Resolution 20-212

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

General Obligation Bonds, Series 2018A

- Resolution fixing date for a meeting on the proposal to reallocate certain unspent proceeds of the General Obligation Bonds, Series 2018A, of Council Bluffs, Iowa, and providing for publication of notice thereof

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

September 14, 2020

The City Council of the City of Council Bluffs, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

_____

Absent: _____

Vacant: _____

* * * * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION BONDS, SERIES 2018A, OF COUNCIL BLUFFS, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution No. 20-212

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION BONDS, SERIES 2018A, OF COUNCIL, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the City Council of the City of Council Bluffs, Iowa has previously issued its General Obligation Bonds, Series 2018A, in the aggregate principal amount of $22,605,000 (the "Series 2018A Bonds"), for costs of opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes; acquisition, construction, reconstruction, and improvement of real and personal property useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements; rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and

improvements commonly found in city parks; settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, or judgments, or the funding or refunding of the same, whether or not such indebtedness was created for a purpose for which general obligation bonds might have been issued in the original instance; improvement, and equipping of fire stations; and building, equipping and furnishing a police station and the acquisition of real estate therefor; and

WHEREAS, certain proceeds of the Series 2018A Bonds remain unspent, and City staff has recommended that $672,000 of such unspent proceeds originally related to the Series 2018A Bonds (hereinafter referred to as the "Unspent Proceeds") be applied for the purpose of paying costs of public safety purposes, including a firing range for the police department (the "Project"); and

WHEREAS, there being no procedure specified under Iowa law for consideration or approval of such a reallocation, it is hereby determined, pursuant to Section 364.6 of the Code of Iowa, that the procedure set forth in Section 384.25 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the Project.

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

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., on the 28th day of September, 2020, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2018A Bonds to provide funds for paying costs of public safety purposes, including a firing range for the police department.

Section 2. That the City Clerk is hereby directed to cause one publication to be made of 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 nor more than twenty clear days before the date of said public meeting.

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

To be published on or before September 22, 2020

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION BONDS, SERIES 2018A, OF THE CITY OF COUNCIL BLUFFS, IOWA, AND THE PUBLIC HEARING THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 28th day of September, 2020, at 7:00 P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take additional action for the reallocation of Unspent Proceeds of the General Obligation Bonds, Series 2018A (the "Series 2018A Bonds") of the City of Council Bluffs, Iowa, in the aggregate amount of $672,000, in order to provide funds to pay costs of public safety purposes, including a firing range for the police department.

Any person interested may appear at the public hearing, either orally or in writing, and be heard as to the reallocation of said proceeds of the Series 2018A Bonds for the above purposes.

This Notice is given by order of the Council of Council Bluffs, Iowa, as provided by Sections 364.6 and 384.25 of the Code of Iowa, as amended.

Dated this 14th day of September, 2020.

_____
City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

PASSED AND APPROVED this 14th day of September, 2020.

_____
Mayor

ATTEST:

_____
City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2018.

_____
City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Council Bluffs, in the County of Pottawattamie, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING
(Reallocation of General Obligation Bonds, Series 2018A)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Daily Nonpareil", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2020.

WITNESS my official signature this _____ day of _____, 2020.

_____
City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

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