made shall conform to the requirements applicable to Minnesota statutory cities.

Section 3. The Commission shall assume all authority and undertake all tasks necessary to coordinate, administer, and enforce the Franchise of each Member except for that authority and those tasks specifically retained by a Member.

Section 4. The Commission shall continually review the operation and performance of the cable communications system of the Members.

Section 5. To the extent allowed by applicable law, the Commission shall undertake all procedures necessary to maintain uniform rates and to handle applications for changes in rates for the services provided by the Grantee.

Section 6. The Commission may provide for the prosecution, defense, or other participation in actions or proceedings at law in which it may have an interest, and may employ counsel for that purpose. It may employ such other persons as it deems necessary to accomplish its powers and duties. Such employees may be on a full-time, part-time or consulting basis, as the Commission determines, and the Commission may make any required employer contributions which local governmental units are authorized or required to make by law.

Section 7. The Commission may conduct such research and investigation and take such action as it deems necessary, including participation and appearance in proceedings of State and Federal regulatory, legislative or administrative bodies, on any matter related to or affecting cable communication rates, franchises, or levels of service.

Section 8. The Commission may obtain from Grantee and from any other source, such information relating to rates, costs and service levels as any Member is entitled to obtain from Grantee or others.

Section 9. The Commission may accept gifts, apply for and use grants, enter into agreements

required in connection therewith and hold, use and dispose of money or property received as a gift or grant in accordance with the terms thereof.

Section 10. The Commission shall make an annual, independent audit of the books of the Commission and shall make an annual financial accounting and report in writing to the Members. Its books and records shall be available for examination by the Members at all reasonable times.

Section 11. The Commission may delegate its authority to its executive committee. Such delegation of authority shall be by resolution of the Commission and may be conditioned in such a manner as the Commission may determine.

Section 12. The Commission shall adopt By-Laws which may be amended from time to time.

Section 13. The Commission is given express authority to issue bonds, obligations and other forms of indebtedness, in a principal amount not to exceed \$2,500,000 (the "Bonds"), for approved facility and equipment upgrades consistent with the authority granted to the Commission in this Agreement. As provided in Minn. Stat. § 471.59, subd. 11, the Bonds shall be obligations of the Commission which are issued on behalf of the Members, and shall be issued subject to the conditions and limitations set forth in Minn. Stat. § 471.59, subd. 11. The Bonds shall be payable solely from the Member's franchise fees and/or PEG fees, as hereinafter provided. The Commission may not pledge to the payment of the Bonds the full faith and credit or taxing power of the Members. No Bonds may be issued by the Commission without the prior consent of the Members.

Section 14. The Commission shall provide ongoing oversight of the Operations Committee.

Section 15. The Commission shall recommend and forward to the Member cities the Commission's annual budget and work plan.

Section 16. The Commission shall periodically review expenditures related to the Community Media Center.

Section 17. The Commission may exercise any other power necessary and incidental to the implementation of its powers and duties.

VIII. POWERS AND DUTIES OF THE OPERATIONS COMMITTEE

Section 1. The powers and duties of the Operations Committee shall include the powers set forth in this article.

Section 2. The Operations Committee shall provide input and make recommendations to the Commission.

Section 3. The Operations Committee shall provide for the definition of Member cities' needs and shall coordinate the resources of the Member cities' with the Executive Director and the Community Media Center for production purposes.

Section 4. The Operations Committee shall provide for the day to day supervision of the Executive Director and evaluation of the Community Media Center operation both for the purpose of reporting and recommendation to the Commission, and shall designate a liaison for the purpose of day to day communication with the Executive Director and to serve as liaison to the Commission. The Operations Committee will annually provide input to the Commission and Executive Director on the Executive Director's performance.

Section 5. The Operations Committee shall make recommendations on staffing needs and compensation levels for the Community Media Center.

Section 6. The Operations Committee shall provide input to the development of the Commission's annual budget and work plan.

Section 7. The Operations Committee shall provide for the ongoing evaluation of the technological needs of the Community Media Center and the telecommunications needs of the Member cities.

IX. OFFICERS

Section 1. The officers of the Commission shall consist of a Chair, Vice-Chair, a Secretary, and a Treasurer.

Section 2. A vacancy in the office of Chair, Vice-Chair, Secretary or Treasurer shall occur for any of the reasons for which a vacancy in the office of a director shall occur. Vacancies in these offices shall be filled by the commission for the unexpired portion of the term.

Section 3. The four officers shall all be Members of the executive committee.

Section 4. The Chair shall preside at all meetings of the Commission and executive committee. The Vice-Chair shall act as chair in the absence of the Chair.

Section 5. The Secretary shall be responsible for keeping a record of all of the proceedings of the Commission and executive committee.

