

MINUTES TO APPROVE TERM SHEET
FOR A LOAN ANTICIPATION
AGREEMENT PROJECT NOTE

435926-33

Monticello, Iowa

February 19, 2024

The City Council of the City of Monticello, Iowa, met on February 19, 2024, at 6:00 o'clock p.m., at the Monticello Renaissance Center, 220 E. 1st Street, Monticello, Iowa.

The meeting was called to order by the Mayor, and the roll being called, the following named Council Members were present and absent:

Present: Josh Brenneman, Jake Ellwood, Dave Goedken, Candy Langerman, Mary Phelan and Scott Brighton

Absent: None.

After due consideration and discussion, Council Member Brighton introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member Brenneman. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Brighton, Brenneman, Goedken, Phelan, Langerman and Ellwood

Nays: None.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO.2024-36

Resolution to Approve the use of a Term Sheet in connection with the issuance of a Sewer Revenue Loan Agreement Anticipation Project Note, Series 2024

WHEREAS, the City of Monticello (the “City”), in Jones County, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the “Utility”) in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

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

WHEREAS, the City heretofore proposed to enter into a Sewer Revenue Loan Agreement (the “Original Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$21,000,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of planning, designing, and constructing improvements and extensions to the Utility (the “Project”), and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on December 19, 2022; and

WHEREAS, to pay additional costs of the Project, the City also heretofore proposed to enter into an additional Sewer Revenue Loan Agreement (the “Additional Loan Agreement”) in a principal amount not to exceed \$2,500,000, and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on January 3, 2024; and

WHEREAS, pursuant to the provisions of Section 384.28 of the Code of Iowa, the City combined its authority under the Original Loan Agreement and the Additional Loan Agreement into a single loan agreement (the “Loan Agreement”); and

WHEREAS, a certain term sheet (the “Term Sheet”) has been prepared by Farmers & Merchants Saving Bank, Monticello, Iowa (the “Lender”) for use by PFM Financial Advisors LLC (the “Municipal Advisor”) and the City to evaluate proposals for the private placement of a Sewer Revenue Loan Agreement Anticipation Project Note, Series 2024 (the “Project Note”) to be issued in evidence of the obligation of the City under the Loan Agreement, and it is now necessary to make provision for the approval of the Term Sheet;

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

Section 1. The City Clerk and City Administrator are hereby authorized to take such action as shall be deemed necessary and appropriate, with the assistance of the Municipal Advisor, to use the Term Sheet describing the Project Note and providing for the terms and conditions of its placement with the Lender, and all action heretofore taken in this regard is hereby ratified and approved.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 19, 2024.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk

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On motion and vote, the meeting adjourned.

Wayne Peach, Mayor

Attest:

Sally Hinrichsen, City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
JONES COUNTY
CITY OF MONTICELLO

SS:

I, the undersigned, City Clerk of the City of Monticello, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to approving the use of a Term Sheet for the private placement of a Project Note.

WITNESS MY HAND this 21st day of February, 2024.

Sally Hinrichsen, City Clerk