

ITEMS TO INCLUDE ON AGENDA

CITY OF LAURENS, IOWA

\$367,000 Water Revenue Capital Loan Note, Series 2020 (Rate Reset of 2009 SRF loan)

- Resolution approving and authorizing Amendment to Loan and Disbursement Agreement by and between the City of Laurens and the Iowa Finance Authority, and authorizing and providing for the reissuance of the Water Revenue Capital Loan Note, Series 2009 (Rate Reset).

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

August 3, 2020

The City Council of the City of Laurens, State of Iowa, met at Laurens Municipal Building, in regular session, at 5 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Potter, Jamison, Newgard, Christenson, Swanson

Absent: None

Vacant: _____

* * * * *

Council Member Christenson introduced the following Resolution entitled "A RESOLUTION APPROVING AND AUTHORIZING AN AMENDMENT TO LOAN AND DISBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF LAURENS AND THE IOWA FINANCE AUTHORITY, AND AUTHORIZING AND PROVIDING FOR THE REISSUANCE OF THE WATER REVENUE CAPITAL LOAN NOTE, SERIES 2009 (RATE RESET), OF THE CITY", and moved its adoption. Council Member Swanson seconded the motion to adopt. The roll was called and the vote was:

AYES: Potter, Jamison, Newgard, Christenson, Swanson

NAYS: _____

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION NO: 11-20

A RESOLUTION APPROVING AND AUTHORIZING AN
AMENDMENT TO LOAN AND DISBURSEMENT
AGREEMENT BY AND BETWEEN THE CITY OF LAURENS
AND THE IOWA FINANCE AUTHORITY, AND
AUTHORIZING AND PROVIDING FOR THE REISSUANCE
OF THE WATER REVENUE CAPITAL LOAN NOTE, SERIES
2009 (RATE RESET), OF THE CITY

WHEREAS, the City of Laurens (hereinafter the "Issuer") previously issued its Water Revenue Capital Loan Note, Series 2009, dated January 13, 2010, in the amount of \$695,000 (along with a forgivable note in the amount of \$459,000) (hereinafter the "Note") currently outstanding in the amount of \$367,000, pursuant to a Loan and Disbursement Agreement between the Issuer and the Iowa Finance Authority, dated of like date (the "Agreement"), for the purpose of defraying the costs of the Project (as defined in the resolution authorizing issuance of the same (hereinafter the "Resolution")); and

WHEREAS, the Iowa Finance Authority, as Original Purchaser and current holder of the Notes, has authorized a reduction in the interest rate on the Notes to 1.75%; and

WHEREAS, an Amendment to the Loan and Disbursement Agreement (hereinafter the "Amendment") has been prepared to reflect said interest rate reduction, a copy of which is attached hereto as Exhibit A; and

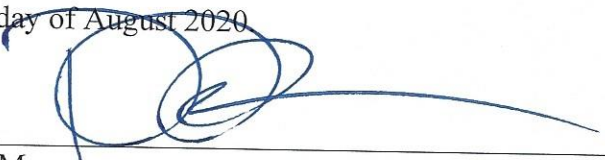
WHEREAS, pursuant to IRS regulations adoption of the Amendment constitutes a reissuance of the Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAURENS, IN THE COUNTY OF POCAHONTAS, STATE OF IOWA:

- Section 1. That the Resolution is hereby amended to reflect the interest rate reduction to 1.75% per annum on the outstanding principal amount from and after June 1, 2020 for the remainder of the life of the Notes.
- Section 2. That the Amendment in substantially in the form attached to this Resolution is hereby authorized to be executed and issued on behalf of the Issuer by the Mayor and attested by the City Clerk.
- Section 3. That the Supplemental Tax Certificate regarding the uses of proceeds and the system is hereby approved. The City Clerk is directed to execute the same.

Section 4. Except as amended herein, all of the other terms and conditions of the Resolution and Agreement are in all respects ratified, confirmed and approved and shall remain in full effect.

PASSED AND APPROVED this 3rd day of August 2020



Mayor

ATTEST:



City Clerk

EXHIBIT A
AMENDMENT TO LOAN AND DISBURSEMENT AGREEMENT

The Loan and Disbursement Agreement (Water Revenue) (the "Agreement") entered into as of January 13, 2010 by and between the City of Laurens, Iowa (the "City" or "Issuer") and the Iowa Finance Authority, as lender (the "Lender") relating to a loan from the Lender to the City in the original amount of \$695,000 (along with a forgivable note in the amount of \$459,000), currently outstanding in the aggregate amount of \$367,000, is hereby amended as follows:

1. The applicable interest rate for the Agreement shall be changed to 1.75%, effective as of June 1, 2020, and the Agreement shall thereafter be payable in accordance with the debt service schedule attached hereto and incorporated herein by this reference.

