City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MSP-W

DATE: May 11, 2017

SUBJECT: Library/City Hall Project

1. Consider approving final renderings and floor plans for the Library/City Hall project
2. Receive a memo from OPN Architects with possible cost reductions and revised overall estimated project cost
3. Consider approving a resolution setting the overall project budget at $6,800,000
4. Receive a letter from William Noth of Ahlers & Cooney, P.C. Attorney at Law regarding the use of Local Option Sales Tax on the Library/City Hall project
5. Consider approving a Property Gift Agreement between the Commercial Saving Bank and the City of Carroll for property located at 627 N Adams St., Carroll, IA 51401
6. Consider approving a resolution calling for a special city election

Background

On February 23, 2016, Commercial Savings Bank offered to donate their existing facility located at 627 N Adams St to "facilitate expansion of the library". At that meeting on February 23rd, the Council voted to support the acceptance of the bank building and directed staff to begin the process to develop plans.

On June 27, 2017, the City entered into a professional services agreement with OPN Architects for the Library/City Hall project to complete a feasibility study on the project. Throughout the summer and fall, two community meetings were held on the project and OPN Architects completed work on a feasibility study for the project.

On December 12, 2016, OPN Architects presented a final feasibility study which included two alternates on the project. On December 27, 2016, in a unanimous vote, the Council selected Concept A as the preferred concept. Concept A moves City Hall functions to the Commercial Savings Bank building located at 627 N. Adams Street and expands the Library into City Hall space at the Farner Government Building located at 112/118 E. 5th Street. Since December 27, work has been completed by OPN Architects to develop renderings on the project and to identify possible cost reductions. On May 5 and May 12, 2017, the Library/City Hall steering committee met to work with OPN Architects to finalize renderings and floor plans on the project. The project is now at a stage for the City Council to consider moving it to a citizen vote and referendum.

Elevations and Floor Plans
With input from the Library/City Hall steering committee, OPN Architects completed final elevations and floor plans for the Library/City Hall project. Attached to this report are floor plans for both the Farner Government Building and the CSB site along with an exterior and interior rendering of the library renovations at the Farner Government Building.

Project Budget and Financing
The attached memo from OPN Architects provides potential cost saving options that has been identified in discussions between OPN Architects and City Staff. The potential cost saving options are between $355,000 and $415,000. Additionally, the project currently has contingencies of over $700,000 that the architects will work to bring down once the project moves to the schematic phase. With the identified potential cost saving options and contingencies, staff is recommending that the Council set an overall project budget of $6,800,000. This project budget includes all construction costs, soft costs, professional fees, furnishing, and all other associated costs. Based on the $6.8 million budget, the project as proposed will be funded with $3.8 million of bond proceeds, $2.5 million in donations from the Carroll Library Foundation, and $500,000 in Local Option Sales Taxes.

The Council should consider formally receiving the attached memo from OPN Architects and adopt a resolution setting the overall project budget at $6,800,000.

Use of Local Option Sales Tax on the Library/City Hall project
With a question raised related to the City Council's legal ability to use local option sales tax on the Library/City Hall project, staff sought a legal opinion from the City's bond attorney, William Noth of Ahlers & Cooney, P.C. Attorneys at Law. Attached is that opinion. Mr. Noth's opinion provides that the ballot question on the local option sales tax referendum was legal.

That referendum question provided that 75% of the proceeds from local option sales tax collections can be used for capital improvement projects as defined by the Council and for any other lawful purpose of the City of Carroll, Iowa as determined by the City Council.

The Council should officially receive this letter into the record.

Property Gift Agreement with Commercial Savings Bank
Attached is a Property Gift Agreement between the Commercial Savings Bank and the City of Carroll for property located at 627 N Adams St, Carroll, IA 51401 that was drafted by Dave Bruner. The highlights of the agreement include:

- Commercial Savings Bank (CSB) would gift their existing building at 627 N Adams Street to the City with a closing date the latter of August 1, 2018 or 30 days after CSB moves to their new facility.
- Requires that the City's administrative offices move to the existing CSB site at 627 N Adams Street and that the existing City Hall and Library at 112/118 E 5th Street be reconstructed and enlarged for an expanded City library that creates a larger library facility of approximately 18,000 square feet.

- A referendum on the issuance of G.O. bonds or notes is successful.
- City continues to use the gifted property for City administrative offices for 5 years, does not sell the CSB property to a bank or credit union for 10 years, and continues to use the renovated library space at 112/118 E 5th Street for a minimum of 10 years.
- The City is given the option to purchase the two lots west of the alley for the appraised value of the lots, not to exceed $200,000, based on an appraisal completed by a mutually agreed appraiser.

