

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**


Item No. 9
For Meeting of 03/03/08

ITEM TITLE: Public Hearing and Consideration of resolution instituting proceeding to take additional action for the issuance of not to exceed \$5,000,000 general obligation bonds for the Hickman Road redevelopment project.

CONTACT PERSON(S): Marketa George Oliver, City Administrator

SUMMARY EXPLANATION

Attached is a resolution instituting proceedings to take additional action to issues bonds for the costs associated with the construction of street, interchange, traffic signal, streetscape and related sewer improvements along Hickman Road and 63rd Street, the acquisition and clearance of properties along Hickman Road in the Suburban Farms Sub-area, and the funding of financial incentives to developers undertaking the construction of new development projects in the Suburban Farms Sub-area infrastructure rehabilitation project by setting a public hearing for March 3rd, 2008 at 5:15 p.m. The bond would be abated with TIF funds.

<p><input checked="" type="checkbox"/> Resolution _____ Ordinance ____ Contract __ Other (Specify) _____</p> <p>Funding Source _____ Bonds would be abated with TIF funds. _____</p> <p style="text-align: center;"> APPROVED FOR SUBMITTAL _____ City Administrator</p>
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STAFF RECOMMENDATION: Hold public hearing and consider resolution.

COUNCIL ACTION:

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Windsor Heights, Iowa.
Date of Meeting: March 3, 2008.
Time of Meeting: 5:15 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, Windsor Heights, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to exceed \$5,000,000 General Obligation Bonds for the Hickman Road redevelopment project.

- X Public hearing on the issuance.
- X Resolution instituting proceedings to take additional action.

Such additional matters as are set forth on the additional 1 page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.



City Administrator/Clerk, Windsor Heights,
Iowa

Resolution 08-0303/

March 3, 2008

The City Council of Windsor Heights, Iowa, met in regular session, in the Council Chambers, City Hall, Windsor Heights, Iowa, at 5:15 o'clock P.M., on the above date. There were present Mayor Sullivan, in the chair, and the following named Council Members:

Willits, Tillotson, Hunter, Peterson, Butz

Absent: None

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$5,000,000 General Obligation Bonds in order to provide funds to pay costs of aiding in the planning, undertaking and carrying out of urban renewal project activities under the authority of Chapter 403 of the Code of Iowa and the Amended and Restated Urban Renewal Plan for the Consolidated Windsor Heights Urban Renewal Area, including those costs associated with the construction of street, interchange, traffic signal, streetscape and related sewer improvements along Hickman Road and 63rd Street, the acquisition and clearance of properties along Hickman Road in the Suburban Farms Sub-area, and the funding of financial incentives to developers undertaking the construction of new development projects in the Suburban Farms Sub-area, an essential corporate purpose, and that notice of the proposed action by the Council to institute proceedings for the issuance of said Bonds, and the right to petition for an election had been published pursuant to the provisions of Section 384.24(3)(q) of the City Code of Iowa. The Clerk reported that no such petition had been filed, requesting that the question of issuing said Bonds be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any City resident or property owner to the issuance of the bonds. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections to the issuance of bonds and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections
received or made, if any)

Resolution 08-0303/

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION BONDS" for the Hickman Road redevelopment project, and moved that the Resolution be adopted.

Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT
TO EXCEED \$5,000,000 GENERAL OBLIGATION
BONDS**

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 issuance of not to exceed \$5,000,000 General Obligation Bonds for the essential corporate purpose of paying costs of aiding in the planning, undertaking and carrying out of urban renewal project activities under the authority of Chapter 403 of the Code of Iowa and the Amended and Restated Urban Renewal Plan for the Consolidated Windsor Heights Urban Renewal Area, including those costs associated with the construction of street, interchange, traffic signal, streetscape and related sewer improvements along Hickman Road and 63rd Street, the acquisition and clearance of properties along Hickman Road in the Suburban Farms Sub-area, and the funding of financial incentives to developers undertaking the construction of new development projects in the Suburban Farms Sub-

area, and has considered the extent of objections received from residents or property owners as to the proposed issuance of bonds; and no petition was filed calling for a referendum thereon.

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

Section 1. That this Council does hereby institute proceedings and take additional action for the sale and issuance in the manner required by law of not to exceed \$5,000,000 General Obligation Bonds for the foregoing essential corporate purpose.

Section 2. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2, because the City reasonably expects to reimburse with the proceeds of the Bonds, all or a portion of original expenditures incurred in connection with the above purpose.

Section 3. The Clerk is authorized and directed to proceed on behalf of the City with the sale of bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 3rd day of March, 2008.

Jerry Sullivan, Mayor

ATTEST:

Marketa Oliver, City Administrator/Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POLK)

I, the undersigned City Clerk of Windsor Heights, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the Municipality 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 (a copy of the face sheet of the agenda being attached hereto) 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 Municipality hereto affixed this _____ day of _____, 2008.

City Clerk, Windsor Heights, Iowa

SEAL

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