

## RESOLUTION 1827

### A RESOLUTION PLACING A PUBLIC MEASURE ON THE PROPOSITION OF ESTABLISHING A CAPITAL IMPROVEMENT RESERVE LEVY AS PROVIDED BY SECTION 384.7 OF THE IOWA CODE.

**WHEREAS**, the City of West Branch, Iowa (the “City”), has discussed the proposition of establishing a Capital Improvement Reserve Levy, pursuant to Section 384.7 of the Code of Iowa; and

**WHEREAS**, the City Council has proposed to impose this property tax levy only as a tax rate stabilization measure thereby imposing levy amounts that are not intended to exceed the city’s current tax rate; and

**WHEREAS**, there are limits, penalties, fees, and state laws associated to aggressive debt service repayment; and

**WHEREAS**, establishing a Capital Improvement Reserve Levy would allow the city to retire its debt service at state allowable levy levels and accumulate any remaining funds in a reserve; and

**WHEREAS**, pursuant to Section 384.7 of the Code of Iowa, before the City may establish such a fund, the City must have a public measure approved by ballot vote of a 50% + one majority to implement this levy; and

**WHEREAS**, it is now necessary for the City Council to adopt this resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of West Branch, Cedar County, Iowa, as follows:

**Section 1.** Placing a public measure on the November 5<sup>th</sup> Ballot is hereby called and ordered to be held for the City, at which there will be submitted to the voters of the City the following proposition to wit:

*“Shall the City of West Branch, Iowa, establish a perpetual capital improvement fund levy in the amount not to exceed sixty-seven and one-half cents per thousand dollars of taxable value per year of the purpose of funding specific capital improvement projects, or other expenditures as allowed by law, to be designed from time to time by the City Council of the City of West Branch, Iowa as provided by Iowa Code Section 384.7”.*

**Section 2.** That the voting place or places for the election, and the hours the polls shall be opened and closed shall be set out in the notice of election, such notice to be prepared and approved by the County Commissioner of Elections.

**Section 3.** That the form of ballot to be used at the election shall be of the type authorized by the Code of Iowa that will permit the use of electronic counters and will be in

substantially the form set forth in the Notice of Election. That if more than one public measure shall be submitted to the electors at the time of the election, all such measures shall be printed upon one ballot.

**Section 4.** That the Election Board for the voting precinct or precincts shall be appointed by the County Commissioner of Elections, not less than 15 days before the date of said election.

**Section 5.** That the Auditor of Cedar County, Iowa, being the County Commissioner of Elections, is hereby directed to publish notice of the election once in the "West Branch Times", being a local newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, published in said County and of general circulation therein, the publication to be not less than four nor more than twenty days prior to the date of the election.

**Section 6.** That the County Commissioner of Elections shall cause to be prepared all such ballots and election registers and other supplies as may be necessary for the proper and legal conduct of said election.

**Section 7.** That the City Clerk is hereby directed to file a certified copy of this Resolution in the office of the County Commissioner of Elections, which filing shall also 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 Chapter 47 of the Code of Iowa.

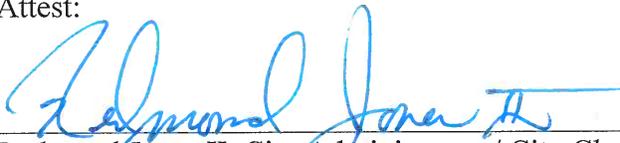
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**PASSED AND APPROVED** this 22nd day of July, 2019



Colton Miller, Mayor Pro Tem

Attest:



Redmond Jones II, City Administrator / City Clerk