The agreement has been signed by Commercial Savings Bank and should be approved by the City Council prior to calling a special city election.

Resolution calling a Special City Election

Attached is a resolution calling for a special city election that was prepared by the City's bond attorney, William Noth of Ahlers & Cooney, P.C. Attorneys at Law. The resolution as drafted calls for a special City election on Tuesday, August, 1, 2017. Other future elections dates could also be considered by the Council.

The question that will be submitted to the voters will be as follows:

> "Shall the City of Carroll, Iowa enter into a loan agreement and issue its general obligation capital loan notes in an amount not exceeding the amount of $3,800,000 for the purpose of reconstructing, renovating, remodeling, equipping and furnishing a building for use as City administrative offices and a City Hall, and thereafter for the reconstruction, renovation, remodeling, equipping and furnishing of the existing City administrative offices, City Hall, AND LIBRARY for use as an expanded Carroll PUBLIC Library facility?"

RECOMMENDATION: The City council is requested to review the attached material and consider taking action on the following items:

1. Consider approving final renderings and floor plans for the Library/City Hall project
2. Receive a memo from OPN Architects with possible cost reductions and revised overall estimated project cost
3. Consider approving a resolution setting the overall project budget at $6,800,000
4. Receive a letter from William Noth of Ahlers & Cooney, P.C. Attorneys at Law regarding the use of Local Option Sales Tax on the Library/City Hall project
5. Consider approving a Property Gift Agreement between the Commercial Saving Bank and the City of Carroll for property located at 627 N Adams St, Carroll, IA 51401
6. Consider approving a resolution calling for a special city election

Carroll Public Library and City Hall

May 17, 2017

CARROLL PUBLIC LIBRARY - EXTERIOR VIEW

MAY 17, 2017

OPN ARCHITECTS

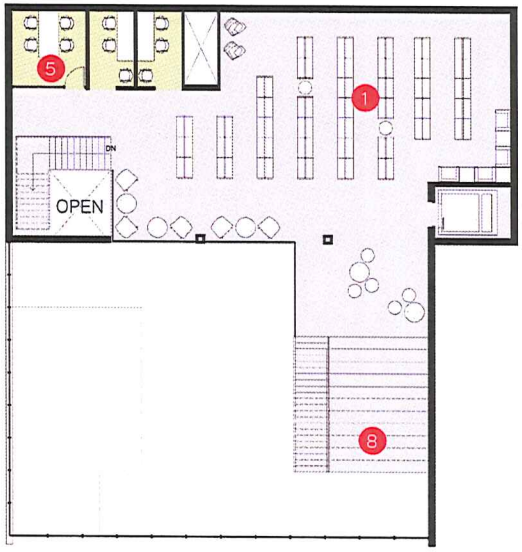
CARROLL PUBLIC LIBRARY - INTERIOR VIEW

MAY 17, 2017

OPN ARCHITECTS

KEY

1. Adult
2. Young Adult
3. Children
4. Children Program
5. Study/Conference
6. Community
7. Maker-space
8. Social stair
9. Technology
10. Circulation
11. Staff
12. Storage
13. Lobby



