

**RESOLUTION NO. \_\_\_\_\_**

**A REVISED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SUNNYVALE ON TUESDAY, NOVEMBER 5, 2024, FOR THE PURPOSE OF SUBMITTING TO CITY VOTERS AN ORDINANCE TO APPROVE THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE MUNICIPAL IMPROVEMENTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY (NEW MAIN LIBRARY); REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION AND ELECTION SERVICES FROM SANTA CLARA COUNTY; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND SETTING PRIORITIES FOR BALLOT ARGUMENTS**

WHEREAS, the City of Sunnyvale (the “City”) is a municipal corporation and charter city duly organized and existing under the Constitution and laws of the State of California; and

WHEREAS, the City Council is required by the California Constitution as well as other applicable provisions of California law to submit the proposal for bonded indebtedness to the voters for their consideration; and

WHEREAS, on June 18, 2024, the City Council adopted, by a two-thirds vote of all its members, Resolution No. 1241-24 determining the necessity to incur a bonded indebtedness to finance municipal improvement projects constituting public infrastructure of the City through the issuance of general obligation bonds (the “Bonds”); and

WHEREAS, on June 25, 2024, the City Council adopted, by a two-thirds vote of all its members, Ordinance 3229-24, AN ORDINANCE ORDERING THE SUBMISSION OF A PROPOSITION INCURRING BONDED INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF SUNNYVALE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN MUNICIPAL IMPROVEMENT PROJECTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY (the “Ordinance”), which orders the submission to the voters of a proposition authorizing the issuance of the Bonds to the voters of the City for their consideration; and

WHEREAS, under existing law, approval of the Bonds requires 2/3 of the voters in the City voting on the proposition to vote in favor; and

WHEREAS, Assembly Constitutional Amendment No. 1 (“ACA1”) has qualified for the November 5, 2024 Statewide ballot and would, among other things, change existing law to authorize a city, county, city and county, or special district to levy an ad valorem tax to service

bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements; and

WHEREAS, the foregoing amendments effectuated by ACA1, if approved at the November 5, 2024 Statewide ballot, would apply to any proposition authorizing general obligation bonds of a city that is submitted at the same election as ACA1; and

WHEREAS, the proposition to approve the Bonds will comply with all the provisions of ACA1 so that, if ACA1 is approved on November 5, 2024, approval of the Bonds shall require 55% (not 2/3) of the voters in the City voting on the proposition to vote in favor; and

WHEREAS, if the ballot measure authorizing issuance of the Bonds is approved by the requisite number of affirmative votes, the City will be authorized to issue the Bonds; and

WHEREAS, state legislation related to ACA1 including ACA 10 and AB 2813, was still pending on June 25, 2024, the City Council adopted Resolution 1252-24, placing the Library Bond Measure on the ballot; and

WHEREAS, the state approved final versions of ACA 10 and AB 2813 after June 25, 2024, that will implement rather than change ACA1; and

WHEREAS, to guard against confusion about the impact of ACA1 on the Library Bond measure, the City believes it is prudent to readopt its resolution placing the Library Bond measure on the ballot to add a statement clarifying that it is the City's intent for the measure, if passed pursuant to the provisions of ACA1, to comply in all ways with the requirements of ACA1 and any implementing legislation; and

WHEREAS, United States Income Tax Regulations section 1.150-2 provides generally that proceeds of tax-exempt debt are not deemed to be expended when such proceeds are used for reimbursement of expenditures made prior to the date of issuance of such debt unless certain procedures are followed, one of which is a requirement that (with certain exceptions), prior to the payment of any such expenditure, the issuer declares an intention to reimburse such expenditure.

WHEREAS, whenever two or more elections of any legislative or congressional district, public district, city, county or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, such elections may be either completely or partially consolidated pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, and Section 5342 of the Education Code; and

WHEREAS, Elections Code Section 10002 empowers the City Council to request the assistance of the County Registrar of Voters to provide election services to the City; the City Council intends to call a General Municipal Election on November 5, 2024, and to request consolidation of that election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. **ELECTION ORDERED; BALLOT MEASURE.** Pursuant to its right, power and authority under the California Constitution and the laws of the State of California, the City Council on its own motion hereby orders submitted to the voters at an election to be held in the City on November 5, 2024, a ballot measure designated by letter by the Santa Clara County (the “County”) Registrar of Voters authorizing the sale of general obligation bonds to finance the costs of municipal improvement projects constituting public infrastructure of the City described in the Ordinance, to appear on the ballot in substantially the following form:

