

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 JUN 29 PM 7:50

TO: Office of the City Administrator
ATTN: Deborah Edgerly, City Administrator
FROM: Oakland Public Library
DATE: July 13, 2006

RE: Ordinance of the City of Oakland Ordering the Submission of a Ballot Measure to Incur Bonded Indebtedness for the Purposes of Library Facility Improvements, Expansion, Repairs, and New Construction to the Qualified Voters of the City of Oakland at an Election to be Held November 7, 2006; and

Resolution Determining and Declaring that the Public Interest and Necessity Demand Library Facility Improvements, Repairs and New Library Construction to be Financed Through the Issuance of General Obligation Bonds

SUMMARY

Based on extensive community feedback and a highly participatory community process, the Oakland Public Library has compiled a list of funding needs to be submitted to the voters for approval as part of a general obligation (GO) bond measure to appear on the November 7, 2006 election ballot. As the name of the bond measure implies, "The Neighborhood Library Improvement, Expansion, Repair and Construction Measure" would allow the City to sell bonds in order to raise funds for a variety of library upgrades, repairs, expansions and building of new facilities.

The projects have been categorized according to the following areas:

- Improve all existing facilities to better serve customers more effectively and efficiently.
- Supplement the system with new branches to meet unfilled needs.
- Provide top quality traditional and new services.
- Target services to meet different neighborhood and community needs.

In discussions with the community, City Administrator and City Council, several scenarios of project implementation were investigated and tested with results indicating a strong base of support for a general obligation bond. Consequently, staff recommends that Council adopt a resolution to place a measure on the November 7, 2006 ballot. There are five bond level scenarios that staff is presenting for Council review in the following chart:

Item: _____
Rules Committee
July 13, 2006

**Oakland Public Library
 2006 Draft Master Facilities Plan
 Options for Implementation**

Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
1	\$240,000,000 \$64.22/ \$100K AV*	Full Scope of Master Plan: 21 Branches Main Library at Kaiser	Per the Master Plan, improves all libraries, supplements the system with new branches and implements the Neighborhood and Community Library vision: Expansion: Asian, Brookfield, Dimond, Eastmont, MLK, Lakeview, Piedmont Ave, Rockridge, West Oakland Public Library Service Upgrades: AAMLO, Chavez, Elmhurst, Golden Gate, Melrose, Montclair, Temescal New Libraries: Hoover, Laurel, Oak Knoll (funded by developer), 81 st Avenue, San Antonio New Main: Per the Master Plan, a new 160,000 square feet Main Library within the Kaiser	Full Scope of Master Plan
2	\$200,000,000 \$53.52/ \$100K AV*	18 Selected Branches Main Library at Kaiser	Expansion: Asian, Brookfield, Dimond, Eastmont, MLK, Lakeview, Piedmont Ave, Rockridge, West Oakland Public Library <i>per the Master Plan</i> Service Upgrades: AAMLO, Chavez, Elmhurst, Golden Gate, Melrose, Montclair, Temescal <i>per the Master Plan</i> New Libraries: Laurel, Oak Knoll (funded by developer), 81 st Avenue <i>per the Master Plan</i> New Main: Reduced expansion of Main at Kaiser: 110,000 sq. ft./40,000 sq. ft. for future expansion and finish (Option is to leave 1-2 floors unfinished).	All Expansions as outlined in the Master Plan All Service Upgrades as outlined in the Master Plan No new libraries in Hoover, San Antonio Main Library reduced from 160,000 sq ft to 150,000 sq ft and finished at 110,000 sq ft (40,000 sq ft for future finish)

* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be dependent on prevailing market conditions at the time of bond issuance