Section 6. The Treasurer shall be responsible for custody of all funds, for the keeping of all financial records of the Commission and for such other matters as shall be delegated by the Commission. The Commission may require that the Treasurer post a fidelity bond or other insurance against loss of Commission funds in an amount approved by the Commission, at the expense of the Commission. Said fidelity bond or other insurance may cover all persons authorized to handle funds of the Commission.

Section 7. The Commission may appoint such other officers as it deems necessary. All such officers shall be appointed from the membership of the Commission.

X. FINANCIAL MATTERS

Section 1. The fiscal year of the Commission shall be the calendar year.

Section 2. Commission funds may be expended by the Commission in accordance with the

procedures established by law for the expenditure of funds by Minnesota Statutory Cities. Orders, checks and drafts must be signed by any two of the officers. Other legal instruments shall be executed with authority of the Commission, by the Chair and treasurer. Contracts shall be let and purchases made in accordance with the procedures established by law for Minnesota Statutory Cities.

Section 3. The financial contributions of the Members in support of the Commission shall be of two types: (1) each Member shall be responsible for its share of the debt service payments on the Commission's Bonds (but only from the Member's franchise fees and/or PEG fees), which share shall be in the same proportion as the Member's franchise fees for the immediately preceding calendar year were to the total franchise fees receivable by the Commission for that calendar year (the "Debt Service Share"); and (2) each member shall be responsible for its share of the operating and capital costs of the Commission (not including any part of the debt service on the Commission's Bonds), which share shall be in direct proportion to the percent of annual subscriber revenues of each Member to the total annual revenues of the system multiplied by the Commission's annual budget (the "Operating Cost Share"). The annual budget shall establish the contribution of each Member for its Operating Cost Share for the ensuing year. Each Member shall cause its franchise fees to be paid directly to the Commission, and the Commission shall deduct from each Member's quarterly payment of franchise fees, before application to any other purpose, one-fourth of the Member's Debt Service Share for that calendar year. If any Member's quarterly payment of franchise fees is not sufficient to pay its quarterly Debt Service Share, the deficiency will continue to be an obligation of the Member and will be deducted from the next payment or payments of the Member's franchise fees until the deficiency has been restored. After provision is made for payment of the Debt Service Share, the remaining franchise fees shall be applied as a credit against each Member's Operating Cost Share owed the Commission, with any excess being remitted to the Member by the Commission and any shortfall being payable to the Commission by the Member. The remainder of any franchise fee remitted back to the Member by the Commission shall be used for citizen communications-related expenses. Each Member acknowledges that its Debt Service Share of the franchise fee collections will be irrevocably pledged by the Commission as security for the Commission's Bonds.

Section 4. All PEG (public, educational, and government) programming fees collected by the Grantee and redistributed to the Commission shall be used by the Commission to fund the cable related expenses of the Commission and its Member Cities.

Section 5. A proposed budget for the operation of the Commission for each calendar year shall be formulated by the Executive Director under the direction of the Operations Committee and submitted to the Commission on or before July 1 of each year. The Commission shall submit the proposed budget to the Members on or before August 1 of each year. Such budget shall be deemed approved by a Member unless, prior to October 15 preceding the effective date of the proposed budget, the Member gives notice in writing to the Commission that it is withdrawing from the Commission, subject to Article XII, Section 2 of this agreement. Final action adopting a budget for the ensuing calendar year shall be taken by the Commission on or before November 1 of each year.

Section 6. Any Member may inspect and copy the Commission books and records at any and all reasonable times. All books and records shall be kept in accordance with normal and accepted

accounting procedures and principles used by Minnesota Statutory Cities.

XI. DURATION

Section 1. The Commission shall continue for an indefinite term unless the number of Members becomes less than five, and the Commission may also be terminated by mutual agreement of all of the Members at any time; provided that the Commission shall continue to exist as long as any Bonds described in Article VIII, Section 13 of this agreement remain outstanding.

