

ITEMS TO INCLUDE ON AGENDA

CEDAR FALLS COMMUNITY SCHOOL DISTRICT

- Resolution Ordering a Special Election on the Issuance of \$69,900,000 General Obligation School Bonds and to fill a Vacancy

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

April 22, 2019

The Board of Directors of the Cedar Falls Community School District, in the County of Black Hawk, State of Iowa, met in _____ session, in the _____, Cedar Falls, Iowa, at 5:30 P.M., on the above date. There were present President _____, in the chair, and the following named Board Members:

Absent: _____

Vacant: _____

* * * * *

The President of the Board called the meeting together and stated that a Petition had been filed purporting to be signed by eligible electors of the School District numbering at least 25% of those voting at the last election of school officials. The Petition requests that an election be called on the issuance of bonds in an amount not to exceed \$69,900,000, to provide funds to construct, build, furnish and equip a new high school building and to improve the site.

The President submitted the Petition to the Board which examined the Petition. _____ qualified electors voted at the last election of school officials; the number of eligible electors who have signed the petition is _____.

Director _____ introduced the following Resolution and moved its adoption. Director _____ seconded the motion to adopt and, on roll call, the vote was:

AYES: _____

NAYS: _____

The President declared the Resolution adopted as follows:

RESOLUTION ORDERING A SPECIAL ELECTION ON THE
ISSUANCE OF \$69,900,000 GENERAL OBLIGATION
SCHOOL BONDS AND TO FILL A VACANCY

WHEREAS, there has been filed with the President of this Board a Petition of eligible electors of this School District asking that an election be called to submit the question of contracting indebtedness and issuing bonds of the School District in an amount not to exceed \$69,900,000 to provide funds to construct, build, furnish and equip a new high school building and to improve the site; and

WHEREAS, this Board has examined the Petition and finds that it is signed by eligible electors of the School District numbering at least 25% of those voting at the last election of school officials and that the purposes set forth in the petition cannot be accomplished within the limit of one and one-quarter percent of the assessed value of the taxable property in the School District; and

WHEREAS, the proposal for the issuance of Bonds or any other proposal incorporating any portion of it has not or will not have been submitted to the qualified electors of the School District for a period of at least six months prior to the date of election being called in these Proceedings;

WHEREAS, this Board has also determined it is necessary to submit at the special school election the proposition of authorizing the Board of Directors to levy annually a tax exceeding Two Dollars and Seventy Cents (\$2.70) per Thousand Dollars (\$1,000), but not exceeding Four Dollars and Five Cents (\$4.05) per Thousand Dollars (\$1,000) of the assessed value of the taxable property to pay the principal of and interest on bonded indebtedness; the Board acknowledges that approval of this proposition does not limit the source of payment of the Bonds and interest but only restricts the amount of Bonds which may be issued:

NOW, THEREFORE, IT IS RESOLVED BY THE CEDAR FALLS COMMUNITY SCHOOL DISTRICT, IN THE COUNTY OF BLACK HAWK, STATE OF IOWA:

Section 1. That an election is called of the qualified electors of the Cedar Falls Community School District in the County of Black Hawk, State of Iowa, on Tuesday, June 25, 2019. The following Proposition is approved, and the Secretary is authorized and directed to submit and file the Proposition for the Ballot with the Black Hawk County Commissioner of Elections at least 46 days prior to the election:

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?

YES []

NO []

Proposition A

Shall the Board of Directors of the Cedar Falls Community School District in the County of Black Hawk, State of Iowa, be authorized to contract indebtedness and issue General Obligation Bonds in an amount not to exceed \$69,900,000 to provide funds to construct, build, furnish and equip a new high school building and to improve the site?