CARROLL PUBLIC LIBRARY - LEVEL 1

NOT TO SCALE

CARROLL PUBLIC LIBRARY - LEVEL 2

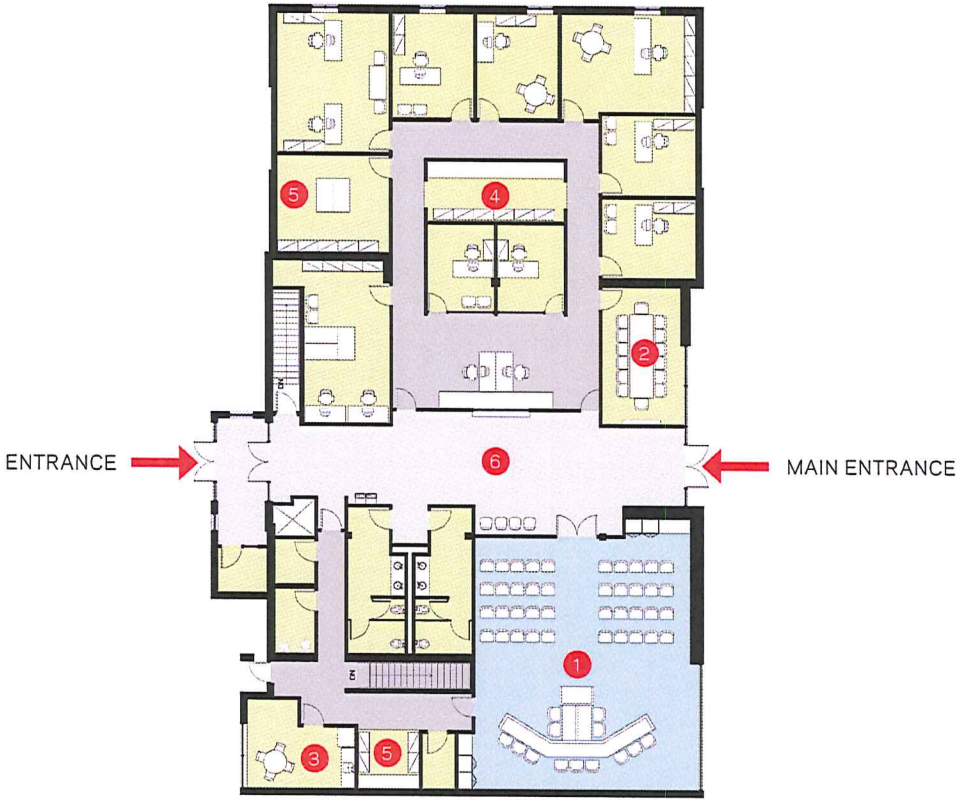
NOT TO SCALE

MAY 17, 2017

OPN ARCHITECTS

KEY

1. Council chambers
2. Conference room
3. Break room
4. Work room
5. Storage
6. Lobby



CARROLL CITY HALL - LEVEL 1

NOT TO SCALE

MAY 17, 2017

OPN ARCHITECTS

MEMO

TO:	Mike Pogge-Weaver City of Carroll 112 E. 5th St. Carroll, IA 51401	PROJECT: PROJECT NO: DATE:	Carroll Public Library and City Hall 16811000 05-22-2017
TOPIC:	Library & City Hall Project – budget savings targets		

OPN ARCHITECTS
Insight + Passion

Carroll Public Library: Cost Savings Targets
Monday, May 22, 2017

LIBRARY COST SAVINGS OPTIONS:

Total targeted cost savings range $120,000 - $155,000 (does not include reduction of furniture)
Furniture reduction could target the lower $21/sf providing a possible $100,000 reduction

- Remove fewer Precast panels on Level 2 (limit the opening)
- Glass reduction at front addition
- At non-glazed portion of new front – target a material choice to save on sf/cost
- Reduce some of the new windows as percentage of overall elevation from Concept A budget
- Eliminate staff RR's at library or go to a single unisex
- Change exterior entry from special paving to standard concrete
- Eliminate benches at front
- Reduce size of new monumental entry stair
- Minimize impact and structural openings to 2nd stair that services the second level.
- Reduce number of openings in existing masonry wall between library and existing city hall
- Reduce the scope of new furniture where possible (TBD?)

BANK BUILDING/CITY HALL COST SAVINGS OPTIONS:

Total targeted cost savings range $235,000 - $260,000 (does not include reduction of furniture)
Furniture reduction could target the lower $16/sf providing a possible $55,000 reduction

- Maintenance at exterior ONLY – no new openings or windows – new sealant only
- No new entry (curtainwall) – stays as it is today
- Target lobby finishes reduction
- No new staff entry
- Leave exterior EIFS as is – no new finish
- Leave basement restrooms as is (no new staff restrooms, not ADA compliant, etc)
- No Elevator (allow for location for future elevator only)
- No new staff restrooms
- Reduce or reuse Furniture (To be determined)

*Total targeted cost savings would range from $510,000 to $570,000 below the original Concept A estimate.

**no new or updated cost estimate has been provided. These targeted savings are based on the original Concept A cost estimated dated 12-12-2016.

BY: Joe Feldmann
OPN Architects, Inc.

CC: Danielle Hermann, AIA
file

RESOLUTION NO. _____

A RESOLUTION SETTING THE OVERALL
LIBRARY/CITY HALL PROJECT BUDGET AT $6,800,000

WHEREAS, the City of Carroll hired OPN Architects to developed concept plans and project costs for the Library/City Hall project, and

WHEREAS, concept work and project costs were completed in December of 2016 by OPN Architects, and

WHEREAS, OPN Architects and City Staff identified potential cost saving options in May of 2017, and

WHEREAS, based on the original project cost and the identified potential cost saving options an overall budget for the project can be set.