Section 2. In order to prevent obligation for its Operating Cost Share for the ensuing calendar year, a Member must withdraw from the Commission by filing a written notice with the Secretary by October 15 of any year giving notice of withdrawal effective at the end of the calendar year; and membership shall continue until the effective date of the withdrawal. A notice of withdrawal may be rescinded by a Member at any time prior to the effective date of withdrawal. If a Member withdraws before the dissolution of the Commission, the Member shall have no claim against the assets of the Commission, including the right to receive an allocation of franchise fees, except as provided herein. A Member withdrawing after October 15 shall be obligated to pay its entire Operating Cost Share (including any shortfalls) for the ensuing year as outlined in the budget of the Commission for the ensuing year. A withdrawn Member will continue to be responsible for its Debt Service Share (payable only from the withdrawn Member's franchise fees and/or PEG fees) notwithstanding its withdrawal from the Commission, and shall continue to have its franchise fees and PEG fees paid directly to the Commission until all Bonds have been paid. Any excess of the withdrawn Member's franchise fees over the withdrawn Member's Debt Service Share (and any required Operating Cost Share, if the Member gave notice of withdrawal after October 15 of the preceding calendar year) shall be remitted by the Commission to the withdrawn Member. A Member that has withdrawn from the Commission may, if no Bonds are outstanding, upon request, recover an amount of any equity that exists, as of the withdrawal date, in real property and buildings purchased or constructed with any Bonds, up to (but not exceeding) the Member's individual percentage of total franchise fees paid to all the Members (or their designee) and the withdrawn Member for the calendar year preceding withdrawal. The Commission may, if no Bonds are outstanding, at any time after the withdrawal of a Member as provided for herein, initiate a buy-out of the proportionate equity interest of the withdrawn Member, which interest is to be the withdrawn Member's individual percentage of total franchise fees paid to the Members (or their designee) and the withdrawn Member for the calendar year preceding the buy-out, pursuant to terms and conditions agreed upon by the parties. The amount of any equity distributed to a withdrawn Member will be paid, without interest, on a payment schedule established by the Commission, provided, however, the term of such payment schedule shall not exceed five (5) years. When calculating an equity repayment schedule, the Commission may deduct the withdrawn Member's proportionate share of outstanding indebtedness from the amount of any equity due to the withdrawn Member. Notwithstanding anything to the contrary, a withdrawing Member shall have no claim to the franchise fee or PEG fee the Grantee collected on its behalf for the year in which its withdrawal is effective, except for the reimbursement of cable-related expenses for that year. If no Bonds are outstanding, for the calendar year following withdrawal, and for all subsequent years, the entire franchise fee calculated upon gross revenues attributable to the system within the withdrawn Member shall be paid by Grantee to the withdrawn Member in accordance with the Franchise.

Section 3. In the event of dissolution, the Commission shall determine the measures necessary to affect the dissolution and shall provide for the taking of such measures as promptly as circumstances permit, subject to the provisions of this agreement. Upon dissolution of the Commission all remaining assets of the Commission, after payment of obligations, shall be distributed among the then existing Members in proportion to the most recent Member by Member breakdown of the franchise fee as reported by the Grantee. The Commission shall continue to exist after dissolution for such period, no longer than six months, as is necessary to wind up its affairs but for no other purpose.

IN WITNESS WHEREOF, the undersigned municipality has caused this agreement to be signed on its behalf this _____ day of _____, 2020.

City of _____, Minnesota

ATTEST:

City Clerk

Mayor

Amended and Restated _____/2020

RESOLUTION NO. 2020-08

**STATE OF MINNESOTA
COUNTY OF ANOKA
CITY OF CIRCLE PINES**

**RESOLUTION IN SUPPORT OF
THE PROTECTING COMMUNITY TELEVISION ACT**

WHEREAS, the City of Circle Pines is a member of the North Metro Telecommunications Commission (the “Commission”), a Joint Powers Commission organized pursuant to Minn. Stat. § 471.59, as amended, and includes the municipalities of Ham Lake, Spring Lake Park, Blaine, Lexington, Circle Pines, Centerville and Lino Lakes, Minnesota (collectively the “Member Cities”);

WHEREAS, the Commission negotiates and manages the cable franchises agreements of the Member Cities and operates North Metro TV, the local community public educational and governmental (“PEG”) access facility on behalf of the Member Cities;

WHEREAS, North Metro TV provides coverage of local events, such as local high school sporting events and most government meetings that local broadcast stations (i.e. WCCO, KSTP, KMSP, and KARE) typically will not cover and in light of a rapidly decreasing print media, North Metro TV is the principal, and may soon be the sole, source for local residents to have access to coverage of local events;

WHEREAS, North Metro TV is funded through franchise fee and PEG fee revenues negotiated in the cable franchise agreements;

WHEREAS, the Member Cities require, as part of the cable franchise agreements, that cable companies meet demonstrated community needs by providing non-monetary in-kind contributions that benefit the Member Cities, local schools, public safety buildings, as well as North Metro TV;

WHEREAS, in 1984 Congress defined a franchise fee as a “tax, fee, or assessment” and, for the past 35 years, it has been solely a monetary fee;

WHEREAS, last year the FCC departed from the clear language of the Cable Act and ruled that a franchise fee is both a monetary and non-monetary fee and permits cable companies to unilaterally assign a value to the non-monetary in-kind contributions and then subtract that amount from the franchise fees the cable operator pays the local community;

WHEREAS, the FCC order results in decreased vital funding to the Member Cities and North Metro TV;

WHEREAS, the *Protect Community Television Act* (currently S. 3218/HR 5659) has been introduced in Congress and its goal is to maintain the status quo by reversing the FCC order and allowing franchise fees to be calculated as they have been for over 35 years as monetary only fees; and

WHEREAS, this legislation is supported by the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the Minnesota League of Cities, and NATOA.

