

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Dubuque, Iowa.

Date of Meeting: _____, 2015.

Time of Meeting: _____ o'clock _____.M.

Place of Meeting: Historic Federal Building, 350 West 6th Street, Dubuque, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to exceed \$34,000,000 Stormwater Utility Revenue Capital Loan Notes.

- Resolution fixing date for a meeting on the proposition to authorize one or more Loan and Disbursement Agreements and the issuance of Notes to evidence the obligations of the City thereunder.

Such additional matters as are set forth on the additional _____ page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

City Clerk, City of Dubuque, Iowa

_____, 2015

The City Council of the City of Dubuque, Iowa, met in _____ session, in the Historic Federal Building, 350 West 6th Street, Dubuque, Iowa, at _____ o'clock _____.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF ONE OR MORE LOAN AND DISBURSEMENT AGREEMENTS AND THE ISSUANCE OF NOT TO EXCEED \$34,000,000 STORMWATER UTILITY REVENUE CAPITAL LOAN NOTES OF THE CITY OF DUBUQUE, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF ONE OR MORE LOAN AND DISBURSEMENT AGREEMENTS AND THE ISSUANCE OF NOT TO EXCEED \$34,000,000 STORMWATER UTILITY REVENUE CAPITAL LOAN NOTES OF THE CITY OF DUBUQUE, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, on June 17, 2013, the City Council held a public hearing and took additional action for the issuance of not to exceed \$14,767,000 Stormwater Utility Revenue Capital Loan Notes (State Revolving Loan Fund Program), the proceeds of which were to be used to pay costs of acquisition, construction, reconstruction, extending, remodeling, improving, repairing and equipping all or part of the Stormwater Management Utility, including those costs associated with the construction of the Bee Branch Disaster Resiliency Project; and

WHEREAS, the foregoing action was taken to satisfy the Economic Development Administration grant ("EDA Grant") requirement that the local match for the EDA Grant be fully committed and readily available; and

WHEREAS, it was subsequently deemed necessary and advisable that, in lieu of the above-described Stormwater Utility Revenue Capital Loan Notes, the City of Dubuque, Iowa should issue Sales Tax Increment Revenue Bonds to the Iowa Finance

Authority under the State Revolving Fund Loan Program, to the amount of not to exceed \$30,000,000, as authorized by Section 418.14 of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out certain flood mitigation projects and to provide the local match for the EDA Grant; and

WHEREAS, on June 16, 2014, this Council held a public hearing and took additional action for the issuance of not to exceed \$30,000,000 Sales Tax Increment Revenue Bonds for the foregoing purposes; and

WHEREAS, such Bonds have not been issued and it is now deemed necessary and advisable that the City of Dubuque, Iowa should provide for the authorization of one or more Loan and Disbursement Agreements and the issuance of Stormwater Utility Revenue Capital Loan Notes, in the amount of not to exceed \$34,000,000, as authorized by Sections 384.24A and 384.83, Code of Iowa, as amended, for the purpose of providing funds to pay costs as hereinafter described; and

WHEREAS, the City has applied for a loan through the Iowa Water Pollution Control Works Financing Program pursuant to which the Iowa Finance Authority has agreed to purchase the City's Notes and has requested that such Notes be issued as single Notes in a denomination equal to the total amount of the issue as authorized by Chapter 384 of the Code of Iowa; and

WHEREAS, the Loan and Disbursement Agreements and Notes shall be payable out of the net earnings of the Stormwater Management Utility and shall be a first lien on the future net earnings of the Utility and, in the discretion of the City Council, from amounts on deposit in the Additional Projects Account of the Flood Project Fund; and shall not be general obligations of the City or payable in any manner by taxation and the City shall be in no manner liable by reason of the failure of the net revenues to be sufficient for the payment of the Loan and Disbursement Agreements and Notes; and

WHEREAS, before a Loan and Disbursement Agreement may be authorized and Stormwater Utility Revenue Capital Loan Notes issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan and Disbursement Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUBUQUE, IOWA:

