

FINANCE COMMITTEE

09-0051R

RESOLUTION OF THE CITY OF DULUTH, MINNESOTA, STATING THE INTENT TO ISSUE AN AMOUNT NOT TO EXCEED \$1,800,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2009 AND TO REALLOCATE PRIOR CAPITAL IMPROVEMENT BOND PROCEEDS.

CITY PROPOSAL:

BE IT RESOLVED, by the city council (the council) of the city of Duluth, Minnesota (the city), as follows:

Section 1. Under and pursuant to the authority contained in Minnesota Statutes, Chapter 475 and Section 475.521 (collectively the act), the city is authorized to issue general obligation capital improvement bonds to provide funds for capital improvements pursuant to a capital improvement plan approved by the council on December 15, 2008 (the plan).

Section 2. The city council held a public hearing on January 26, 2009, on the city's intention to issue bonds in 2009 in an amount not to exceed \$1,800,000 and on the reallocation of certain bond proceeds for the purposes set forth in the notice of public hearing. All persons who desired to speak at the public hearing were heard and written comments were accepted.

Section 3. A. The council hereby finds and determines that it is necessary, expedient, and in the best interests of the city's residents that the city issue, sell and deliver its general obligation capital improvement bonds, Series 2009 (the bonds), in an amount not to exceed \$1,800,000, for the purpose of providing funds for the acquisition and betterment of the following projects: improvements at City Hall including roof and window replacement, elevator improvements and repairs to the courtyard and Second Street vault; improvements to fire department facilities including masonry, overlays and remodeling; modifications and maintenance of the mechanical systems at the main library; and payment of discount and costs of issuance of the bonds;

B. Further, the city previously issued its \$1,240,000 General obligation capital improvement bonds, Series 2007C, dated December 13, 2007 (the Series 2007C bonds). The council hereby finds and determines that it

is necessary, expedient and in the best interest of the city's residents that the city reallocate, in accordance with the plan, the sum of \$80,000 of the proceeds of the Series 2007C bonds to finance costs of the construction of improvements to City Hall.

Section 4. A. The city clerk shall publish a notice of intent to issue capital improvement bonds and to reallocate proceeds of the Series 2007C bonds in substantially the form on file as Public Document No. \_\_\_\_\_ as soon as practicable following the public hearing in the official newspaper of the city;

B. If, within 30 days after the date of adoption of this resolution, a valid petition is filed with the city clerk calling for a vote on the proposition of issuing the Bonds and/or the reallocation of the proceeds of the 2007C bonds, as applicable, signed by voters residing within the boundaries of the city equal to five percent of the votes cast in the city in the last general election, the Bonds and/or such reallocation, as applicable, shall not be issued or reallocated until the question of their issuance and/or reallocation, as applicable, has been authorized by a majority of the voters

voting on the question at the next general or special election called to decide the question.

Approved:

\_\_\_\_\_  
Department Director

Approved as to form:

\_\_\_\_\_  
Attorney

FINANCE    RET:CW:rb    1/13/2009

Approved for presentation to council:

\_\_\_\_\_  
Chief Administrative Officer

Approved:

\_\_\_\_\_  
Auditor

STATEMENT OF PURPOSE: This resolution states the city's intent to issue general obligation capital improvement bonds in 2009 in an amount not to exceed \$1,800,000 for certain capital improvements as listed in the resolution and to reallocate \$80,000 from the capital improvement bonds issued in 2007 to finance costs for improvements to City Hall.