

RESOLUTION NO. 18-55

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE REQUESTING THE COUNTY TO CONSOLIDATE A BOND ELECTION TO BE HELD ON NOVEMBER 6, 2018, FOR THE PURPOSE OF FINANCING THE RESTORATION OF THE MILLBRAE RECREATION CENTER

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

WHEREAS, one in five Millbrae residents is 65 or older and thousands 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 Recreation 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 recreation center; and

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.

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, on July 30, 2018, the City Council adopted an ordinance calling an election on November 6, 2018, to authorize the issuance of general obligation bonds under the Bond Law to provide financing for the cost of the restoration of the Millbrae Recreation Center; and

WHEREAS, on July 10, 2018, the City Council adopted Resolution 18-43, calling a Municipal Election for November 2018, and Resolution 18-45, requesting the San Mateo County Chief Elections Officer to render certain voting services for that election; and

WHEREAS, pursuant to Elections Code Section 10400 et seq., the City Council wishes at this time to request consolidation of such election on the issuance of general obligation bonds with any and all other elections held in the City on such date, and to request the San Mateo County Registrar of Voters (the "County Registrar") to perform election services for the City;

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

Section 1. Consolidation of Election; Request to Provide Services. The bond election which has been called by the City Council for November 6, 2018, is hereby ordered consolidated with any other election to be held within the City on said date. The County Registrar and the San Mateo County Board of Supervisors are hereby requested to consolidate said bond election with any and all other elections to be held on November 6, 2018 within the City.

Pursuant to Section 10002 of the Elections Code, the Board of Supervisors of San Mateo County is requested to permit the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse San Mateo County in full upon presentation of a bill from the County, such services to include the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

Section 2. Manner of Conducting Election. The election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted, and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the election as specified herein.

Section 3. Procedure for Voting on Proposition. Ballots for the election shall be provided in the form and in the number provided by law. Voters shall be provided an opportunity to vote for or against the proposition on the ballot, in accordance with procedures to be adopted by the authorized officers of the County charged with conducting the election.

Section 4. Delivery of this Resolution. The City Clerk is hereby directed to send a copy of this Resolution to the County Registrar and the San Mateo County Clerk of the Board of Supervisors (the "Clerk of the Board") for purposes of consolidation pursuant to Elections Code Section 10403. The Resolution shall be received by the County Registrar and the Clerk of the Board no later than 88 days prior to the election date, unless otherwise permitted by law.

Section 5. Effective Date. This Resolution shall take effect upon its passage and adoption.

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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 30th day of July, 2018, by the following vote:

AYES, COUNCILMEMBERS:Papan, Lee, Schneider and Holober

NOES, COUNCILMEMBERS:

EXCUSED, COUNCILMEMBERS:Oliva

/s/ Elaine Tran
ACTING CITY CLERK of the City of Millbrae

APPROVED:

/s/ Gina Papan
MAYOR of the City of Millbrae