NOW, THEREFORE, BE IT RESOLVED that the overall budget for the Library/City Hall project, including all construction costs, soft costs, professional fees, furnishing, and all other associated costs is set at $6,800,000.

PASSED AND APPROVED by the City Council of the City of Carroll, Iowa, this 22nd day of May, 2017.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

BY:_____
Eric P. Jensen, Mayor

ATTEST:

By:_____
Laura A. Schaefer, City Clerk

AHLERS COONEY
ATTORNEYS

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Des Moines, Iowa 50309-2231
Phone: 515-243-7611
Fax: 515-243-2149
www.ahlerslaw.com
William J. Noth
515.246.0332
wnoth@ahlerslaw.com

April 21, 2017

Mr. Mike Pogge-Weaver
City Manager
City of Carroll
112 E. 5th Street
Carroll, Iowa 51401

RE: Local Option Sales and Services Tax

Dear Mr. Pogge-Weaver:

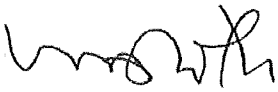
As you requested, I am writing to confirm that we have reviewed the form of ballot used in 2012 when the imposition of a local option sales and services tax in the City was approved. In our opinion, the ballot language describing the purposes for which the tax will be used satisfied the applicable requirements of Iowa law.

Some further explanation may be helpful. Section 423B.1(5) of the Iowa Code provides that a local option tax ballot proposition "shall contain a statement as to the specific purpose or purposes for which the revenues shall otherwise be expended." The same subsection goes on to require the State Commissioner of Elections to establish a uniform ballot form that must be used in such elections.

The State Commissioner of Elections has done that, and the forms of notice and ballot for various local option tax elections can be found in the Iowa Administrative Code (721-21.800, 21.801). Under those regulations, if a jurisdiction that will be voting on the imposition of the tax fails to provide the county commissioner of elections with information as to how the tax proceeds will be used, the notice of election and the ballot for that jurisdiction must specify that 0% would be used for property tax relief and the specific purpose for which the revenues will otherwise be expended shall be set forth as "any lawful purpose of the city (or county)." (IAC 721-21.800(3)(c)(3)). In other words, the State Commissioner of Elections has determined that "any lawful purpose of the city (or county)" meets the statutory requirement to describe how the local option tax proceeds will be used. That is consistent with Section 423B.7(7) of the Iowa Code, which states unequivocally that "[l]ocal sales and services tax moneys received by a city or county may be expended for any lawful purpose of the city or county." The City's ballot language, in our view, therefore met the applicable requirement.

I hope this is useful. If you have any questions or would like to discuss this further, please don't hesitate to contact Kristin Cooper or myself.

Very truly yours,



William J. Noth

WJN:dc

01355197-1\10275-061

RESOLUTION NO. _____

A RESOLUTION APPROVING THE PROPERTY GIFT AGREEMENT BETWEEN COMMERCIAL SAVINGS BANK AND THE CITY OF CARROLL, IOWA

WHEREAS, Commercial Savings Bank (CSB) is constructing a new bank facility and is no longer in need of their property at 627 N Adams Street, Carroll, Iowa, and

WHEREAS, CSB is desirous to gift its property to the City in order to facilitate expansion of the library under the terms set forth in the attached agreement, and

WHEREAS, the City of Carroll is desirous of accepting this generous gift, only subject to the conditions, requirements and contingencies set forth in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED that the attached property gift agreement between CSB and the City of Carroll, Iowa is approved.

PASSED AND APPROVED by the City Council of the City of Carroll, Iowa, this 22nd day of May, 2017.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

BY:_____
Eric P. Jensen, Mayor

ATTEST:

By:_____
Laura A. Schaefer, City Clerk

PROPERTY GIFT AGREEMENT

This Property Gift Agreement ("Agreement") is made between Commercial Savings Bank ("CSB") and the City of Carroll, Iowa ("City").

RECITALS

A. CSB is the owner of real estate located at 627 N Adams Street, Carroll, Iowa, with the building thereon being 8172 square feet and tax assessed value of $993,000 as of 2015. This property runs from Adams Street west to the alley ("Gifted Property").

B. City owns real estate located at 112 and 118 E 5th Street, Carroll, Iowa, which houses the city library, administrative offices and police department. The City is a municipal corporation.

C. CSB desires to gift its real estate at 627 N Adams Street, Carroll, Iowa, to the City under the terms set forth in this Agreement. CSB will be vacating this property upon the completion of construction of its new bank facility on the corner of Highway 30 and West Street, Carroll, Iowa.

