CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Direct Advertisement for Sale, Approve Electronic Bidding Procedures, and Approve Official Statement – Issuance of $11,425,000 General Obligation Urban Renewal Bonds

DATE: October 3, 2016

FINANCIAL IMPACT: Ultimate debt service amounts (principal and interest) are undetermined, pending interest rate bids received on Monday, October 17, 2016. Interest is estimated to range from 1.08% to 2.50% with an approximate overall interest rate of 2.14%, with final maturity scheduled for June 1, 2030 (13.5 year bonds). Payments begin June 1, 2017 and continue semiannually thereafter. Interest will be computed on the basis of a 360-day year of twelve 30-day months. Bonds due after June 1, 2024, will be subject to call for prior redemption on said date or on any day thereafter upon terms of par plus accrued interest to date of call.

BACKGROUND: This action allows the sale of $11,425,000 of General Obligation Urban Renewal Bonds (Series 2016D), to partially defray the costs of constructing a several projects related to the Alluvion Urban Renewal Area. Staff has factored the cost of the proposed issuance compared to the total amount of funds available through the debt service levy in order to maintain positive cash flow throughout the life of the bond issuance.

The resolution for this item also approves a Preliminary Official Statement and authorizes its distribution with respect to the above-referenced issues. The Council is encouraged to review the Preliminary Official Statement as its preparation is subject to Federal Securities Law regulation. As such, the City must be certain that facts and representations are true and correct in all material respects, up to and including the date of the delivery of the bonds. A copy of the Preliminary Official Statement has been sent electronically to the Councilmembers and is available for review in the offices of the City Clerk and Finance Director.

On June 2, 2014, a public hearing was held to institute proceedings on the issuance of "not to exceed" $87.0 million General Obligation Urban Renewal Bonds related to Project Alluvion. Iowa Code Section 384.28 specifically permits the City to sell bonds for different projects together for market efficiency, once legal authority has been established through the required hearings, notices, and approvals. No comments were received at the public hearing. Bonds have been sold previously as part of this project – 2015A Series totaling $21,755,000 and Series 2015B $12,715,000.

Bids will be received Monday, October 17, 2016, at 10:00am, and either staff or a representative of the City's Financial Advisory Firm, Public Financial Management (PFM), will report on the results to Council at its meeting scheduled for that same evening. Closing is scheduled for November 16, 2016.

RECOMMENDATION: Adoption of Resolution instituting proceeds to take additional action, approval of the Preliminary Official Statement, and authorization of electronic bidding procedures for the issuance of $11,425,000 General Obligation Urban Renewal Bonds

Lead Staff Member: **Tim Stiles, Finance Director**

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

Council Member _____ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF $11,425,000* GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2016D, AND APPROVING ELECTRONIC BIDDING PROCEDURES" and moved its adoption. Council Member _____ seconded the Resolution to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

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

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF $11,425,000* GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2016D, AND APPROVING ELECTRONIC BIDDING PROCEDURES

WHEREAS, the Issuer previously called and held a public hearing pursuant to Sections 384.25 and 403.12 for the purposes of issuing General Obligation Urban Renewal Bonds to pay costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Urban Renewal Plan for the Alluvion Urban Renewal Area, including public street construction, reconstruction, and/or widening and related activities including right-of-way acquisition, related utilities and sewers, storm water conveyance structures, bridges, railroad crossings, bike/pedestrian trails and under crossings, traffic signals and signage, turn lanes, medians, landscaping, street lights and related improvements for portions of Connector Street, South 8th Street, Maffitt Lake Road, County Line Road, and Pine Avenue; water storage improvements including facility and wells, installation, signage, security fencing, and other related improvements, including land acquisition; water lines to connect supply distribution system; sanitary sewer improvements including extension and construction of new sewer lines; power line relocation; funding incentives pursuant to a development agreement with Microsoft; construct and equip a municipal public safety facility, with all necessary utilities and public improvements; including capitalized interest and costs of issuance for bonds issued for these projects, essential corporate urban renewal purpose(s), and no petitions for referendum being received, the City was authorized to issue Bonds to the amount of not to exceed $87,000,000 be authorized for said purpose(s); and

WHEREAS, the City previously issued its $21,755,000 General Obligation Urban Renewal Bonds, Series 2015A and its $12,715,000 Taxable General Obligation Urban Renewal Bonds, Series 2015B, and the Council deems it advisable to issue an additional $11,425,000*

General Obligation Urban Renewal Bonds of said remaining authority in furtherance of said purposes; and

WHEREAS, the Council has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the Parity Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Urban Renewal Bonds, Series 2016D, of City of West Des Moines, State of Iowa, in the amount of $11,425,000*, to be issued as referred to in the preamble of this Resolution, to be dated November 16, 2016, be offered for sale pursuant to the published advertisement.

Section 3. That the Clerk is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Des Moines Register", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 17th day of October, 2016, at 5:30 P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were previously received and opened by City Officials at 10:00 A.M. on said date. The notice shall be in substantially the following form:

(To be published on or before October 11, 2016)

NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of the City of West Des Moines, State of Iowa, hereafter described, must be received at the office of the City Clerk, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa; Telephone: 515-222-3600 (the "Issuer") before 10:00 A.M., on the 17th day of October, 2016. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION BONDS, SERIES 2016C, in the amount of $7,200,000*, to be dated November 16, 2016; and

GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2016D, in the amount of $11,425,000*, to be dated November 16, 2016

(collectively, the "Bonds")

*Subject to principal adjustment pursuant to official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the City Clerk at City Hall, 4200 Mills Civic Parkway, P.O. Box 65320, West Des Moines, Iowa 50265.

- Electronic Internet Bidding: Electronic internet bids will be received at the office of the City Clerk at City Hall, 4200 Mills Civic Parkway, P.O. Box 65320, West Des Moines, Iowa 50265. The bids must be submitted through the PARITY® competitive bidding system.

- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the City Clerk at City Hall, 4200 Mills Civic Parkway, P.O. Box 65320, West Des Moines, Iowa 50265 (facsimile number: 515-222-3620). Electronic facsimile bids will be treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa at a meeting of the City Council on the above date at 5:30 P.M.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the City Clerk, City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa; Telephone: 515-222-3600 or the Issuer's Municipal Advisor, PFM Financial Advisors LLC., 801 Grand Avenue, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of West Des Moines, State of Iowa.

_____

City Clerk, City of West Des Moines, State of Iowa

(End of Notice)

PASSED AND APPROVED this 3rd day of October, 2016.

_____
Mayor

ATTEST:

_____
City Clerk