CITY OF SUNNYVALE MEASURE	
<b>Sunnyvale Main Library Measure.</b> To provide residents an accessible, modern, sustainable, earthquake-safe library; expand spaces for: collections, events, educational programs for children, teens and seniors; replace deteriorating plumbing, electrical, roofing; shall the measure of the City of Sunnyvale to issue \$290,000,000 in bonds at legal interest rates with a maximum levy of \$27.47 per \$100,000 of assessed value while bonds are outstanding, generating approximately \$18,600,000 annually, with audits, citizen’s oversight, all funds used locally, be adopted?	BONDS YES
	BONDS NO

The full text of the proposed measure to be submitted to the voters is set forth in Ordinance No. 3229-24, attached to this Resolution as Exhibit A and incorporated herein by reference as if set forth in full. The full text of the Ordinance shall be printed in the voter information guide.

The City Council hereby declares its intent that the accountability measures contained in the Ordinance shall comply with ACA1 and any and all other statutory or other requirements determined to be required for compliance with ACA1.

2. **ADOPTION OF MEASURE.** The proposed measure shall not take effect unless approved by (1) if ACA1 passes, a 55% vote of the voters voting on the question or (2) if ACA1 does not pass, a 2/3rds vote of the voters voting on the question.

3. **TAX RATE STATEMENT.** The City Council hereby finds that the estimates and projections contained in the measure and in the tax rate statement required by Section 9401 of the California Elections Code, which has been prepared in connection with the measure as is on file with the City Clerk, have been made based on currently available information, but depend on a number of variables which are subject to variation. Such estimates and projections have been made in good faith, and are not binding or intended to be limitations on the terms of the Bonds. The Director of Finance is hereby authorized to finalize and execute the tax rate statement, and to file the tax rate statement and any other documents required for the Bond measure with the County

Registrar of Voters.

4. **BOND PROCEEDS REIMBURSEMENT DECLARATION.** The City Council hereby declares that the City may pay certain costs of the projects authorized by the proposed bond measure prior to the date of issuance of bonds and, in such case, intends to use a portion of the proceeds of bonds for reimbursement of expenditures for the projects that are paid before the date of issuance of bonds.

5. **NOTICE OF ELECTION.** Notice of the time and place of holding the election is given, and the City Clerk hereby is authorized, instructed and directed to coordinate with the County of Santa Clara Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

6. **CONSOLIDATION REQUEST.** Pursuant to the requirements of Part 3 (Consolidation of Elections; §§10400 et seq.) of Division 10 of the Elections Code, the City Council hereby requests the governing body of any other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such elections, and to further provide that, upon consolidation, the consolidated election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots opened and returned, returns canvassed, and all other proceedings in connection with the election shall be regulated and done by any body or official authorized to perform such functions and canvass the returns of the elections; and that this City Council consents to such consolidation.

7. **REQUEST FOR COUNTY SERVICES.** Pursuant to Section 10002 of the California Elections Code, the City Council hereby requests the Board of Supervisors of the County of Santa Clara to permit the Registrar of Voters to render services to the City of Sunnyvale relating to the conduct of Sunnyvale's Special Municipal Election to be held on Tuesday, November 5, 2024. Services shall be of the type normally performed by the Registrar of Voters in assisting the clerks of municipalities in the conduct of elections including, but not limited to, those certain services set forth in Section 4 hereof.

8. **ELECTION COSTS.** Subject to the approval of the Board of Supervisors of the foregoing requests, the City Clerk is hereby authorized to engage the services of the Registrar of Voters of the County of Santa Clara to aid in the conduct of the election. The City Director of Finance is authorized and directed to pay the costs of services, provided that no payment shall be made for services which the Registrar of Voters is otherwise required by law to perform.

9. **BALLOT AND REBUTTAL ARGUMENTS FOR MEASURE.** Primary and rebuttal arguments for the measure may be filed consistent with Elections Code Section 9282, et seq.

10. **BALLOT ARGUMENT IN FAVOR OF MEASURE.** The Council hereby selects the following course of action regarding arguments in favor of the measure:

- a. Authorizes the City Council as a body to submit a written argument in

favor of the measure. Mayor Klein and Councilmembers Melton and Mehlinger are authorized to draft the argument and submit it to the full Council at a public meeting for approval.

- b. In the event that an argument is filed against the measure, the Council authorizes Mayor Klein and Councilmembers Melton and Mehlinger to submit a rebuttal argument on behalf of the City Council.

11. **IMPARTIAL ANALYSIS.** The City Council directs the City Clerk to submit to the City Attorney a copy of the measure, and the City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the measure on the existing law and operation of the measure. The impartial analysis shall comply in all respects with the applicable provisions of California Elections Code section 9280.