NOW, THEREFORE, BE IT RESOLVED that the City calls on Congress to pass legislation, such as the *Protect Community Television Act*, which would undo the FCC's action; and

BE IT FURTHER RESOLVED that the City urges all House members and Senators from Minnesota to cosponsor the *Protect Community Television Act*; and

Adopted by a unanimous vote of the Circle Pines City Council this 12th day of May, 2020.

ATTEST:

Mayor

(SEAL)

City Clerk



City of Circle Pines
 200 Civic Heights Circle
 Circle Pines, MN 55014-1788

Pay Request Number 1

Project Number: R-013714-000	Project Description 2020 Street and Utility Improvement Project
Client Project Number:	
State/Federal Project Number: S.A.P. 244-103-002 & 244-104-002	

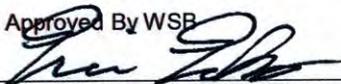
Contractor: Kuechle Underground 10998 State Highway 55 Kimball, MN 55353	Vendor Number: Up To Date: 05/06/2020
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Contract Amount		Funds Encumbered	
Original Contract	\$4,034,753.76	Original	\$4,034,753.76
Contract Changes	\$0.00	Additional	N/A
Revised Contract	\$4,034,753.76	Total	\$4,034,753.76

Work Certified To Date	
Base Bid Items	\$237,787.60
Contract Changes	\$0.00
Material On Hand	\$259,891.08
Total	\$497,678.68

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$497,678.68	\$497,678.68	\$24,883.93	\$0.00	\$472,794.75	\$472,794.75
Percent: Retained: 5%			Percent Complete: 12.33%		

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By WSB

 Eric Eckman, PE, Project Manager
 May 6, 2020

 Date

Approved By Kuechle Underground

 Contractor
 5/7/2020

 Date

Approved By City of Circle Pines

 Date



Pay Request Number 1

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	2020-05-06	\$237,787.60	\$24,883.93	\$212,903.67

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
3 - Non-Participating		\$497,678.68	\$24,883.93	\$0.00	\$472,794.75	\$472,794.75

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
3 - LOCAL	Local Roadway	\$472,794.75	\$3,810,251.76	\$3,810,251.76	\$472,794.75

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
1	2021.501	MOBILIZATION	LS	\$47,000.00	1	0.5	\$23,500.00	0.5	\$23,500.00
2	2101.524	CLEARING	TREE	\$320.00	47	119	\$38,080.00	119	\$38,080.00
3	2101.524	GRUBBING	TREE	\$180.00	47	106	\$19,080.00	106	\$19,080.00
4	2104.502	REMOVE MISCELLANEOUS STRUCTURES	EACH	\$500.00	1	0	\$0.00	0	\$0.00
5	2104.502	REMOVE MANHOLE	EACH	\$520.00	33	0	\$0.00	0	\$0.00
6	2104.502	REMOVE GATE VALVE & BOX	EACH	\$26.00	13	0	\$0.00	0	\$0.00
7	2104.502	REMOVE CURB STOP & BOX	EACH	\$26.00	126	0	\$0.00	0	\$0.00
8	2104.502	REMOVE HYDRANT	EACH	\$260.00	10	0	\$0.00	0	\$0.00
9	2104.502	REMOVE DRAINAGE STRUCTURE	EACH	\$520.00	26	0	\$0.00	0	\$0.00
10	2104.502	REMOVE SIGN	EACH	\$45.00	22	0	\$0.00	0	\$0.00
11	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	L F	\$3.00	1610	180	\$540.00	180	\$540.00
12	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	L F	\$3.00	2380	0	\$0.00	0	\$0.00
13	2104.503	REMOVE PERFORATED PIPE	L F	\$1.00	840	0	\$0.00	0	\$0.00
14	2104.503	REMOVE WATER MAIN	L F	\$1.30	6690	0	\$0.00	0	\$0.00
15	2104.503	REMOVE SEWER PIPE (STORM)	L F	\$12.00	1494	0	\$0.00	0	\$0.00
16	2104.503	REMOVE SEWER PIPE (SANITARY)	L F	\$0.01	6043	0	\$0.00	0	\$0.00



