CITY OF STOUGHTON, 207 S FORREST ST, STOUGHTON, WISCONSIN

RESOLUTION OF THE COMMON COUNCIL		
Irrevocable Standby Letter of Credit regarding Developer Agreement with RHD Properties, LLC for 51 West Development		
Committee Action:		
Fiscal Impact:	$10,900,000	
File Number:	R-107-2022	**Date** 5/10/2022

The City of Stoughton, Wisconsin, Common Council does proclaim as follows:

RECITALS:

WHEREAS, the Common Council approved the developer's agreement with RHD Properties, LLC for 51 West Development under Resolution R-79-2022 on April 12, 2022; and,

WHEREAS, the developer's agreement required a letter of credit for $10,900,000 shall be provided to the City of Stoughton; and,

WHEREAS, the attached Irrevocable Standby Letter of Credit, Exhibit A, and Exhibit B have all been reviewed as to form by the City Attorney; and,

WHEREAS, the developer's agreement requires that the letter of credit shall be issued by an entity that is acceptable to the City or has a rating of its long-term unsecured debt not lower than A1 by Moody's Investors Service or A+ by Standard and Poor's; and,

WHEREAS, One Community Bank does not currently have a relationship with either rating agency because the bank is privately held and has not issued any public debt instruments; and,

WHEREAS, One Community Bank has provided information to both the City of Stoughton Finance Committee and City of Stoughton Common Council sufficient to deem that One Community Bank's Irrevocable Standby Letter of Credit is acceptable to the City;

NOW THEREFORE BE IT RESOLVED, that the Common Council finds the Irrevocable Letter of Credit from One Community Bank in the attached format approved by the City Attorney is hereby accepted by the City of Stoughton Common Council.

Council Action: ☐ **Adopted** ☐ **Failed** **Vote** _____

Mayoral Action: ☐ **Accept** ☐ **Veto**

_____

Mayor Tim Swadley Date

Council Action: _____ ☐ **Override** **Vote** _____