**Oakland Public Library
 2006 Draft Master Facilities Plan
 Options for Implementation**

Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
3	\$157,000,000 \$42.01/ \$100K AV*	12 Selected Branches Main Library at Kaiser	Expansion: Asian, Dimond, Lakeview, Piedmont Ave, West Oakland <i>per the Master Plan</i> Service Upgrades: Brookfield, Eastmont, Elmhurst, Rockridge – mechanical, electrical, HVAC New Libraries: Laurel, Oak Knoll (funded by developer), 81 st Avenue <i>per the Master Plan</i> New Main: Reduced expansion of Main at Kaiser: 110,000 sq. ft./40,000 sq. ft. for future expansion and finish (Option is to leave 1-2 floors unfinished).	No expansion of Brookfield, Eastmont, Rockridge, MLK, No Service Updgrades to AAMLO, Chavez, Golden Gate, Melrose, Montclair, Temescal No new libraries in Hoover, San Antonio Main Library reduced from 160,000 sq ft to 150,000 sq ft and finished at 110,000 sq ft (40,000 sq ft for future finish)
4	\$123,000,000 \$32.91/ \$100K AV*	System-Wide Branch Libraries	Per the Master Plan, improves all libraries, supplements the system with new branches and implements the Neighborhood and Community Library vision No New Main Library	None
5	\$117,000,000 \$31.31/ \$100K AV*	Main Library at Kaiser Arena	Per the Master Plan, a new 160,000 square feet Main Library within the Kaiser No Upgraded/New Branches	None

* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be dependent on prevailing market conditions at the time of bond issuance

In order to raise funds for a variety of branch upgrades, repairs, expansions and building of new library branch facilities and potential construction of a new Main Library at the Henry J. Kaiser Convention Center, staff requests that City Council review and make a selection from the various funding level and facility improvement options that are presented with corresponding legislation.

FISCAL IMPACT

At the request of City Council, staff has prepared five different scenarios that provide what each bond level will fund in library facility improvements and are outlined in the above chart. The various optional funding levels that the Library is providing to Council for consideration are provided below with the estimated annual property taxes at \$100,000 per assessed value.

Funding Level	Full Scope of Master Plan: 21 Branches & Main at Kaiser Expansion	19 Selected Branches & Reduced Main at Kaiser Expansion	12 Selected Branches & Reduced Main at Kaiser Expansion	Branches Only as outlined in Master Plan	Main Library as outline in Master Plan
Bond Amount	\$240 M	\$200 M	\$157 M	\$123 M	\$117 M
AV per \$100K	\$64.22	\$53.52	\$42.01	\$32.91	\$31.31

If approved by the voters, the bond measure, as authorized by City Council, would allow (but not obligate) the City to sell bonds ranging from \$117,000,000 to \$240,000,000 for project implementation, dependent on the City Council approved resolution. However, to fully implement all the projects under the bond measure, the City would need to pursue funds for non-bondable costs, i.e., technology, furniture and other equipment. The Library is anticipating a capital campaign that would assist in the pursuit of grants, private funding and state appropriations.

The bond measure would provide funding for, among other things, handling deferred maintenance issues at the existing branch libraries. Through renovation the library would, to the extent possible, completely bring the branches up to current code requirements and incorporate contemporary library design and planning concepts, including new models of customer service and self-serve to better serve library patrons.

However, the bond measure does not include funding for the future operation and repairs of new facilities, as California law prohibits the use of bond funds for ongoing maintenance. The bond measure, if approved, would call for the City to accept increased financial responsibility for the operation and maintenance of new facilities.

The operating and maintenance costs, which are not part of this bond measure, will see a steady and gradual growth over the life of the Master Plan. Implementation of the Master Plan will be based upon a phased approach to construction that will distribute these increased personnel and service costs over a period of time, potentially a ten-year period.

The bonds would be issued not at one time but rather in a series of issuances and would be paid off through increases in homeowners' property taxes. It is estimated that the average tax

increase, depending on the bond amount, would not exceed \$32 to \$64 per year for every \$100,000 of assessed-property value. The Financial Services Agency will prepare a separate, detailed tax-rate statement for the project to be included in the voters' pamphlet, highlighting potential impacts to the City's annual debt service and to homeowners' property taxes.