Section 2. Because it is necessary to approve a tax levy for the payment of principal and interest on the above Proposition, the following question also will be submitted to the qualified electors at the special election held on Tuesday, June 25, 2019:

Proposition B

YES []

NO []

Shall the Board of Directors of the Cedar Falls Community School District in the County of Black Hawk, State of Iowa, be authorized to levy annually a tax exceeding Two Dollars and Seventy Cents (\$2.70) per Thousand Dollars (\$1,000), but not exceeding Four Dollars and Five Cents (\$4.05) per Thousand Dollars (\$1,000) of the assessed value of the taxable property within said school

corporation to pay the principal of and interest on bonded indebtedness of said school corporation, it being understood that the approval of this proposition shall not limit the source of payment of the bonds and interest, but shall only operate to restrict the amount of bonds which may be issued?

[END OF BALLOT LANGUAGE]

Section 3. That in conjunction with the Propositions above, an election be held to fill the remaining term of the office that became vacant on the resignation of Eric Giddens, such term to be effective until a successor is elected at the 2021 regular school election and qualified thereafter.

Section 4. That the notice of the election and ballot form used at the election shall be prepared in accordance with the provisions of the Iowa Code and Iowa Administrative Rules. The District requests the polls will open at 7:00 A.M. and close at 8:00 P.M.

Section 5. That the Election Board for the voting precinct or precincts be appointed by the County Commissioner of Elections, not less than 15 days before the date of the election, a certified copy of which appointment must be officially placed on file in the office of the Secretary.

Section 6. The Commissioner of Elections is requested and directed to make publication of the Notice of Election at least once, not less than four days nor more than twenty days prior to the date of the election, in a legal newspaper, printed wholly in the English language, as defined by Iowa Code Section 618.3.

Section 7. The *Waterloo Cedar Falls Courier*, a legal newspaper, has substantial circulation within the District and is hereby designated to make the publication of the Notice of Election.

Section 8. Black Hawk County, Iowa is the control county of this School District; this election will be conducted by the County Auditor as Commissioner of Elections.

Section 9. That the County Commissioner of Elections shall prepare all ballots and election registers and other supplies as necessary for the proper and legal conduct of this election and the Secretary of the Board is authorized and directed to cooperate with the Commissioner of Elections in the preparation of the necessary proceedings.

Section 10. That the Secretary is directed to file a certified copy of this Resolution in the Office of the County Commissioner of Elections to constitute the "written notice" to the County Commissioner of Elections of the election date, required to be given by the governing body under the provisions of Iowa Code Chapter 47.

PASSED AND APPROVED this 22nd day of April, 2019.

PRESIDENT, Board of Directors

ATTEST:

SECRETARY, Board of Directors

CERTIFICATE

STATE OF IOWA

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) SS

COUNTY OF BLACK HAWK

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I, the undersigned Secretary of the Board of Directors of the Cedar Falls Community School District, in the County of Black Hawk, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the School District showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board 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 the meeting and all action was duly and publicly held in accordance with a notice of meeting and a tentative agenda, a copy of which was timely served on each member of the Board 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 Board pursuant to the local rules of the Board 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 offices as indicated therein, that no board 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 School District or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand this _____ day of _____, 2019.

Secretary of the Board of Directors of the
Cedar Falls Community School District

STATE OF IOWA

COUNTY OF BLACK HAWK

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SS PETITION CERTIFICATE

I, Secretary of the Cedar Falls Community School District in the County of Black Hawk, State of Iowa, certify that the petition form attached and marked Exhibit "A," is a true and correct copy of the petition for a special public measure proposition to be submitted at a school election. This petition was filed with the President of the Board of Directors of the School District on April 22, 2019, the Board acted at a meeting held on April 22, 2019, and the petition is signed by _____ eligible electors of the School District, as defined in Iowa Code Section 39.3(6). None of the signatures has been withdrawn, and the total number voting at the last preceding election of School Officials held on September 12, 2017, as is shown by the poll lists was _____.

Dated this _____ day of _____, 2019.

Secretary of the School Board of the
Cedar Falls Community School District