Pay Request Number 1

17	2104.503	REMOVE CURB & GUTTER	L F	\$3.00	13615	2098	\$6,294.00	2098	\$6,294.00
18	2104.503	REMOVE SANITARY SERVICE PIPE	L F	\$0.01	4366	0	\$0.00	0	\$0.00
19	2104.503	REMOVE WATER SERVICE PIPE	L F	\$0.01	4366	0	\$0.00	0	\$0.00
20	2104.503	ABATE ASBESTOS-CONTAINING PIPES	L F	\$8.00	2000	653	\$5,224.00	653	\$5,224.00
21	2104.503	SALVAGE FENCE	L F	\$12.00	109	0	\$0.00	0	\$0.00
22	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	S Y	\$4.00	1210	257	\$1,028.00	257	\$1,028.00
23	2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	S Y	\$3.00	2265	402.2	\$1,206.60	402.2	\$1,206.60
24	2104.504	REMOVE BITUMINOUS PAVEMENT	S Y	\$9.00	21853	7290	\$65,610.00	7290	\$65,610.00
25	2104.518	REMOVE CONCRETE WALK	S F	\$2.00	1857	0	\$0.00	0	\$0.00
26	2104.601	SALVAGE AND REINSTALL LANDSCAPE STRUCTURES	LS	\$35,000.00	1	0	\$0.00	0	\$0.00
27	2104.618	SALVAGE BRICK PAVERS	S F	\$5.00	200	0	\$0.00	0	\$0.00
28	2105.601	DEWATERING	LS	\$105,000.00	1	0.5	\$52,500.00	0.5	\$52,500.00
29	2106.507	EXCAVATION - COMMON (P)	C Y	\$13.00	6230	0	\$0.00	0	\$0.00
30	2106.507	EXCAVATION - SUBGRADE	C Y	\$12.00	728	0	\$0.00	0	\$0.00
31	2106.507	GRANULAR EMBANKMENT (CV)	C Y	\$20.00	728	0	\$0.00	0	\$0.00
32	2112.519	SUBGRADE PREPARATION	RDST	\$200.00	92.9	0	\$0.00	0	\$0.00
33	2123.510	COMMON LABORERS	hour	\$50.00	50	0	\$0.00	0	\$0.00
34	2123.610	SKID LOADER	hour	\$100.00	50	0	\$0.00	0	\$0.00
35	2123.610	STREET SWEEPER (WITH PICKUP BROOM)	hour	\$150.00	110	0	\$0.00	0	\$0.00
36	2130.523	WATER	MGAL	\$2.00	180	0	\$0.00	0	\$0.00
37	2211.507	AGGREGATE BASE (CV) CLASS 5	C Y	\$0.01	4821	0	\$0.00	0	\$0.00
38	2215.504	FULL DEPTH RECLAMATION	S Y	\$6.00	10840	0	\$0.00	0	\$0.00
39	2232.504	MILL BITUMINOUS SURFACE (2.0")	S Y	\$23.00	160	0	\$0.00	0	\$0.00
40	2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GAL	\$3.00	1531	0	\$0.00	0	\$0.00
41	2360.503	TYPE SP 9.5 WEAR CRS MIX (2,B) 3.0" THICK	S Y	\$24.00	1610	0	\$0.00	0	\$0.00



Pay Request Number 1

42	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3;C)	TON	\$72.00	4517	0	\$0.00	0	\$0.00
43	2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3;C)	TON	\$70.00	2593	0	\$0.00	0	\$0.00
44	2501.502	36" RC PIPE APRON	EACH	\$2,600.00	1	0	\$0.00	0	\$0.00
45	2501.602	TRASH GUARD FOR 36" PIPE APRON	EACH	\$2,500.00	1	0	\$0.00	0	\$0.00
46	2502.503	6" PVC PIPE DRAIN	L F	\$18.00	840	0	\$0.00	0	\$0.00
47	2502.601	IRRIGATION SYSTEM PROVISION	LS	\$10,000.00	1	0	\$0.00	0	\$0.00
48	2502.602	CONNECT TO EXISTING PIPE DRAIN	EACH	\$1,300.00	2	0	\$0.00	0	\$0.00
49	2501.503	18" RC PIPE CULVERT DES 3006 CL V	L F	\$53.00	1343	0	\$0.00	0	\$0.00
50	2503.503	15" RC PIPE SEWER DES 3006 CL V	L F	\$49.00	1627	0	\$0.00	0	\$0.00
51	2503.503	21" RC PIPE SEWER DES 3006 CL III	L F	\$58.00	955	0	\$0.00	0	\$0.00
52	2503.503	24" RC PIPE SEWER DES 3006 CL III	L F	\$61.00	585	0	\$0.00	0	\$0.00
53	2503.503	30" RC PIPE SEWER DES 3006 CL III	L F	\$84.00	208	0	\$0.00	0	\$0.00
54	2503.503	36" RC PIPE SEWER DES 3006 CL III	L F	\$141.00	19	0	\$0.00	0	\$0.00
55	2503.601	SANITARY SEWER BYPASS PUMPING	L S	\$5,000.00	1	0	\$0.00	0	\$0.00
56	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	\$1,500.00	3	0	\$0.00	0	\$0.00
57	2503.602	CONNECT TO EXISTING MANHOLES (SAN)	EACH	\$1,500.00	1	0	\$0.00	0	\$0.00
58	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	\$1,300.00	2	0	\$0.00	0	\$0.00
59	2503.602	CONNECT TO EXISTING FORCE MAIN	EACH	\$1,700.00	1	0	\$0.00	0	\$0.00
60	2503.602	RECONNECT TO EXISTING SANITARY SEWER SER	EACH	\$280.00	126	0	\$0.00	0	\$0.00
61	2503.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EACH	\$3,000.00	2	0	\$0.00	0	\$0.00
62	2503.602	8"X6" PVC WYE	EACH	\$550.00	121	0	\$0.00	0	\$0.00
63	2503.602	12"X6" PVC WYE	EACH	\$700.00	5	0	\$0.00	0	\$0.00
64	2503.603	8" PVC PIPE SEWER - SDR 26	L F	\$49.00	949	0	\$0.00	0	\$0.00
65	2503.603	8" PVC PIPE SEWER - SDR 35	L F	\$48.00	4347	0	\$0.00	0	\$0.00
66	2503.603	TELEWISE SANITARY SEWER	L F	\$1.25	6035	0	\$0.00	0	\$0.00