Section 1. That this City Council meet in the Historic Federal Building, 350 West 6th Street, Dubuque, Iowa at _____ o'clock ___.M., on the _____ day of

_____, 2015, for the purpose of taking action on the matter of the authorization of one or more Loan and Disbursement Agreements and the issuance of not to exceed \$34,000,000 Stormwater Utility Revenue Capital Loan Notes to evidence the obligations of the City thereunder, the proceeds of which will be used to provide funds to pay the costs of land acquisition, engineering and construction of Phase 7 of the Bee Branch Watershed Flood Mitigation Project, also known as the Upper Bee Branch Creek Restoration, the refunding and refinancing of the outstanding General Obligation Capital Loan Notes Anticipation Project Note, Series 2006, dated December 28, 2006, issued in respect of such costs, and the Catfish Creek Watershed Improvements.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four clear days nor more than twenty days before the date of said public meeting on the issuance of the Notes.

Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF
DUBUQUE, IOWA ON THE MATTER OF THE PROPOSED
AUTHORIZATION OF ONE OR MORE LOAN AND DISBURSEMENT
AGREEMENTS AND THE ISSUANCE OF NOT TO EXCEED
\$34,000,000 STORMWATER UTILITY REVENUE CAPITAL LOAN
NOTES, AND THE PUBLIC HEARING ON THE AUTHORIZATION
AND ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Dubuque, Iowa, will hold a public hearing on the _____ day of _____, 2015, at _____ o'clock ___.M., in the Historic Federal Building, 350 West 6th Street, Dubuque, Iowa, at which meeting the City Council proposes to take additional action for the authorization of one or more Loan and Disbursement Agreements by and between the City and the Iowa Finance Authority, and the issuance to the Iowa Finance Authority of not to exceed \$34,000,000 Stormwater Utility Revenue Capital Loan Notes to evidence the obligations of the City under said Loan and Disbursement Agreements, in order to provide funds to pay the costs of land acquisition, engineering and construction of Phase 7 of the Bee Branch Watershed Flood Mitigation Project, also known as the Upper Bee Branch Creek Restoration, the refunding and refinancing of the outstanding General Obligation Capital Loan Notes Anticipation Project Note, Series 2006, dated December 28, 2006, issued in respect of such costs, and the Catfish Creek Watershed Improvements.

The Notes will not constitute general obligations or be payable in any manner by taxation, but will be payable from and secured by the net revenues of the Stormwater Management Utility and, in the discretion of the City Council, from amounts on deposit in the Additional Projects Account of the Flood Project Fund. Pursuant to Chapter 44, Article V of the Dubuque City Code, stormwater management charges are imposed upon and collected from the owners or occupants of all lots, parcels of real estate and buildings that discharge stormwater or surface or subsurface waters to the City's Stormwater Management Utility System. Separate charges, based on a single family unit ("SFU") rate, are imposed on single-family residential property, non-single family residential property, and nonresidential property. The SFU rate is the dollar value periodically determined and assigned to each single family unit (being the average impervious area of a single-family residential property located within the City, currently 2,917 square feet), as a charge for stormwater management services, and is expressed as \$X.XX per SFU. The SFU rates are described in said Chapter 44 and may be adjusted from time to time as set forth therein.

At the above meeting the City Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the City Council will at this meeting or at any adjournment thereof, take additional action for the authorization of said Loan and

Disbursement Agreement and the issuance of Notes or will abandon the proposal to issue the Notes.

This Notice is given by order of the City Council of the City of Dubuque, Iowa, as provided by Sections 384.24A and 384.83 of the Code of Iowa, as amended.

Dated this _____ day of _____, 2015.

City Clerk, City of Dubuque, Iowa

(End of Notice)

PASSED AND APPROVED this _____ day of _____, 2015.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF DUBUQUE)

I, the undersigned City Clerk of the City of Dubuque, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this _____ day of _____, 2015.

City Clerk, City of Dubuque, State of Iowa

(SEAL)