



Roll Call Number

Agenda Item Number

58

Date June 22, 2015

**RESOLUTION WITH RESPECT TO PUBLIC HEARING ON
THE ISSUANCE OF NOT TO EXCEED \$36,550,000 GENERAL
OBLIGATION REFUNDING BONDS FOR ESSENTIAL
CORPORATE PURPOSES**

WHEREAS, pursuant to Section 384.25 of the City Code of Iowa, notice of the hearing on the issuance of not to exceed \$36,550,000 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 refunding and refinancing of certain outstanding City indebtedness, consisting of the General Obligation Bonds, Series 2005E, dated December 1, 2005, General Obligation Refunding Bonds, Taxable Series 2007A, dated April 4, 2007, General Obligation Bonds, Series 2008D, dated June 23, 2008 and General Obligation Bonds, Series 2008E (Urban Renewal), dated June 23, 2008; 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.

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Date June 22, 2015

(Council Communication No. 15-347)

Moved by: _____ to adopt.

FORM APPROVED:

Deputy City Attorney

01118532-1\10387-258

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRAY | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| GATTO | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |

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.

Mayor

City Clerk

58

AHLERS & COONEY, P.C.

100 COURT AVENUE, SUITE 600
DES MOINES, IOWA 50309-2231
FAX: 515-243-2149
WWW.AHLERSLAW.COM

R. Mark Cory
RCory@ahlerslaw.com

Direct Dial:
515.246.0378

June 16, 2015

Via Hand Delivery

Mr. Dan Ritter
Finance Director
City of Des Moines
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Re: Not To Exceed \$36,550,000 General Obligation Bonds (covering refunding portion of 2015A Bonds, together with 2015B and 2015C Bonds)

Dear Mr. Ritter:

With this letter I am enclosing suggested Roll Calls to be acted upon by the City Council on June 22, 2015, the date fixed for the hearing on the proposed issuance of General Obligation Bonds described above. The first Roll Call has been prepared to show the receipt of any oral or written objections from any resident or property owner to the proposed action of the Council to issue the bonds for the purposes described. A summary of objections received or made, if any, should be attached to the first Roll Call. After all objections have been received and considered, if the Council decides not to abandon the proposal to issue the bonds for the designated purposes, a second Roll Call follows to take additional action for the issuance of the bonds for that purpose.

The Council is required by statute to adopt the Roll Call instituting proceedings to issue the bonds at the hearing - or an adjournment thereof. If necessary to adjourn, the Roll Call should be revised to reflect that action.

Section 384.25 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 bonds to the District Court of a county in which any part of the City is located, within fifteen 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 to our office for review.

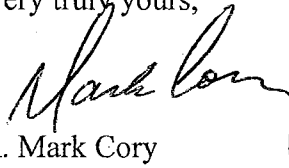
June 16, 2015

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Following the Council's action on the date of the hearing, we would appreciate receiving certified copies of the enclosed Roll Calls for our transcript of the action taken. We also would appreciate receiving copies of the publisher's affidavit prepared with respect to the publication of the notice of hearing once it becomes available.

Should any questions arise, please don't hesitate to contact us.

Very truly yours,



R. Mark Cory
FOR THE FIRM

RMC:csm
Enclosures

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

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