

RESOLUTION NO. 2016-16

Resolution setting the date for a public hearing on a proposal to enter into an electric revenue refunding loan agreement and to borrow money thereunder in a principal amount not to exceed \$2,750,000

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 remains 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, the City now proposes 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 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of advance refunding the outstanding principal balance of the Callable Series 2011 Bonds, and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. The City Council shall meet on August 24, 2016, at the City Office, Hawarden, Iowa, at 5:30 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO AN ELECTRIC REVENUE LOAN AGREEMENT AND TO
BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO
EXCEED \$2,750,000

(Electric Revenue)

The City Council of the City of Hawarden, Iowa, will meet on August 24, 2016, at the Council Chamber, Hawarden, Iowa, at 5:30 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into an electric revenue 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 2019 to 2031 maturities of the City's Electric Revenue Improvement and Refunding Bonds, Series 2011, dated November 30, 2011 (the "Series 2011 Bonds").

The Loan Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation, but together with the City's Electric Revenue Improvement Bonds, Series 2015, dated May 5, 2015; and any additional obligations as may be hereafter issued and outstanding from time to time, ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Utility.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

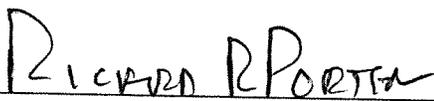
By order of the City Council of the City of Hawarden, Iowa.

Gary Tucker
City Clerk

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

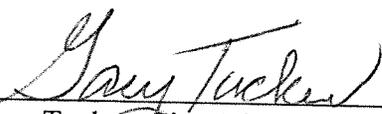
Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 10, 2016.



Ricard R. Porter, Mayor

Attest:



Gary Tucker, City Administrator/City Clerk