However, it is important to note that even if the proposed bond measure is voter approved and supported by property taxes, it will result in increasing the City's overall debt burden. As City Council is aware, the City is currently considered to have a high debt burden and increasing the City's overall General Fund supported debt obligations may have an impact on the City's credit.

BACKGROUND

In 2002, the Oakland Public Library embarked on a Master Facilities Plan in response to the community's need for improved services, with the intent to plan for facilities to support these needs. A Draft Master Facilities Plan report (Draft Report) was issued and presented to City Council in September 2004 which articulates a vision for the branch libraries that is based on a highly participatory needs assessment process. The overall service recommendations and improvements respond to a system that needs revitalization to serve the people of Oakland.

The 2004 draft Master Facilities Plan identified a need for a revitalized and expanded Main Library service for the residents of Oakland. The current 82,500 square feet Main Library was designed for a different era, in the 1930's. Because of the war, construction was delayed until the late 1940's. By the time it opened in 1951, its design was outdated and outmoded. The majority of the books are warehoused in the original, multi-level, low ceiling core, which is off-limits to the public.

In June 2006, a revised Master Plan was presented to the community and it recommends improvements for every library, including a new Main – expansion, renovation, or new facility – in order to raise all neighborhoods toward the Library's service goals. The 2006 Draft Master Plan also developed an implementation plan with construction costs identified for the branch library improvements.

All of Oakland's libraries are candidates for renovation, enhancement or expansion. In some areas lacking services, new libraries are needed and recommended as part of the Master Plan and this bond measure. A preliminary needs assessment and building program identified a need for a new Main Library of 120,000 to 160,000 square feet. The differing amounts of the bond measure outside of the full scope of the Master Plan provides plans for a new Main at a reduced square footage (110,000 sf) with future finish build-out capability.

Due to years of deferred maintenance, lack of planning for modern technology and the general inefficient use of floor space, collections, services and space for staff and patrons, Oakland's public library buildings need, in some cases, major overhaul, as the Library plans for the next 50 years. Many of the libraries are stretched beyond their capacity and have little room to grow to accommodate the many needs of patrons. There are also under-served areas of the city without

good access to any facility, such as the Laurel District, the Hoover/Foster area, and the San Antonio neighborhood. The vision for the Oakland Public Library system is to improve all the libraries in the system and to supplement, when possible, the system with new branches in the underserved areas.

KEY ISSUES AND IMPACTS

All of the projects under “The Neighborhood Library Improvement, Expansion, Repair and Construction Measure” accomplish one or more of the fundamental objectives of the bond measure, depending on the level of bond funding:

- Improve existing facilities to better serve customers more effectively and efficiently;
- Supplement the system with new branches to meet unfulfilled needs;
- Install adequate electrical, plumbing and ventilation systems;
- Install public restrooms in all facilities lacking them;
- Develop larger community-sized libraries to be geographically distributed throughout the city; and
- Build a new Main Library, depending on the level of bond funding.

If a GO bond is approved at one of the various option levels, it will raise funds for a variety of upgrades, repairs, expansions and building of new facilities and potentially include a new Main, provided to the public as outlined above and in the Master Plan.

SUSTAINABLE OPPORTUNITIES

Economic: Libraries are destination points, drawing visitors from throughout the City and beyond. In many communities, it has been documented that branch libraries act as economic development anchors.

Environmental: As proposed in the Master Plan, the primary objective is to reuse and enhance many of the city’s libraries.

Social Equity: The Library is a great equalizer, with resources for all, and welcomes all members of the community. It reflects the rich diversity of Oakland with programs and materials for a wide variety of languages, cultures, lifestyles, and family types.

DISABILITY AND SENIOR CITIZEN ACCESS

The Library is a pillar of support for educational and recreational needs and provides resources and services to all members of the community. Libraries are disability accessible and include, in many of its locations, technology enhancements for the vision and hearing challenged.

