

RESOLUTION NO. 2016-17

Resolution Taking Additional Action with Respect to an Electric Revenue Refunding Loan Agreement

WHEREAS, the City of Hawarden, in Sioux County, State of Iowa, did heretofore establish a Municipal Electric Utility System (the "Utility"), which has continuously supplied electrical service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are now vested in the City Council (the "Council") and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a prior resolution (the "2011 Bond Resolution") of the Council, the City has previously issued its \$4,615,000 Electric Revenue Improvement and Refunding Bonds, Series 2011, dated November 30, 2011 (the "Series 2011 Bonds"), a portion of which remain outstanding; and

WHEREAS, pursuant to the 2011 Bond Resolution, the City reserved the right to call the Series 2011 Bonds maturing in the years 2019 to 2031, inclusive (the "Callable Series 2011 Bonds"), on any date on or after June 1, 2018; and

WHEREAS, pursuant to a prior resolution (the "2015 Bond Resolution") of the Council, the City has also previously issued its \$2,890,000 Electric Revenue Improvement Bonds, Series 2015, dated May 5, 2015 (the "Series 2015 Bonds"), a portion of which remains outstanding; and

WHEREAS, pursuant to the 2015 Bond Resolution, the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Series 2015 Bonds; and

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City heretofore proposed to enter into an Electric Revenue Refunding Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$2,750,000 for the purpose of paying the cost, to that extent, of advance refunding the Callable Series 2011 Bonds, and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on August 24, 2016;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Hawarden, Iowa as follows:

Section 1. The City Council hereby determines to enter into the Loan Agreement in the future and orders that Electric Revenue Bonds be issued at such time, in evidence thereof. The City Council further declares that this resolution constitutes the "additional action" required by Section 384.24A of the Code of Iowa.

Section 2. Further action with respect to the Loan Agreement is hereby adjourned to the City Council meeting on September 14, 2016.

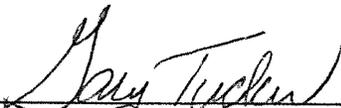
Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 24, 2016.

  
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Ricard R. Porter, Mayor

Attest:

  
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Gary Tucker, City Administrator/City Clerk