D. CSB desires the City to use this Gifted Property for housing of the City's administrative offices, with the condition this move would provide additional space at the 112 E 5th Street location for the reconstruction and use for an expanded City library therein, creating a larger library facility of approximately 18,000 square feet.

E. The City is desirous of accepting this generous gift, only subject to the conditions, requirements and contingencies set forth in this Agreement.

F. The City and CSB agree and understand that this gift is contingent on the City moving and transferring its administrative offices to the gifted CSB location, and the City then reconstructing and enlarging the present library to include the floor space presently occupied by the City's administrative offices, so to create a library facility of approximately 18,000 square feet at 112 and 118 E 5th Street, Carroll, Iowa.

If the City cannot accomplish the intended purpose of this gift as stated herein, the gift and this Agreement will become null and void.

The Parties Agree As Follows:

1. Donation of Subject Property. CSB agrees to convey the above stated Gifted Property in fee simple by donation on the terms and conditions set forth in this Agreement.

2. Closing. The transfer and closing of this matter shall be on a date mutually agreed upon by CSB and the City, but before August 1, 2018, unless CSB is delayed in relocating to their new facility. If CSB is not relocated to their building by June 30, 2018, the transfer and closing of this matter shall be delayed to 30 days after CSB opens for business at their new location. CSB shall deliver a Warranty Deed to the Gifted Property to the City at closing, free and clear of all liens, restrictions and encumbrances.

3. Care. The Gifted Property shall be preserved in its present condition and delivered in said condition at the time of possession.

4. Fixtures. All property that integrally belongs to or is part of the real estate whether attached or detached shall be considered a part of the Gifted Property and included in the transfer.

5. Abstract and Title. CSB at their expense, shall promptly obtain an abstract of title to the real estate through the date on or near the closing date and deliver to the City for examination by its attorney. It shall show merchantable title in CSB in conformity with this agreement, Iowa law and Title Standards. The abstract shall then become the property of the City.

6. Real Estate Taxes. CSB shall pay any and all taxes up through the closing date and shall make arrangements acceptable to the Carroll County Treasurer, to satisfy the same, no taxes shall become delinquent, and CSB shall be responsible for full payment of these taxes.

7. Right to Inspect and Examine. Prior to closing the City, employees, agents, and other professional personnel employed by the City, may enter upon the Gifted Property for the purpose of making inspection and examination as the City deems appropriate.

8. Risk of Loss. All risk of loss shall remain with CSB until closing.

9. Agreement Binding on Successor's In Interest. This Agreement shall be binding not only upon the City and CSB, but also upon heirs, assigns, personal representatives and successors in interest.

10. Approval. CSB shall obtain its Board of Directors approval herein, and likewise the City shall obtain approval of this Agreement by resolution of the Carroll City Council.

11. Conditions Precedent. Further obligations of the City and CSB are subject to the following conditions precedent, all of which must be satisfied prior to closing.

a) CSB shall have moved into its new building.

b) City's satisfactory inspection of the above stated Gifted Property.

c) City shall have held a referendum on the issuance of general obligation bonds or notes in a sufficient amount (as determined by the City) to pay costs associated with the renovation and remodeling of the Gifted Property for use as the City's administrative offices and for the remodeling and renovation of the existing administrative office space for the expansion of the

library, with the referendum being approved by the voters of the City and the City then being legally authorized to issue its bonds or notes for the authorized amount to complete both phases of the above described project.

d) CSB's receipt of regulatory approval for the move to the new location.

e) If any condition precedent remains unsatisfied by the date of closing, this Agreement will terminate unless CSB and the City amend this Agreement in writing to postpone the closing date.

12. Purchase Option. There are two (2) lots west of the alley, with a local address of 624 Carroll Street, Carroll, Iowa, which are presently being used as CSB employee parking and drive through banking. CSB hereby grants a purchase option to the City to purchase said two (2) lots at the time of closing of the Gifted Property. If the City choses to purchase said lots, the purchase price shall be the appraised value of the lots, not to exceed $200,000, based on the appraisal completed by a mutually agreed appraiser.

13. Extended Restrictions. After closing, the City shall not sell the Gifted Property within five (5) years of the closing date; the City shall not sell the Gifted Property to another financial institution, including banks and credit unions within 10 years of the closing date; and the renovated City administrative space at 112 E 5th Street, Carroll, Iowa, shall be used exclusively for library purposes for at least a period of ten (10) years after the closing.