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67	2503.503	6" PVC PIPE SEWER	L F	\$19.00	4366	0	\$0.00	0	\$0.00
68	2503.603	6" PVC FORCE MAIN	L F	\$38.00	90	0	\$0.00	0	\$0.00
69	2503.603	12" PVC PIPE SEWER SDR 35	L F	\$53.00	739	0	\$0.00	0	\$0.00
70	2504.601	TEMPORARY WATER SERVICE	LS	\$65,000.00	1	0.2	\$13,000.00	0.2	\$13,000.00
71	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	\$2,300.00	7	0	\$0.00	0	\$0.00
72	2504.602	CONNECT TO EXISTING WATER SERVICE	EACH	\$290.00	126	0	\$0.00	0	\$0.00
73	2504.602	HYDRANT	EACH	\$6,600.00	16	0	\$0.00	0	\$0.00
74	2504.602	ADJUST GATE VALVE & BOX	EACH	\$680.00	5	0	\$0.00	0	\$0.00
75	2504.602	1" CORPORATION STOP	EACH	\$500.00	126	0	\$0.00	0	\$0.00
76	2504.602	8" GATE VALVE & BOX	EACH	\$2,800.00	19	0	\$0.00	0	\$0.00
77	2504.602	12" GATE VALVE & BOX	EACH	\$4,300.00	3	0	\$0.00	0	\$0.00
78	2504.602	1" CURB STOP & BOX	EACH	\$500.00	126	0	\$0.00	0	\$0.00
79	2504.603	1" TYPE PE PIPE	L F	\$17.00	4366	0	\$0.00	0	\$0.00
80	2504.603	6" PVC WATERMAIN	L F	\$24.00	209	0	\$0.00	0	\$0.00
81	2504.603	8" PVC WATERMAIN	L F	\$28.00	5183	0	\$0.00	0	\$0.00
82	2504.603	12" PVC WATERMAIN	L F	\$37.00	1408	0	\$0.00	0	\$0.00
83	2504.604	4" POLYSTYRENE INSULATION	S Y	\$19.00	150	0	\$0.00	0	\$0.00
84	2504.608	DUCTILE IRON FITTINGS	LB	\$12.00	3649	0	\$0.00	0	\$0.00
85	2506.502	CASTING ASSEMBLY	EACH	\$960.00	57	0	\$0.00	0	\$0.00
86	2506.502	ADJUST FRAME & RING CASTING	EACH	\$660.00	10	0	\$0.00	0	\$0.00
87	2506.503	CONST DRAINAGE STRUCTURE DES 48-4020	L F	\$660.00	149.5	0	\$0.00	0	\$0.00
88	2506.503	CONST DRAINAGE STRUCTURE DES 60-4020	L F	\$810.00	6.3	0	\$0.00	0	\$0.00
89	2506.503	CONST DRAINAGE STRUCTURE DES 72-4020	L F	\$840.00	14.3	0	\$0.00	0	\$0.00
90	2506.602	CONST DRAINAGE STRUCTURE DESIGN SPEC (2'X3')	EACH	\$2,300.00	20	0	\$0.00	0	\$0.00
91	2506.602	CASTING ASSEMBLY (SANITARY)	EACH	\$1,100.00	32	0	\$0.00	0	\$0.00
92	2506.602	CHIMNEY SEALS	EACH	\$220.00	110	0	\$0.00	0	\$0.00