12. **DEADLINES FOR ARGUMENTS.** The deadlines for arguments, rebuttals and impartial

- a. Primary and Rebuttal Argument Deadlines. Primary and rebuttal arguments for the measure may be filed consistent with Elections Code Section 9282, et seq. **August 13, 2024 at 5:00 p.m. shall be the deadline for submission of arguments in favor of, and arguments against this measure on the ballot.** If more than one argument for and/or against is received, the City Clerk shall give priority to the direction from the Council set forth in section 9 of this resolution, or if none, the priorities established by Elections Code Section 9287 shall control. **The deadline for filing rebuttal arguments shall be August 20, 2024 at 5:00 p.m.**
- b. Impartial Analysis Deadline. The impartial analysis for the measure may be filed consistent with Elections Code Section 9282, et seq. **August 20, 2024 at 5:00 p.m. shall be the deadline for submission of the impartial analysis.**
- c. Public Review Period. Pursuant to Section 9295 of the California Elections Code, there shall be a 10-day public review period for the impartial analysis, arguments submitted for or against the measure, and rebuttal arguments. These time periods are established as follows: (a) with respect to arguments submitted for or against the measure, commencing on August 13, 2024 and closing on August 23, 2024, and (b) with respect to the impartial analysis and rebuttal arguments, commencing on August 20, 2024 and closing on August 30, 2024.
- d. Printing of Arguments and Rebuttals. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters, and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

13. TRANSMITTAL OF RESOLUTION. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Registrar of Voters.

14. PUBLICATIONS. The City Clerk is directed to give notice of the election and synopsis of the City's general obligation bond measure in the time, form, and manner as required by law.

15. MISCELLANEOUS. In all particulars not cited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections. This resolution shall apply only to the election to be held on Tuesday, November 5, 2024.

16. OTHER ACTIONS. Each of the City Manager, the Director of Finance and the City Clerk are hereby authorized and directed to work with the appropriate officials of the County to carry out the purposes and intent of this Resolution, including preparing, signing, filing and/or revising any applicable documents, agreements, or other materials, and making requests related to ballot letters and order.

17. SEVERABILITY. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

18. EXEMPTION FROM CEQA. The City Council finds that placing the Library GO Bond measure on the ballot is a fiscal and administrative activity that is exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Sections 15378(b)(4) and (b)(5) because it involves fiscal and administrative activities that will not result in direct or indirect changes to the environment. On September 25, 2018 (RTC #18-0799), the City Council certified a Draft Environmental Impact Report (collectively, "EIR") (State Clearinghouse #2017092075), adopted a Statement of Overriding Considerations, and adopted a Mitigation Monitoring and Reporting Program for the Civic Center Master Plan. On July 14, 2020 (RTC No. #2-0505), the City Council approved changes to the Civic Center Master Plan project described in an Addendum to the EIR. The Civic Center Master Plan Environmental Impact Report (EIR) included analysis of a new or renovated library for Phase 2 of the Master Plan. The Council's preferred design for the Library has some differences from the Phase 2 library project analyzed in the EIR, but those project changes are not expected to cause new or different significant environmental impacts. Therefore, an addendum to the EIR reflecting the design changes may be prepared pursuant to CEQA Guidelines section 15164 if the measure is approved by voters and the design and construction moves forward.

19. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

Adopted by the City Council at a regular meeting held on July 30, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

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DAVID CARNAHAN  
City Clerk  
(SEAL)

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LARRY KLEIN  
Mayor

APPROVED AS TO FORM:

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REBECCA L. MOON  
City Attorney

## EXHIBIT A

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**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ORDERING THE SUBMISSION OF A PROPOSITION INCURRING BONDED INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF SUNNYVALE AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN MUNICIPAL IMPROVEMENT PROJECTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY**

WHEREAS, the City of Sunnyvale (the “City”) is a municipal corporation and charter city duly organized and existing under the Constitution and laws of the State of California; and

WHEREAS, the City is undertaking certain public infrastructure improvements for the City consisting of the reconstruction and rehabilitation of the Sunnyvale Public Library (the “Improvements”); and

WHEREAS, the City is authorized to call an election for the proposition of incurring a bonded indebtedness and to issue such bonds to finance municipal improvements constituting public infrastructure of the City pursuant to certain provisions of the California Government Code, including Article 1 of Chapter 4 of Division 4 of Title 4 (commencing with Section 43600) and Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 (commencing with Section 53506) (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 acquisition, construction and improvement of the Improvements; and