RECOMMENDATION AND RATIONALE

It is recommended that Council support “The Neighborhood Library Improvement, Expansion, Repair and Construction Measure” in order to improve the Oakland Public Library system facilities, as requested by a broad cross-section of Oakland residents and to ensure adequate lifelong learning into the foreseeable future for youth and adults.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council adopt legislation to place the “The Neighborhood Library Improvement, Expansion, Repair and Construction Measure” on the November 7, 2006 ballot.

Respectfully submitted,



Carmen L. Martínez
Library Director

Prepared by:
Gerard G. Garzón
Deputy Director

APPROVED AND FORWARDED TO THE
RULES AND LEGISLATION COMMITTEE

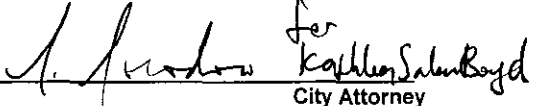


OFFICE OF THE CITY ADMINISTRATOR

OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7: 50

APPROVED AS TO FORM AND LEGALITY


Kathleen Salento Boyd
City Attorney

OAKLAND CITY COUNCIL
RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

**DETERMINING AND DECLARING THAT THE PUBLIC INTEREST AND
NECESSITY DEMAND LIBRARY FACILITY IMPROVEMENTS, REPAIRS AND
NEW LIBRARY CONSTRUCTION TO BE FINANCED THROUGH THE ISSUANCE
OF GENERAL OBLIGATION BONDS**

RESOLVED, By the City Council of the City of Oakland:

Section 1. It is hereby determined and declared that the public interest and necessity demand the rehabilitation, improvement, land acquisition, construction or reconstruction by the City of Oakland of library facilities for and related to the provision of library services including facility improvements for the libraries and all other works, property and structures as listed in Exhibit A attached to this Resolution and as necessary or convenient for the foregoing purposes.

Section 2. The cost of said improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City of Oakland and will require expenditure greater than the amount allowed therefore by the annual tax levy.

Section 3. it is necessary to incur a bonded indebtedness in the amount not to exceed \$240,000,000 to pay for the costs of the said municipal improvement, including legal or other fees incidental to or connected with the authorization, issuance, sale and/or incurrence, of bonded indebtedness and other costs and expenses incidental to or connected with the authorization, issuance, sale and/or incurrence of bonded indebtedness.

Section 4. This resolution shall take effect immediately.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

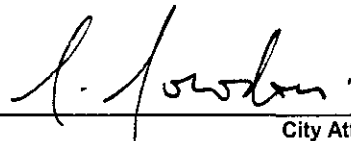
ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY



City Attorney

INTRODUCED BY COUNCILMEMBER _____

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

**AN ORDINANCE OF THE CITY OF OAKLAND ORDERING THE SUBMISSION OF A
BALLOT MEASURE TO INCUR BONDED INDEBTEDNESS NOT TO EXCEED
\$240,000,000 FOR THE PURPOSES OF LIBRARY FACILITY IMPROVEMENTS,
EXPANSION, REPAIRS AND NEW CONSTRUCTION TO THE QUALIFIED VOTERS
OF THE CITY OF OAKLAND AT AN ELECTION TO BE HELD NOVEMBER 7, 2006**

WHEREAS, the Oakland Public Library embarked on the development of a Master Facilities Plan in 2002 in response to the community's need for improved services, with the intent to plan for facilities to support these needs; and

WHEREAS, the Master Facilities Plan responds to recent fiscal crises that resulted in the community's support for its libraries through the passage of Measure Q (voter-approved parcel tax passed in March 2004 which increased funding for Oakland libraries); and

WHEREAS, the City of Oakland adopted the *2006 Draft Master Facilities Plan* that articulates a vision that is based on a highly participatory process and includes overall service recommendations and improvements for a revitalized system; and

WHEREAS, the *2006 Draft Master Facilities Plan* identifies specific improvement to facilities, including capital costs, and implementation strategies for the overall plan, such as funding options and phasing of improvements; and

