

**Heer Property Acquisition
13th Street Bridge Widening**

**HEARING RECORD
Exhibit 1-B**

June 17, 2003
City Council Meeting

ORDINANCE NO. 742 N.S.

**AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
DEEMING IT NECESSARY TO INCUR A GENERAL
OBLIGATION BOND INDEBTEDNESS TO PAY FOR THE
COST OF CONSTRUCTION OF CERTAIN MUNICIPAL
IMPROVEMENTS AND FACILITIES AND SUBMITTING
THE PROPOSITION AT A CONSOLIDATED PRIMARY
ELECTION CALLED FOR JUNE 2, 1998**

The City Council of the City of El Paso de Robles does ordain as follows:

SECTION 1. *Bridge Expansions.*

There is an existing project to expand the following bridges located within the City by:

- a) Nibleck Bridge
- b) 13th Street Bridge

SECTION 2. *Public Safety Center.*

There is a pending project to construct a Public Safety Center within the City limits which would house the City's Emergency Services Department and Police Department

SECTION 3. *Barney Schwartz Park.*

There is an existing project to construct a municipal public park located within the City limits.

SECTION 4. *Airport Industrial Development Improvements.*

There is an existing project to expand and further develop the City's Airport Industrial Development Park.

SECTION 5. *Senior/Veterans Center.*

There is an existing project to construct a Senior/Veterans Center within the City limits.

SECTION 6. *Cuesta College Infrastructure Improvements.*

There is an existing project to construct infrastructure improvements for Cuesta College within the City limits.

SECTION 7. *Resolution No. 98-25.*

Resolution No. 98-25 was adopted by the City Council on the 3rd day of February, 1998, by which it was determined that the public interest and necessity demanded the construction of the aforementioned improvements and the acquisition of land in connection therewith, and determined that a General Obligation bond indebtedness should be incurred to pay for the costs thereof.

SECTION 8. *Necessity.*

The City Council does hereby find and declare that in order to assist in financing the construction of the aforesaid improvements and the acquisition of land in connection therewith, it is necessary to incur a General obligation bond indebtedness.

SECTION 9. Purpose.

The purpose for which the proposed debt is to be incurred is to provide funds necessary to pay for the total construction and land acquisition costs, and to pay all fees, costs and expenses (including, without being limited to, legal fees and bond printing costs) incidental to or connected with the authorization, issuance and sale of the bonds.

SECTION 10. Maximum Amount of Proposed Debt.

The maximum amount of the proposed debt to be incurred is \$38,000,000 which includes the fees, costs and expenses (including, without being limited to, legal fees and bond printing costs) incidental to or connected with the authorization, issuance and sale of the bonds.

SECTION 11. Term of the Bonds.

The maximum term of the bonds proposed to be issued shall not exceed a final maturity of September 1, 2027.

SECTION 12. Interest Rate.

The maximum rate of interest to be paid shall not exceed eight percent (8%) per annum, payable semiannually, except that interest for the first year in which bonds are issued may be payable at the end of that year.

SECTION 13. Levy of Ad Valorem Tax.

To pay the principal and interest on any bonds issued, the City proposes to annually levy an *ad valorem* tax on all non-exempt taxable property located within the boundaries of the City of El Paso de Robles, at a rate sufficient to make interest and principal payments on all outstanding bonds.

SECTION 14. Special Election.

By Resolution No. 98-26, the City Council has called for special municipal election to be consolidated with the County of San Luis Obispo's primary election to be held on June 2, 1998. Pursuant to the provisions of Title 4, Division 4, Chapter 4, Article 1 (Section 43600 et seq.) of the Government Code, as well as Section 53720-53724 of said Code the City Council hereby determines that there shall be submitted to the electors (voters) of the City of El Paso de Robles at the consolidated primary election to held on June 2, 1998, the proposition of whether to incur the General Obligation bond indebtedness for the aforesaid purpose and levy an *ad valorem* tax in connection therewith.

SECTION 15. Proposition Submitted.

The proposition to be submitted to the voters of the City of El Paso de Robles, and to be printed on ballots used at said election, shall read substantially as follows:

Shall the City of El Paso de Robles be authorized to issue general obligation bonds in the principal amount of \$38,000,000 bearing interest at rates within the legal limit for the purpose of acquiring property and to construct bridge expansions including Niblick Bridge; a Public Safety Center; Barney Schwartz Park; Airport Industrial Development Improvements; a Senior/Veterans Center; and Cuesta College Infrastructure Improvements?

The words "YES" and "NO" shall be printed on the ballots so that the voters may express their choice on the aforesaid proposition.

SECTION 16. Conduct of Election.

The election on said proposition shall be conducted in all particulars (including, without limitation, specification of precincts, polling places and officers of election) the same as the consolidated primary election scheduled to be held June 2, 1998, in the City of El Paso de Robles pursuant to Resolution No. 98-26, and the City Clerk is hereby authorized and directed to request the Board of Supervisors of the County of San Luis Obispo (the "County") to order the consolidation of the election and to contract with the County of San Luis Obispo Elections Department for the administration of the election on the aforesaid proposition. Without limiting the foregoing, with respect to the election on this proposition, all notices required by law shall be published by, and the date and place for submission of all written arguments for and against the proposition for inclusion in the ballot pamphlet shall be fixed by the County of San Luis Obispo.

SECTION 17. Posting and Publication.

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Pursuant to Government Code Section 436111, the City Clerk is hereby authorized and directed to cause this Ordinance to be posted in three public places in the City for a period of two consecutive weeks immediately after the date of its adoption. In addition, the City Clerk is authorized and directed to cause this Ordinance to be published once a day for seven consecutive days in the Country News Press, a newspaper of general circulation in the City of El Paso de Robles, published in the City, immediately following the date of its adoption.

SECTION 18. Effective Date.

This Ordinance shall be in full force and effect from and after the date of its adoption.

This Ordinance was INTRODUCED on the 3rd day of February, 1998, and PASSED AND ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting duly held on February 17, 1998, by the following vote:

- AYES: Baron, Iversen, Macklin, Swanson, and Picanco
- NOES: None
- ABSENT: None
- ABSTAIN: None



 Mayor Duane Picanco

ATTEST:



 Madelyn Paasch, City Clerk

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