

ORDINANCE NO. 960

**AN ORDINANCE OF THE TOWN COUNCIL OF THE
TOWN OF SAN ANSELMO ORDERING THE SUBMISSION OF
A PROPOSITION OF INCURRING BONDED DEBT FOR
THE PURPOSE OF THE ACQUISITION, CONSTRUCTION
AND COMPLETION OF CERTAIN MUNICIPAL IMPROVEMENTS TO
THE QUALIFIED VOTERS OF THE TOWN OF SAN ANSELMO AT
AN ELECTION TO BE HELD FOR THAT PURPOSE
(Library, Streets and Storm Drains)**

The Town Council of the Town of San Anselmo, California (the "Town"), does ordain as follows:

WHEREAS, this Town Council has heretofore adopted, by a two-thirds vote of all the members of said Council, Resolution No. 3269 entitled "A Resolution of the Town Council of the Town of San Anselmo Determining That the Public Interest and Necessity Demand the Acquisition, Construction and Completion of Certain Municipal Improvements and Their Financing Through the Issuance of General Obligation Bonds" (the "Resolution");

WHEREAS, in order to provide for the issuance by the Town of its general obligation bonds to finance the improvements described in the Resolution, it is necessary for this Council to pass an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purpose to the qualified voters of the Town at an election held for that purpose; and

WHEREAS, this Council desires to submit said ballot measure to the qualified voters of the Town at a general municipal election to be held in the Town on November 8, 1994.

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

Section 1. That a general municipal election is hereby called and ordered to be held in the Town on November 8, 1994.

Section 2. That said proposition shall appear on the ballot for said general municipal election in the following form:

PROPOSITION __: For the purpose of the acquisition, construction and completion of (i) seismic and other capital improvements to the Town Library and (ii) capital improvements to various street and storm drains throughout the Town of San Anselmo, shall the Town of San Anselmo be authorized to issue general obligation bonds in the principal amount of ten million eight hundred thousand dollars (\$10,800,000) as more particularly described in Ordinance No. 960?

This Town Council does hereby submit to the qualified voters of the Town, at said general municipal election, the proposition set forth above.

Section 3. The object and purpose of incurring the indebtedness is the acquisition and construction and completion of seismic and other capital improvements to the Town Library and the acquisition, construction and completion of capital improvements to various streets and storm drains throughout the Town. All of the foregoing improvements are referred to herein collectively as the "Improvements".

Section 4. The estimated cost of the Improvements is ten million eight hundred thousand dollars (\$10,800,000). The estimated cost includes legal and other fees and the cost of printing bonds and other costs and expenses incidental to or connected with the issuance and sale of the bonds (collectively, the "Bond Issuance Fees and Expenses").

Section 5. The amount of the principal of the indebtedness to be incurred is not to exceed ten million eight hundred thousand dollars (\$10,800,000).

Section 6. The maximum rate of interest to be paid on the indebtedness shall be twelve percent (12%) per annum, or such higher rate as may hereafter be established for general obligation bonds of the Town by the Legislature of the State of California.

Section 7. This Town Council does hereby submit to the qualified voters of the Town, at said general municipal election, the proposition set forth in Section 2 hereof. The Town proposes to acquire, construct and complete the Improvements and to issue and sell general obligation bonds of the Town pursuant to Article 9, commencing with section 43600, of Chapter 4 of Division 4 of Title 4 of the California Government Code, in one or more series, in the maximum amount and for the objects and purposes set forth above if two-thirds of all qualified voters voting on the proposition set forth above vote in favor thereof. The bonds are to be general obligations of the Town payable from and secured by taxes levied and collected in the manner prescribed by laws of the State of California. All of said bonds are to be equally and ratably secured, without priority, by the taxing power of the Town.

Section 8. The polls for said election shall be opened at seven o'clock A.M. on the day of said election and shall remain open continuously from said time until eight o'clock P.M. on the same day, when said polls shall be closed, except as provided in section 14301 of the California Elections Code.

Section 9. The general municipal election hereby called for the date hereinbefore specified shall be, and is hereby, ordered consolidated with any other election to be held within the Town on said date, and within the territory affected by the consolidation, 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 and specified herein. The Board of Supervisors of Marin County is hereby requested to order the consolidation of the general

municipal election hereby called with any other election to be held within the Town on said date, and within the territory affected by the consolidation, and the Board of Supervisors of Marin County is hereby authorized to canvass the returns of said general municipal election, and said election shall be held in all respects as if there were only one election and only one form of ballot shall be used. Said Board of Supervisors shall certify the results of the canvass of the returns of said general municipal election to the Town Council which shall thereafter declare the results thereof. The measure submitted by this Ordinance shall be designated on each ballot by a letter printed on the left margin of the square containing the description of the measure, as provided in section 10219 of the California Elections Code.

Section 10. All persons qualified to vote at general municipal elections in the Town upon the date of the election herein provided for shall be qualified to vote upon the proposition submitted at said special election.

Section 11. Ballots for the election shall be provided in the form and in the number provided by law. On said ballots, in addition to any other printed matter which may be required by law, two voting squares shall be set off to the right of the proposition submitted at the election, in the manner provided by law, one having the word "YES" printed before it, and the other having the word "NO" printed before it.

Section 12. Each voter to vote for the proposition and for the incurring of said indebtedness shall stamp or write a cross, or indicate by hole punch or other means, in the blank space opposite the word "YES" on the ballot to the right of the proposition; and each voter to vote against the proposition and against the incurring of the indebtedness shall stamp or write a cross, or indicate by hole punch or other means, in the blank space opposite the word "NO" on the ballot to the right of the proposition.

Section 13. This Ordinance shall be published once a day for at least seven days in a newspaper printed, published and circulated at least six days a week in the Town, or once a week for two weeks in a newspaper printed, published and circulated less than six days a week in the Town. The first of said publications shall, in either event, be within fifteen (15) days after the adoption of this Ordinance. The Town Clerk is hereby authorized and directed to make said publications and to transmit, for receipt no later than August 11, 1994, a certified copy of this Ordinance to the Board of Supervisors of Marin County, with a copy to the County Clerk of Marin County and to any other appropriate official of Marin County responsible for preparing the ballots for said election.

7/26/94

Section 15. This Ordinance shall become effective immediately upon its adoption by two-thirds vote of all the members of this Council.

Paul Chignell
Mayor

AYES: Breen, Kroot, Yarish, Chignell

NOES: (None)

ABSTAIN: (None)

ABSENT: Zaharoff

Attest:

Caroline Foster
Town Clerk