WHEREAS, under existing law, approval of the Bonds requires 2/3 of the voters in the City voting on the proposition to vote in favor; and

WHEREAS, Assembly Constitutional Amendment No. 1 (“ACA1”) has qualified for the November 5, 2024 Statewide ballot and would, among other things, change existing law to authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements; and



WHEREAS, the foregoing amendments effectuated by ACA1, if approved at the November 5, 2024 Statewide ballot, would apply to any proposition authorizing general obligation bonds of a city that is submitted at the same election as ACA1; and

WHEREAS, the proposition to approve the Bonds complies with all the provisions of ACA1, including all of its accountability requirements, so that, if ACA1 is approved on November 5, 2024, approval of the Bonds shall require that 55% (not 2/3) of the voters in the City voting on the proposition vote in favor; and

WHEREAS, if the ballot measure authorizing issuance of the Bonds is approved by the requisite number of affirmative votes, the City will be authorized to issue the Bonds.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

1. **Purpose and Intent.** Pursuant to the authority provided by the California Government Code and California Elections Code, the City Council proposes to order the submission of a proposition authorizing the City to issue general obligation bonds (the “Bonds”) to the qualified voters of the City at the general municipal election to be held on November 5, 2024.

2. **Findings.** The City Council hereby makes the following findings with respect to the proposed measure for the Bonds:

- (i) On June 18, 2024, the City Council adopted, by a two-thirds vote of all its members, a resolution entitled “A Resolution of the City Council of the City of Sunnyvale Determining that the Public Interest and Necessity Demand the Acquisition, Construction and Improvement of Municipal Improvement Projects Constituting Public Infrastructure of the City, and Their Financing Through the Issuance of General Obligation Bonds,” pursuant to which the City Council has found and determined that the public interest and necessity demand the issuance of general obligation bonds to finance the Improvements, which are municipal improvement projects constituting public infrastructure of the City.
- (ii) In order to provide for the issuance by the City of general obligation bonds to provide financing for the Improvements, it is necessary for the City Council to adopt an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purpose to the qualified voters of the City at a municipal election.
- (iii) The City Council desires to submit said ballot measure to the qualified voters of the City at the regular election to be held in the City on November 5, 2024, and to consolidate the bond election with other elections held within the City on that date.

3. **Call for Election.** The City Council hereby orders that there be submitted to the qualified voters of the City a proposition on incurring bonded indebtedness for the purposes set forth in this Ordinance, at the regular election to be held on November 5, 2024.

4. **Ballot Proposition.** The City Council hereby submits to the qualified voters of the City, at the regular election to be held on November 5, 2024, a proposition on issuing the Bonds. The statement of the measure shall be in substantially the form set forth in the resolution of the City placing the measure on the ballot.

5. **Object and Purpose of Bonds.** The object and purpose of the Bonds is to finance some or all of the costs of the Improvements. The authorized Improvements also include all work, facilities and expenditures necessary and incidental to the projects described above. Examples of such work, facilities, and expenditures include, but are not limited to: costs of design, engineering, architect and other professional services, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, legal, accounting and similar costs; a customary construction contingency; demolition and disposal of existing structures; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; addressing unforeseen conditions revealed by construction or renovation, and other necessary improvements required to comply with existing building codes and other applicable law, including the Americans with Disabilities Act; costs of the bond election; bond issuance costs; project administration during the duration of such projects; and financing and interest costs on the Bonds.

The final costs, locations, designs, layouts and other components of the Improvements will be determined as plans are finalized, construction bids are awarded, and projects are completed. Therefore, the City Council cannot guarantee that the Bonds will provide sufficient funds to allow completion of all needed Improvements.

6. **Estimated Cost of Improvements.** The estimated cost of the Improvements is \$290,000,000.00. The estimated cost includes legal or other fees, the costs of printing the Bonds, and other costs and expenses incidental to or connected with the authorization, issuance and sale of the Bonds. To the extent the Improvements financed are revenue-producing public works, the cost of the Improvements may also include bond interest estimated to accrue during the construction period and for a period of not to exceed 12 months after completion of construction.

7. **Principal Amount of Bonds.** The aggregate principal of the Bonds shall not exceed \$290,000,000.00.

8. **Maximum Interest Rate.** The maximum rate of interest to be paid on the Bonds shall be the statutory maximum of 12% per annum. Said interest shall be payable semiannually, except that interest for the first year after the date of the Bonds may be made payable at the end of said year.

