

.....  
Date May 10, 2010  
.....

RESOLUTION WITH RESPECT TO PUBLIC HEARING  
ON THE ISSUANCE OF NOT TO EXCEED \$110,000  
GENERAL OBLIGATION BONDS FOR GENERAL  
CORPORATE PURPOSES

WHEREAS, pursuant to Section 384.26(5) of the City Code of Iowa, notice of the hearing on the issuance of not to exceed \$110,000 General Obligation Bonds and the proposed action by the City Council to institute proceedings for the issuance of said Bonds has been given for the purpose of paying costs of energy conservation building improvements, including local share costs associated with a State of Iowa Office of Energy Independence grant award; and

WHEREAS, no petition has been received calling for the submission of the proposed action to a referendum; and

WHEREAS, the public meeting and hearing has been duly held at the time and place provided and in accordance with said notice and oral or written objections were received and filed, including the following:

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

That the time for receiving oral and written objections be closed and the proposal for the issuance of said Bonds and all objections thereto are taken under consideration by the Council.



**Roll Call Number**

**Agenda Item Number**

52

.....  
**Date** May 10, 2010  
.....

**(Council Communication No. 10-262 )**

Moved by: \_\_\_\_\_ to adopt.

FORM APPROVED:

\_\_\_\_\_  
Deputy City Attorney  
DCORNELL/ 653997.1 /MSWord\10387.227

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# AHLERS & COONEY, P.C.

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May 3, 2010

BY HAND

Mr. Allen McKinley  
Finance Director/Treasurer  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, Iowa 50309

RE: Not to exceed \$110,000 General Obligation Bonds

Dear Mr. McKinley:

We enclose suggested Roll Calls to be acted upon by the Council on the date fixed for the hearing on the proposed issuance of the above mentioned Bonds, pursuant to the provisions of Code Section 384.26(5).

The first Roll Call has been prepared to show as a first step the receipt of any petition for election on the proposed action of the Council to issue the Bonds. If no petition is filed, the Council should proceed to adopt the second Roll Call instituting proceedings to take additional action for the issuance of the Bonds. In the event the Council decides to abandon the proposal to issue the Bonds, then the second Roll Call should not be adopted. We would suggest that, in this event, a motion merely be adopted to the effect that the Bond proposal is abandoned.

If such a petition has been received and if the Council decides not to abandon the proposal to issue Bonds, a form of resolution should be introduced and adopted, to adjourn the matter to permit preparation of the resolution to call an election.

Please see that we are advised immediately if a petition is filed bearing signatures of a sufficient number of eligible electors.

May 3, 2010

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As always, we would appreciate having certified copies of the enclosed Roll Calls returned to us following the Council's action for our transcript of the action taken.

If you have any questions, please do not hesitate to either write or call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Noth', with a stylized flourish at the end.

William J. Noth

WJN:dc  
encl.

cc: Diane Rauh (w/original Roll Calls)  
Larry McDowell (w/encl.)  
Jon Burmeister (w/encl.)