

Date February 12, 2007

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION REFUNDING BONDS (FOR AN ESSENTIAL CORPORATE PURPOSE) OF DES MOINES, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Des Moines, Iowa, should issue General Obligation Refunding Bonds to the amount of not to exceed \$5,000,000, as authorized by Section 384.25, of the City Code of Iowa, for the purpose of providing funds to pay costs of carrying out an essential corporate purpose project as hereinafter described; and

WHEREAS, before said bonds may be issued, it is necessary to comply with the provisions of said Code, and to publish a notice of the proposal to issue such bonds and of the time and place of the meeting at which the Council proposes to take action for the issuance of the bonds and to receive oral and/or written objections from any resident or property owner of said City to such action.

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

Section 1. That this Council meet in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 o'clock P.M., on the 26th day of February, 2007, for the purpose of taking action on the matter of the issuance of not to exceed \$5,000,000 General Obligation Refunding Bonds for an essential corporate purpose of said City, the proceeds of which bonds will be used to provide funds to pay costs of refunding and refinancing of certain outstanding City indebtedness, consisting of the General Obligation Bonds, Taxable Series 1999B, dated June 1, 1999.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four clear days nor more than twenty days before the date of said public meeting on the issuance of said bonds.

★ Roll Call Number

Agenda Item Number

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Date February 12, 2007

Section 3. The notice of the proposed action to issue said bonds shall be in substantially the following form:

Date February 12, 2007

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF DES MOINES, IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION REFUNDING BONDS (FOR AN ESSENTIAL CORPORATE PURPOSE) OF SAID CITY, AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Council of the City of Des Moines, Iowa, will hold a public hearing on the 26th day of February, 2007, at 5:00 o'clock P.M., in the Council Chambers, City Hall, Des Moines, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$5,000,000 General Obligation Refunding Bonds for an essential corporate purpose of said City, in order to provide funds to pay costs of refunding and refinancing of certain outstanding City indebtedness, consisting of the General Obligation Bonds, Taxable Series 1999B, dated June 1, 1999.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the issuance of said bonds or will abandon the proposal to issue said bonds.

This notice is given by order of the Council of Des Moines, Iowa, as provided by Section 384.25 of the City Code of Iowa.

Dated this _____ day of _____, 2007.

City Clerk of Des Moines, Iowa

(End of Notice)

★ **Roll Call Number**

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.....
 February 12, 2007
Date

Moved by: _____ to adopt.

Form approved: 

 Deputy City Attorney

DCORNELL\522797.1\WP\10387207

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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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(515)246-0332

January 30, 2007

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

RE: Not to exceed \$5,000,000 General Obligation Refunding Bonds

Dear Mr. McKinley:

We have now prepared and are enclosing herewith suggested proceedings to be acted upon by the Council in fixing the date of a meeting on the proposition to issue the above mentioned Bonds and ordering publication of a notice of hearing consistent with the provisions of Code Section 384.25. This issue of bonds would refund the General Obligation Bonds, Taxable Series 1999B.

Notice of this meeting must be published at least once in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The date of publication is to be not less than four clear days nor more than twenty days before the date of said public meeting on the issuance of said Bonds. In computing time, the date of publication should be excluded. If the last day falls on Sunday, the whole of the following Monday should be excluded.

At the time of hearing the Council shall receive oral or written objections from any resident or property owner to the proposed action to issue said Bonds. After all objections have been received and considered, the Council is required, at that meeting or at any adjournment thereof, to take additional action for the issuance of said Bonds or to abandon the proposal to issue said Bonds.

January 30, 2007
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The Council is required by statute to adopt the resolution instituting proceedings to issue the Bonds at the hearing--or an adjournment thereof.

As always, we would appreciate having a certified copy of the enclosed Roll Call returned to us following the Council's action for our transcript of the action taken, as well as a copy of the publisher's affidavit relating to the publication of the notice of hearing.

We will prepare and forward to you in the near future, suggested procedure to be acted upon on the date of hearing. If you have any questions pertaining to the proceedings enclosed or the above instructions, please do not hesitate to either write or call.

Yours very truly,



William J. Noth

WJN:dc
encl.

cc: Diane Rauh (w/originals)
Larry McDowell (w/encl.)
Jon Burmeister (w/encl.)
DCORNELL\522794.1\WP\10387000