14. Sole Discretion of City. The City shall have the sole and exclusive discretion to determine the design, plans, specifications and construction arrangements for the renovations to both the library space at 112 and 118 E 5th Street and the new administrative office space at 627 N Adams Street.

IN WITNESS, of the provisions herein, the City and CSB have executed this Property Gift Agreement on the below stated date.

COMMERCIAL SAVINGS BANK

By_____
Ryan Milligan, Vice President

Dated: May 18, 2017

CITY OF CARROLL, IOWA

By_____
Eric Jensen, Mayor

By_____
Laura Schaefer, Clerk

Dated: May _____, 2017

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(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body:	The City Council of the City of Carroll, Iowa.
Date of Meeting:	_____, 2017.
Time of Meeting:	_____ o'clock _____.M.
Place of Meeting:	Council Chambers, City Hall, 112 E. 5th Street, Carroll, 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 $3,800,000 General Obligation Capital Loan Notes.

- Resolution calling special election on the issuance.

Such additional matters as are set forth on the additional _____ 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 Clerk, City of Carroll, Iowa

_____, 2017

The City Council of the City of Carroll, Iowa, met in _____ session, in the Council Chambers, City Hall, 112 E. 5th Street, Carroll, Iowa, at _____ o'clock _____.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

_____

_____

Absent: _____

* * * * * * * * *

The City Council then proceeded to discuss the matter of calling a special City election.

Council Member _____ introduced the following Resolution entitled "RESOLUTION CALLING A SPECIAL CITY ELECTION", and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION CALLING A SPECIAL CITY ELECTION

WHEREAS, the City of Carroll, Iowa, proposes to contract indebtedness and issue general obligation capital loan notes to provide funds to pay costs of a general corporate purpose project hereinafter described; and

WHEREAS, Sections 384.24A and 384.26 of the City Code of Iowa provide that before the Council may institute proceedings for the issuance of notes for a general corporate purpose, it shall call a special City election to vote upon the proposition of issuing the notes in accordance with the provisions of such statute; and

WHEREAS, neither the proposal for the issuance of the notes hereinafter set forth, nor any other proposal incorporating any portion of it, has or will have been submitted to the registered voters of the City for a period of more than six months prior to the date of election hereinafter provided; and

WHEREAS, The Daily Times Herald is a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, and is published in the City and of general circulation therein.

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

Section 1. That there is hereby called a special City election on Tuesday, the 1st day of August, 2017, at which election there shall be submitted to the registered voters of the City the following question, to-wit:

> "SHALL THE CITY OF CARROLL, IOWA ENTER INTO A LOAN AGREEMENT AND ISSUE ITS GENERAL OBLIGATION CAPITAL LOAN NOTES IN AN AMOUNT NOT EXCEEDING THE AMOUNT OF $3,800,000 FOR THE PURPOSE OF RECONSTRUCTING, RENOVATING, REMODELING, EQUIPPING AND FURNISHING A BUILDING FOR USE AS CITY ADMINISTRATIVE OFFICES AND A CITY HALL, AND THEREAFTER FOR THE RECONSTRUCTION, RENOVATION, REMODELING, EQUIPPING AND FURNISHING OF THE EXISTING CITY ADMINISTRATIVE OFFICES, CITY HALL, AND LIBRARY FOR USE AS AN EXPANDED CARROLL PUBLIC LIBRARY FACILITY?"

Section 2. That the voting place or places for the election, and the hours the polls shall be opened and closed shall be as 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, a certified copy of which appointment shall be officially placed on file in the office of the Clerk of the City.

Section 5. That the Auditor of Carroll County, Iowa, being the County Commissioner of Elections, is hereby directed to publish the notice of election once in The Daily Times Herald, being a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, published in the City and of general circulation therein, the publication to be not less than four clear days 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. The Clerk is hereby authorized and directed to cooperate with said Commissioner of Elections and to do and prepare all necessary matters in order to make said election legal and valid.

Section 7. That the 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.

PASSED AND APPROVED this _____ day of _____, 2017.

_____
Mayor

ATTEST:

_____
City Clerk

Receipt of a certified copy of the foregoing resolution is hereby acknowledged this _____ day of _____, 2017.

_____
County Auditor and County Commissioner of Elections

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF CARROLL)

I, the undersigned City Clerk of the City of Carroll, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City 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 City hereto affixed this _____ day of _____, 2017.

_____
City Clerk, City of Carroll, Iowa

(SEAL)

01357249-1\10275-061