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93	2506.603	CONSTRUCT 48" DIA SAN MANHOLE	L F	\$400.00	401	0	\$0.00	0	\$0.00
94	2511.507	RANDOM RIPRAP CLASS III	C Y	\$118.00	23	0	\$0.00	0	\$0.00
95	2521.518	4" CONCRETE WALK	S F	\$7.00	1466	0	\$0.00	0	\$0.00
96	2521.518	6" CONCRETE WALK	S F	\$12.00	665	0	\$0.00	0	\$0.00
97	2531.503	CONCRETE CURB & GUTTER DESIGN B618	L F	\$12.00	13088	0	\$0.00	0	\$0.00
98	2531.503	CONCRETE CURB & GUTTER DESIGN D412	L F	\$25.00	332	0	\$0.00	0	\$0.00
99	2531.504	6" CONCRETE DRIVEWAY PAVEMENT	S Y	\$46.00	2285	0	\$0.00	0	\$0.00
100	2531.603	CONCRETE CURB & GUTTER DESIGN SURMOUNTABLE	L F	\$25.00	195	0	\$0.00	0	\$0.00
101	2531.618	TRUNCATED DOMES	S F	\$100.00	128	0	\$0.00	0	\$0.00
102	2540.602	MAIL BOX	EACH	\$30.00	126	0	\$0.00	0	\$0.00
103	2540.602	MAIL BOX SUPPORT	EACH	\$180.00	126	0	\$0.00	0	\$0.00
104	2540.602	TEMPORARY MAIL BOX	EACH	\$85.00	126	51	\$4,335.00	51	\$4,335.00
105	2540.618	INSTALL BRICK PAVERS	S F	\$25.00	200	0	\$0.00	0	\$0.00
106	2557.602	REPAIR DOG FENCE	EACH	\$230.00	25	0	\$0.00	0	\$0.00
107	2557.603	INSTALL FENCE	L F	\$12.00	109	0	\$0.00	0	\$0.00
108	2563.601	TRAFFIC CONTROL	LS	\$7,100.00	1	0.15	\$1,065.00	0.15	\$1,065.00
109	2564.518	SIGN PANELS TYPE C	S F	\$40.00	113	0	\$0.00	0	\$0.00
110	2564.602	SIGN PANELS TYPE SPECIAL	EACH	\$530.00	6	0	\$0.00	0	\$0.00
111	2565.602	RIGID PVC LOOP DETECTOR 6'X6'	EACH	\$1,100.00	8	0	\$0.00	0	\$0.00
112	2571.524	CONIFEROUS TREE 8' HT B&B	TREE	\$450.00	13	0	\$0.00	0	\$0.00
113	2571.524	DECIDUOUS TREE 2" CAL B&B	TREE	\$420.00	14	0	\$0.00	0	\$0.00
114	2572.503	CLEAN ROOT CUTTING	L F	\$5.00	1175	0	\$0.00	0	\$0.00
115	2573.501	STABILIZED CONSTRUCTION EXIT	LS	\$7,500.00	1	0.2	\$1,500.00	0.2	\$1,500.00
116	2573.502	STORM DRAIN INLET PROTECTION	EACH	\$420.00	80	10	\$4,200.00	10	\$4,200.00
117	2573.503	SILT FENCE; TYPE MS	L F	\$2.00	1309	0	\$0.00	0	\$0.00
118	2573.503	FLOTATION SILT CURTAIN TYPE MOVING WATER	L F	\$25.00	50	25	\$625.00	25	\$625.00



