

Article 1: Public Improvement and Assessment Proceedings

Division 11: Utility Improvement Districts — Issuance and Sale of Bonds

*(“Utility Improvement Districts — Issuance and Sale of Bonds”
added 1–20–1970 by O–10214 N.S.)*

§61.1101 Issuance by Council Resolution

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

(“Issuance by Council Resolution” added 1–20–1970 by O–10214 N.S.)

§61.1102 Series of Bonds, Different Maturity Dates: Maximum Term of Series

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

(“Series of Bonds, Different Maturity Dates: Maximum Term of Series” added 1–20–1970 by O–10214 N.S.)

§61.1103 Form of Bonds and Coupons: Time of Principal Payments

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

(“Form of Bonds and Coupons: Time of Principal Payments” added 1–20–1970 by O–10214 N.S.)

§61.1104 Interest Rate: Payment Dates

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of intention, payable semiannually, except that interest for the first year

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may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

(“Interest Rate: Payment Dates” added 1–20–1970 by O–10214 N.S.)

§61.1105 Call and Redemption Before Maturity: Provision in Bond

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

(“Call and Redemption Before Maturity: Provision in Bond” added 1–20–1970 by O–10214 N.S.)

§61.1106 Denomination

The denomination of the bonds shall be stated in the resolution providing for their issuance.

(“Denomination” added 1–20–1970 by O–10214 N.S.)

§61.1107 Place of Payment

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

(“Place of Payment” added 1–20–1970 by O–10214 N.S.)

§61.1108 Form of Bonds: Date: Number: Signing and Countersigning: Seal: Mechanical Reproduction of Signatures

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

(“Form of Bonds: Date: Number: Signing and Countersigning: Seal: Mechanical Reproduction of Signatures” added 1–20–1970 by O–10214 N.S.)

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§61.1109 Bonds of Improvement Districts: Statement of Limitation on Levy

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(“Bonds of Improvement Districts: Statement of Limitation on Levy” added 1–20–1970 by O–10214 N.S.)

§61.1110 Bids for Bonds: Sale to Highest Responsible Bidder: Rejection of Bids: Readvertisement: Private Sale

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

(“Bids for Bonds: Sale to Highest Responsible Bidder: Rejection of Bids: Readvertisement: Private Sale” added 1–20–1970 by O–10214 N.S.)

§61.1111 Payment of Proceeds into City Treasury: Special Improvement Funds: Expenditure for Purpose of Debt: Application of Surplus on Accomplishment of Purpose

The proceeds from the sale of bonds, except for premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall

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be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.
(“Payment of Proceeds into City Treasury: Special Improvement Funds: Expenditure for Purpose of Debt: Application of Surplus on Accomplishment of Purpose” added 1-20-1970 by O-10214 N.S.)

§61.1112 Interest Paid from Bond Proceeds: Maximum Limitation

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.
(“Interest Paid from Bond Proceeds: Maximum Limitation” added 1-20-1970 by O-10214 N.S.)