



**Roll Call Number**

**Agenda Item Number**

48A

.....  
**Date** October 25, 2010  
.....

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE  
ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN  
AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,600,000  
AVIATION SYSTEM REVENUE CAPITAL LOAN NOTES**

WHEREAS, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization and the issuance of not to exceed \$1,600,000 Aviation System Revenue Capital Loan Notes for the purpose of paying a portion of the costs of construction of certain improvements to the heating, cooling and ventilation systems in the terminal and concourse areas at the Des Moines International Airport, 5800 Fleur Drive, Des Moines, Iowa, and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the City and residents thereof:

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

Section 1. That this Council does hereby institute proceedings and takes additional action for the authorization and issuance in the manner required by law of not to exceed \$1,600,000 Aviation System Revenue Capital Loan Notes for the foregoing purposes.

.....  
October 25, 2010  
Date .....

Section 2. The Finance Director is authorized to proceed on behalf of the City with the solicitation of proposals for the purchase of Aviation System Revenue Capital Loan Notes, in one or more series, in an aggregate principal amount of not to exceed \$1,600,000, to select a date for the consideration of proposals relating thereto, and otherwise to take all action necessary to permit the completion of the financing on a basis favorable to the City and acceptable to the Council.

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

FORM APPROVED:

\_\_\_\_\_  
Deputy City Attorney

cornell/ 669371.1 /MSWord\10387.208

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

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# AHLERS & COONEY, P.C.

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October 18, 2010

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

RE: Not to exceed \$1,600,000 Aviation System Revenue Capital Loan Notes

Dear Mr. McKinley:

With this letter I am enclosing suggested Roll Calls to be acted upon by the Council on the date fixed for the hearing on the issuance of the above mentioned Notes, pursuant to the provisions of Code Section 384.82. It is my understanding that the public hearing has been scheduled for October 25, 2010.

The first Roll Call has been prepared to show as a first step the receipt of any oral or written objections from any resident or property owner to the proposed action of the Council to issue the Notes. A summary of objections received or made, if any, should be inserted in the space provided or otherwise attached to the Roll Call. After all objections have been received and considered if the Council decides not to abandon the proposal to issue the Notes, the Council should proceed to adopt the second Roll Call instituting proceedings to take additional action for the issuance of the Notes. The Council is required by statute to adopt the resolution instituting proceedings to issue the Notes at the hearing -- or an adjournment thereof.

In the event the Council decides to abandon the proposal to issue said Notes, then the form of Roll Call enclosed should not be adopted. We would suggest that, in this event, a motion merely be adopted to the effect that such Note proposal is abandoned.

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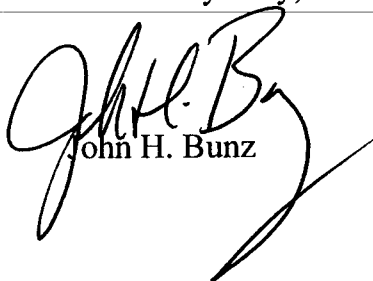
Section 384.83 of the Code of Iowa, provides that any resident or property owner of the City may appeal the decision to take additional action to issue the Notes, to the District Court of a county in which any part of the City is located, within 15 days after such additional action is taken, but that the additional action is final and conclusive unless the court finds that the Council exceeded its authority.

In the event an appeal is filed by any resident or property owner, please see that we are notified immediately; and, as soon as available, a copy of the notice of appeal should be furnished our office for review.

As always, we would appreciate receiving certified copies of the enclosed Roll Calls once the Council has acted.

If you have any questions pertaining to the enclosed Roll Calls or this letter, please do not hesitate to call me.

Yours very truly,



John H. Bunz

JHB:dc  
encl.

cc: Diane Rauh (w/originals)  
Larry McDowell (w/encl.)  
Tim Stiles (w/encl.)