2. Except as amended herein, all of the other terms and conditions of the Agreement are in all respects ratified, confirmed and approved and shall remain in full effect.

IN WITNESS WHEREOF, we have hereunto affixed our signatures all as of the 3rd day of August 2020.

(SEAL)

Attest:

CITY OF LAURENS, IOWA

By:

Mayor

City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF POCAHONTAS

)

I, the undersigned City Clerk of the City of Laurens, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the 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 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 Council hereto affixed this 3rd day of August, 2020.

Yang Reed
City Clerk, City of Laurens, State of Iowa

(SEAL)

IOWA FINANCE AUTHORITY

By:

Executive Director

01747242-1\10821-016

SUPPLEMENTAL TAX CERTIFICATE
OF
LAURENS, IOWA

The undersigned officer of the City of Laurens, Iowa (the "City"), hereby certifies as follows:

1. The Council of the City of Laurens ("Council"), acting at a meeting duly called and held on August 3, 2020, has authorized the execution and delivery of an Amendment to the Loan and Disbursement Agreement originally dated as of January 13, 2010 ("Agreement") by and between the Council and the Iowa Finance Authority ("Purchaser"), and approved a resolution ("Supplemental Resolution") amending the resolution approved by the Council on December 7, 2009 ("Original Bond Resolution"), which Original Bond Resolution authorized the issuance and delivery of a \$695,000 Water Revenue Capital Loan Note, Series 2009 (along with a forgivable note in the amount of \$459,000), dated January 13, 2010, of the City ("Original Note").
2. The officer whose name, title and signature appears below was, on the date or dates of the execution of the instruments referred to in paragraph 1 hereof, and is on the date hereof, the duly elected and qualified incumbent of the office of the City set opposite the name and signature appearing below, and said signature is the genuine signature of said officer.
3. We have reviewed the representations, covenants and warranties contained in the Tax Exemption Certificate dated January 13, 2010 ("Tax Certificate") executed on behalf of the City in connection with the issuance of the Original Note. A true and accurate copy of the Tax Exemption Certificate is attached hereto as Exhibit A.
4. The description of the Project set forth in Section II of the Tax Certificate accurately describes the Project as constructed and as it exists and is used as of the date hereof, and there has been no change in the use of the Project since the Original Note was issued.
5. The construction of the Project has been completed, and all of the proceeds of the Original Note were expended on the costs of the Project, in the amounts and as described Sections II and III of the Tax Certificate.
6. Not more than 10% of the proceeds of the Original Note or the facilities financed thereby, are to be used (directly or indirectly) or were used in a trade or business carried on by any person (other than a governmental unit), and not more 10% of the payment of the principal of or interest on the Original Note is (directly or indirectly): (i) secured by any interest in property used or to be used in such trade or business or payments in respect of such property; or (ii) derived from payments (whether or not to the City) in respect of property or borrowed money used or to be used in such a trade or business, all within the meaning of Section 141(a) of the Code.

7. During the term of the Original Note, and at all times prior to the date hereof, no private business use will be made or has been made of the Project, and no payments or security will be made or furnished or has been made or furnished that would cause the Original Note to be a "private activity bond" within the meaning of Section 141 of the Code and applicable regulations.

8. The reissuance of the Original Note involves outstanding obligations in the amount of \$367,000 which were previously designated by the Issuer as "qualified tax-exempt obligations" as defined in Section 265(b)(3) of the Tax Code. Pursuant to Subsection (D) of that Section, said amount retains the prior designation.

9. The covenants of the City contained in the Tax Certificate are hereby ratified, confirmed and approved and shall continue to be binding upon the City as if set forth fully herein. This certificate is intended and is being delivered in order to meet the requirements of Section 148 of the Internal Revenue Code of 1986, as amended, and Treasury Regulation 1-148(2)(b).

IN WITNESS WHEREOF, the undersigned has hereunto set my hand as of the 3rd day of August, 2020.

CITY OF LAURENS, IOWA

By:


Finance Director

01747203-1\10821-016

Information Return for Tax-Exempt Governmental Bonds► Under Internal Revenue Code section 149(e)
► See separate instructions.**Caution:** If the issue price is under \$100,000, use Form 8038-GC.
► Go to www.irs.gov/F8038G for instructions and the latest information.