9. **Issuance and Sale of Bonds.** The City proposes to issue and sell the Bonds

pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title 4 of the California Government Code, or Article 4.5, commencing with Section 53506, of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, in one or more series, in the maximum amount and for the objects and purposes set forth above if the requisite number of qualified voters voting on the proposition vote in favor thereof. The Bonds will be general obligations of the City payable from and secured by ad valorem taxes levied and collected in the manner prescribed by the laws of the State of California. The revenue generated from the ad valorem tax levied and collected will be used for the payment of debt service on the Bonds. All of the Bonds shall be equally and ratably secured, without priority, by the taxing power of the City.

**10. Manner of Conducting Election.** The election on the Bonds held on November 5, 2024 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 with which it is consolidated.

**11. 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 of Santa Clara (the “County”) charged with conducting the election.

**12. Accountability Requirements.** In accordance with ACA1 and Sections 53410 and 53411 of the California Government Code, the City Council hereby adopts the following accountability requirements relating to the Bonds:

- (i) The proceeds from the sale of the Bonds shall be used only for the purposes specified in this Ordinance, and not for any other purpose, including City employee salaries and other operating expenses. The administrative cost of the City for the Improvements shall not exceed 5% of the proceeds from the sale of the Bonds.
- (ii) The proceeds from the sale of the Bonds shall only be spent on projects and programs that serve the jurisdiction of the City.
- (iii) This Ordinance shall be the ordinance through which projects will be funded and the City hereby certifies that it has evaluated alternative funding sources.
- (iv) The City shall conduct an annual, independent performance audit to ensure that the Bond funds are expended pursuant to the local program specified in clause (iii).
- (v) The City shall conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the public infrastructure.
- (vi) The City shall post the audits required by clauses (iv) and (v) in a manner that is

easily accessible to the public.

- (vii) The City shall submit the audits required by clauses (iv) and (v) to the California State Auditor for review.
- (viii) The City shall appoint a citizens' oversight committee to ensure that Bond proceeds are expended only for the purposes described in the measure approved by the voters. Members appointed to the oversight committee shall receive educational training about bonds and fiscal oversight.
- (ix) Any entity owned or controlled by a member of the City Council shall be prohibited from bidding on any work funded by the proposition.
- (x) A separate account shall be created and held by the City, into which the proceeds of the Bonds shall be deposited and applied solely for the purpose of financing the Improvements.
- (xi) The City's Director of Finance shall file a report with the City Council at least annually showing the amount of Bond proceeds collected and expended, and the status of the Improvements.

**Identification of Tax.** The tax imposed by this measure is an ad valorem tax levied upon taxable real property in the City, and will be used to pay the principal and interest on the Bonds.

13. **Official Actions.** The Mayor, the City Manager, the Director of Finance, the City Clerk, and any of their designees, are hereby authorized to execute any documents and to perform all acts necessary to place the Bond measure on the ballot.

14. **Interpretation.** The provisions of this Ordinance, being necessary for the health, welfare, and safety of the City and its residents, is to be liberally interpreted to carry out its purposes. No error, irregularity or informality, and no neglect or omission of any officer, in any proceeding taken related to the submission of the proposition incurring bonded indebtedness to the qualified voters of the City shall void or invalidate any such proceeding, any Bonds issued by the City or any levy of ad valorem taxes to pay principal of and interest on the Bonds.

15. **Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications, and to this end the provisions this Ordinance are declared to be severable.

16. **Publication of Ordinance.** This Ordinance shall be published once a day for at least seven days in a newspaper published at least six days a week in the City, or once a week for two weeks in a newspaper published less than six days a week in the City. The first of said publications shall, in either event, be within 15 days after the adoption of this Ordinance. If there are no such newspapers, it shall be posted in three public places in the City for two succeeding weeks. No other notice need be given.

17. **Effective Date.** In accordance with Section 36937(a) of the California Government Code, this Ordinance shall become effective immediately, as an ordinance relating to an election, upon its adoption by two-thirds vote of all the members of this City Council.

18. **CEQA.** Placing the Library GO Bond measure on the ballot is a fiscal and administrative activity that is exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Sections 15378(b)(4) and (b)(5) because it involves fiscal and administrative activities that will not result in direct or indirect changes to the environment. The Civic Center Master Plan Environmental Impact Report (EIR) included analysis of a new or renovated library for Phase 2 of the Master Plan. The Council's preferred design for the Library has some differences from the Phase 2 library project analyzed in the EIR, but those project changes are not expected to cause new or different significant environmental impacts. Therefore, an addendum to the EIR reflecting the design changes may be prepared pursuant to CEQA Guidelines section 15164 if the measure is approved by voters and the design and construction moves forward.

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