

## **RESOLUTION NO. 18-53**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMANDS THE RESTORATION OF THE MILLBRAE RECREATION CENTER AND ITS FINANCING THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS**

**WHEREAS**, a Millbrae Recreation Center Restoration Measure would provide an accessible, modern community center that meets current earthquake, electrical and fire safety codes; and

**WHEREAS**, one in five Millbrae residents is 65 or older and thousands of these residents have used recreation programs and classes like quilting, aerobics, painting, Tai Chi, Mahjong and other games before a fire destroyed the Millbrae Recreation Center; and

**WHEREAS**, a Millbrae Recreation Center Restoration Measure would restore the Millbrae Recreation Center, and provide a quiet, dedicated place where our seniors can engage in the social and physical activities that keep them healthy; and

**WHEREAS**, the old Millbrae Community Center served thousands of children and youth and a Millbrae Recreation Center Measure would restore a safe place for our children and families to play during out of school time, keeping kids out of trouble and away from the temptation of gang activity and crime; and

**WHEREAS**, restoration of the Millbrae Recreation Center will also provide space for preschool programs and after-school tutoring and classes in core subjects like math, science, and language; and

**WHEREAS**, the Millbrae Recreation Center Restoration Measure includes strict fiscal accountability requirements including financial audits and citizen oversight to ensure the funding is spent only on restoring the Millbrae Recreation Center; and

**WHEREAS**, the City is authorized to issue general obligation bonds to finance municipal improvements pursuant to certain provisions of the California Government Code, including Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title 4 and including Article 4.5, commencing with Section 53506, of Chapter 3 of Part 1 of Division 2 of Title 5 (collectively, the "Bond Law"); and

**WHEREAS**, the City intends to issue its general obligation bonds (the "Bonds") under and pursuant to the Bond Law to finance the cost of the Restoration of the Millbrae Recreation Center to be used for community recreation center purposes consisting of the restoration of the Millbrae Recreation Center at 477 Lincoln Circle which was destroyed by a major structure fire on July 21, 2016 (the "Millbrae Recreation Center"); and

**WHEREAS**, in order to initiate proceedings under the Bond Law to provide for the financing of the restoration of the Millbrae Recreation Center, the City Council must make certain findings and determinations;

**WHEREAS**, in accordance with Sections 53410 and 53411 of the California Government Code, the City Council will adopt the following accountability requirements relating to the Bonds: (a) A separate account shall be created and held by the City, into which the proceeds of the Bonds are deposited and (b) the City Manager of the City shall file a report with the City Council no later than January 1, 2019, and at least once a year thereafter, showing the amount of Bond proceeds collected and expended, and the status of the project to be financed from the proceeds of the Bonds.

**WHEREAS**, in the event the ballot proposition is passed by two-thirds of all qualified voters voting on the proposition, the City Council shall establish and appoint members to an oversight committee, which shall have responsibility for reviewing and reporting on the expenditure of the proceeds of the Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILLBRAE AS FOLLOWS:**

**Section 1. Declaration of Necessity to Issue Bonds.** The public interest and necessity demands, and it is the intention of the City Council to require, the Restoration of the Millbrae Recreation Center and to issue the Bonds to finance the cost thereof, subject to completion of the proceedings required by the Bond Law.

**Section 2. Estimated Cost.** The estimated cost of the Restoration of the Millbrae Recreation Center is approximately \$30,000,000. The estimated cost does not include legal or other fees, the costs of printing the Bonds and other costs and expenses, which are incidental to or connected with the authorization, issuance and sale of the Bonds.

**Section 3. Findings.** The City Council hereby finds and determines that the cost of the Restoration of the Millbrae Recreation Center requires an expenditure by the City greater than the amount allowed for it by the annual tax levy of the City. The principal amount of the Bonds will not exceed the estimated cost set forth above for the Millbrae Recreation Center.

**Section 4. Issuance of the Bonds.** This Resolution is adopted, and the Bonds, if approved by two-thirds of all qualified voters voting on the issuance of the Bonds, are to be issued pursuant to the Bond Law.

**Section 5. Effective Date.** This Resolution shall take effect upon its adoption by two-thirds of all members of the City Council of the City.

\* \* \* \* \*

I, Elaine Tran, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae at a regular meeting thereof held on the 24th day of July, 2018, by the following vote:

**AYES, COUNCILMEMBERS:**

Papan, Lee, Schneider, Oliva, and Holober

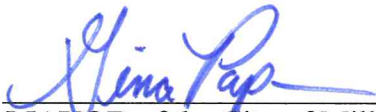
**NOES, COUNCILMEMBERS:**

**ABSENT, COUNCILMEMBERS:**

 7/31/18.

**ACTING CITY CLERK** of the City of Millbrae

**APPROVED:**



**MAYOR** of the City of Millbrae