

Date November 6, 2006

RESOLUTION WITH RESPECT TO PUBLIC HEARING  
ON THE ISSUANCE OF NOT TO EXCEED \$17,000,000  
STORMWATER MANAGEMENT UTILITY REVENUE  
BONDS

WHEREAS, pursuant to Section 384.84A of the City Code of Iowa, notice of the hearing on the issuance of not to exceed \$17,000,000 Stormwater Management Utility Revenue 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 constructing storm water drainage construction projects and improvements and related landscaping amenities, including the Crawford Creek - Watershed Improvements, Leetown Creekway Wooden Box Replacement, Easter Lake Watershed Improvements, Dean's Lake Pump Station Improvements, Flood Protection System Improvements, and 12th Street Storm Sewer Improvements; 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:

★ **Roll Call Number**

Agenda Item Number

37

Date November 6, 2006

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.

(Council Communication No. *06-684* )

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

Form approved: \_\_\_\_\_  
Deputy City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLISSIS				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_ Mayor

**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.

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

# AHLERS & COONEY, P.C.

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October 30, 2006

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

RE: Not to exceed \$17,000,000 Stormwater Management Utility Revenue Bonds

Dear Mr. McKinley:

I am enclosing suggested Roll Calls to be acted upon by the Council at its November 6th meeting, the date fixed for the hearing on the proposed issuance of the above mentioned Bonds, pursuant to the provisions of Code Section 384.84A.

The first Roll Call has been prepared on the assumption that no petition for election on the proposed action of the Council to issue said Bonds will be filed. 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.

To qualify, a petition must be signed by at least three percent (3%) of the registered voters of the City. If such a petition has been received and if the Council decides not to abandon the proposal to issue said 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.

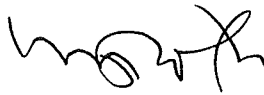
October 30, 2006

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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 concerning the enclosed proceedings, please don't hesitate to contact me.

Yours very truly,

A handwritten signature in black ink, appearing to read "W. Noth", written in a cursive style.

William J. Noth

WJN:dc

encl.

cc: Diane Rauh (w/originals)  
Larry McDowell  
Jon Burmeister

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