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119	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	L F	\$3.00	6544	0	\$0.00	0	\$0.00
120	2574.507	COMMON TOPSOIL BORROW	C Y	\$24.00	2360	0	\$0.00	0	\$0.00
121	2575.504	SODDING TYPE MINERAL	S Y	\$4.75	21235	0	\$0.00	0	\$0.00
122	2575.504	EROSION CONTROL BLANKETS CATEGORY 3N	S Y	\$5.00	100	0	\$0.00	0	\$0.00
123	2575.523	RAPID STABILIZATION METHOD 3	MGAL	\$400.00	26	0	\$0.00	0	\$0.00
124	2582.503	4" SOLID LINE MULTI COMP	L F	\$1.00	186	0	\$0.00	0	\$0.00
125	2582.503	24" SOLID LINE MULTI COMP	L F	\$10.00	34	0	\$0.00	0	\$0.00
126	2582.503	4" DBLE SOLID LINE MULTI COMP	L F	\$2.00	301	0	\$0.00	0	\$0.00
127	2582.518	PAVT MSSG MULTI COMP	S F	\$4.00	104	0	\$0.00	0	\$0.00
128	2582.518	CROSSWALK MULTI COMP	S F	\$6.00	414	0	\$0.00	0	\$0.00
129	2021.501	MOBILIZATION	LS	\$3,600.00	1	0	\$0.00	0	\$0.00
130	2104.502	REMOVE CASTING	EACH	\$260.00	4	0	\$0.00	0	\$0.00
131	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	L F	\$5.00	72	0	\$0.00	0	\$0.00
132	2104.503	REMOVE CURB & GUTTER	L F	\$3.00	428	0	\$0.00	0	\$0.00
133	2104.518	REMOVE CONCRETE WALK	S F	\$2.00	100	0	\$0.00	0	\$0.00
134	2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOURL	\$150.00	5	0	\$0.00	0	\$0.00
135	2215.504	FULL DEPTH RECLAMATION	S Y	\$5.00	2086	0	\$0.00	0	\$0.00
136	2232.504	MILL BITUMINOUS SURFACE (2.0")	S Y	\$23.00	32	0	\$0.00	0	\$0.00
137	2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GAL	\$3.00	104	0	\$0.00	0	\$0.00
138	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3;C)	TON	\$87.00	177	0	\$0.00	0	\$0.00
139	2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3;C)	TON	\$78.00	236	0	\$0.00	0	\$0.00
140	2506.502	CASTING ASSEMBLY	EACH	\$960.00	4	0	\$0.00	0	\$0.00
141	2506.602	CHIMNEY SEALS	EACH	\$220.00	4	0	\$0.00	0	\$0.00
142	2521.518	6" CONCRETE WALK	S F	\$12.00	100	0	\$0.00	0	\$0.00
143	2531.503	CONCRETE CURB & GUTTER DESIGN B612	L F	\$25.00	82	0	\$0.00	0	\$0.00



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144	2531.503	CONCRETE CURB & GUTTER DESIGN D412	L F	\$25.00	346	0	\$0.00	0	\$0.00
145	2531.618	TRUNCATED DOMES	S F	\$100.00	20	0	\$0.00	0	\$0.00
146	2563.601	TRAFFIC CONTROL	LS	\$700.00	1	0	\$0.00	0	\$0.00
147	2573.501	STABILIZED CONSTRUCTION EXIT	LS	\$2,100.00	1	0	\$0.00	0	\$0.00
148	2573.502	STORM DRAIN INLET PROTECTION	EACH	\$420.00	4	0	\$0.00	0	\$0.00
149	2574.507	COMMON TOPSOIL BORROW	C Y	\$40.00	24	0	\$0.00	0	\$0.00
150	2575.504	SODDING TYPE MINERAL	S Y	\$10.00	37	0	\$0.00	0	\$0.00
151	2582.503	4" SOLID LINE MULTI COMP	L F	\$2.00	318	0	\$0.00	0	\$0.00
152	2582.518	PAVT MSSG MULTI COMP	S F	\$30.00	4	0	\$0.00	0	\$0.00
153	2582.518	CROSSWALK MULTI COMP	S F	\$4.40	72	0	\$0.00	0	\$0.00
Totals							\$237,787.60		\$237,787.60
Contract Total									\$497,678.68

Project Category Totals		
Category	Amount This Request	Amount To Date
Alternate 1 - Civic Heights Circle	\$0.00	\$0.00
Base Bid	\$237,787.60	\$237,787.60

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments
65	2503.603	8" PVC PIPE SEWER - SDR 35	2020-05-05	763.66 L F \$36,655.68	
81	2504.603	8" PVC WATERMAIN	2020-05-05	4,703.39 L F \$131,694.92	
82	2504.603	12" PVC WATERMAIN	2020-05-05	1,310.92 L F \$48,504.04	
84	2504.608	DUCTILE IRON FITTINGS	2020-05-05	3,586.37 LB \$43,036.44	

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining
65	2503.603	8" PVC PIPE SEWER - SDR 35	2020-05-05	763.66 L F \$36,655.68	0 L F \$0.00	763.66 L F \$36,655.68
81	2504.603	8" PVC WATERMAIN	2020-05-05	4,703.39 L F \$131,694.92	0 L F \$0.00	4,703.39 L F \$131,694.92
82	2504.603	12" PVC WATERMAIN	2020-05-05	1,310.92 L F \$48,504.04	0 L F \$0.00	1,310.92 L F \$48,504.04
84	2504.608	DUCTILE IRON FITTINGS	2020-05-05	3,586.37 LB \$43,036.44	0 LB \$0.00	3,586.37 LB \$43,036.44