OMB No. 1545-0720

Part I Reporting AuthorityIf Amended Return, check here ☐

1 Issuer's name City of Laurens		2 Issuer's employer identification number (EIN) 42-6004866
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions)		3b Telephone number of other person shown on 3a
4 Number and street (or P.O. box if mail is not delivered to street address) 272 N. 3rd Street	Room/suite	5 Report number (For IRS Use Only) 3
6 City, town, or post office, state, and ZIP code Laurens, Iowa 50554		7 Date of issue August 3, 2020
8 Name of issue Reissuance of Water Revenue Capital Loan Notes, Series 2009		9 CUSIP number None
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information (see instructions) Hilary Reed, City Clerk/Treasurer		10b Telephone number of officer or other employee shown on 10a (712) 841-4526

Part II Type of Issue (enter the issue price). See the instructions and attach schedule.

11	Education	11		
12	Health and hospital	12		
13	Transportation	13		
14	Public safety	14		
15	Environment (including sewage bonds)	15		
16	Housing	16		
17	Utilities	17		
18	Other. Describe ► Reissuance due to interest rate reduction	18	367,000	00
19a	If bonds are TANs or RANs, check only box 19a			
b	If bonds are BANs, check only box 19b			
20	If bonds are in the form of a lease or installment sale, check box			

Part III Description of Bonds. Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	06/01/2029	\$ 367,000	\$ 367,000	5.210 years	1.7500 %

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22	Proceeds used for accrued interest	22	-0-	
23	Issue price of entire issue (enter amount from line 21, column (b))	23	367,000	00
24	Proceeds used for bond issuance costs (including underwriters' discount)	24	0	
25	Proceeds used for credit enhancement	25	0	
26	Proceeds allocated to reasonably required reserve or replacement fund	26	0	
27	Proceeds used to refund prior tax-exempt bonds. Complete Part V	27	367,000	00
28	Proceeds used to refund prior taxable bonds. Complete Part V	28	0	
29	Total (add lines 24 through 28)	29	367,000	00
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)	30	0	

Part V Description of Refunded Bonds. Complete this part only for refunding bonds.

31	Enter the remaining weighted average maturity of the tax-exempt bonds to be refunded	5.210	years
32	Enter the remaining weighted average maturity of the taxable bonds to be refunded	N/A	years
33	Enter the last date on which the refunded tax-exempt bonds will be called (MM/DD/YYYY)	06/01/2020	
34	Enter the date(s) the refunded bonds were issued ► (MM/DD/YYYY)	01/13/2010	

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 63773S

Form **8038-G** (Rev. 9-2018)

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	-0-
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC). See instructions	36a	-0-
b	Enter the final maturity date of the GIC ► (MM/DD/YYYY) _____		
c	Enter the name of the GIC provider ► _____		
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37	-0-
38a	If this issue is a loan made from the proceeds of another tax-exempt issue, check box ► <input checked="" type="checkbox"/> and enter the following information:		
b	Enter the date of the master pool bond ► (MM/DD/YYYY) _____	unknown	
c	Enter the EIN of the issuer of the master pool bond ► _____	52-1699886	
d	Enter the name of the issuer of the master pool bond ► _____	see attached	
39	If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box		<input checked="" type="checkbox"/>
40	If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box		<input type="checkbox"/>
41a	If the issuer has identified a hedge, check here ► <input type="checkbox"/> and enter the following information:		
b	Name of hedge provider ► _____		
c	Type of hedge ► _____		
d	Term of hedge ► _____		
42	If the issuer has superintegrated the hedge, check box		<input type="checkbox"/>
43	If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box		<input checked="" type="checkbox"/>
44	If the issuer has established written procedures to monitor the requirements of section 148, check box		<input checked="" type="checkbox"/>
45a	If some portion of the proceeds was used to reimburse expenditures, check here ► <input type="checkbox"/> and enter the amount of reimbursement		
b	Enter the date the official intent was adopted ► (MM/DD/YYYY) _____		

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

Hilary Reed
Signature of issuer's authorized representative

08-03-2020
Date

Hilary Reed, City Clerk
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
Kristin Billingsley Cooper				P02001942
Firm's name ► Ahlers & Cooney, P.C.	Firm's EIN ►	42-1323559		
Firm's address ► 100 Court Avenue, Suite 600, Des Moines, Iowa 50309	Phone no.	515-243-7611		