WHEREAS, the *2006 Draft Master Facilities Plan* states:

“The needs of the Oakland Public Library do not represent a minor deficiency... additional library space is needed citywide in order to provide adequate library services to the diverse and unique population of Oakland. These services include the need for more tailored traditional services, such as collections and reading programs, as well as new services, such as technology access and training and literacy programs, many of which cannot happen in current facilities....”; and

WHEREAS, the residents of the City of Oakland, through opinion surveys, community meetings, focus groups and City Council public hearings, have strongly expressed support for library programs and services for children, pre-teens and teens, educational support for children, tutoring, homework assistance, strong collections, literacy skills, a sense of place, access to technology, employment support, job skills and career information, language and life skills programs and services, a variety of social, recreational, and enrichment programs and services that should be offered at the library; and

WHEREAS, the Oakland Public Libraries are, in many instances, stretched beyond their capacities and have little room to grow and accommodate the many needs of patrons; and

WHEREAS, the Master Plan pinpoints a few under-served areas of the city without good access to any facility, and identifies the need for new facilities to provide equity in services; and

WHEREAS, it is desirable to implement public priorities pursuant to the *2006 Draft Master Facilities Plan*, and develop public library facilities, and to ask voters to approve public investments for the implementation; and

WHEREAS, the vision for the Oakland Public Library system is to improve all the libraries in the system, to supplement the system with new branches in the underserved areas and to revitalize and expand the Main Library; and

WHEREAS, in order to provide for the issuance by the City of Oakland of general obligation bonds to finance improvements and acquisition described in Exhibit A, it is now necessary for the City Council to pass an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purposes to the qualified voters of the City of Oakland at an election held for that purpose; and

WHEREAS, the City Council therefore desires to submit said ballot measure to the qualified voters of the City at a general municipal election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Oakland does ordain as follows:

Section 1. A municipal election is hereby called and ordered to be held in the City of Oakland on November 7, 2006, at which election there shall be submitted to the qualified voters the ballot measure set forth below in Section 2.

Section 2. The following measure shall appear on the ballot for said municipal election in the following form:

MEASURE _____: To construct a new Main Library at the Henry J. Kaiser Convention Center and to acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$240,000,000 in bonds?

The City Council does hereby submit to the qualified voters of the City of Oakland, at the said municipal election, this Ordinance and the measure set forth above.

Section 3. The object and purpose of incurring the indebtedness is to acquire land and construct new library facilities for those areas of the city underserved and without good access to any library facility and to improve, renovate and expand library facilities as outlined in Exhibit A. The estimated cost of the improvements and acquisitions is Two Hundred Forty Million Dollars (\$240,000,000). This estimated cost includes legal and other fees, the cost of printing the bonds and expenses incidental to or connected with the issuance and sale of the bonds. The improvements, acquisition and construction to be funded by the net proceeds of the bonds shall be limited to those listed in Exhibit A attached to this Ordinance.

Section 4. The amount of the principal of the indebtedness to be incurred is not to exceed Two Hundred Forty Million Dollars (\$240,000,000). The cost of repayment of the bonds is projected to average no more than \$64.22 per year per \$100,000 of assessed property valuation, provided however that such projection shall not be construed to limit the power and duty of the City Council to cause to be levied and collected a tax sufficient to pay debt service on the bonds in any fiscal year.

Section 5. The maximum rate of interest to be paid on the indebtedness shall not exceed twelve percent (12%) per annum, or such higher rate as may be established for general obligation bonds of the City by the legislature of the State of California.

Section 6. The net proceeds of the bonds shall be deposited into a special trust account with the Treasury of the City of Oakland and shall be allocated and expended at the direction of the City Council of the City of Oakland for purposes set forth in this Ordinance. The City Council shall order an independent audit of the expenditure of bond proceeds no later than three years from the date of issuance of the bonds for such proceeds to ensure proceeds are being expended for purposes set forth in this Ordinance.

Section 7. The City Council does hereby submit to the qualified voters of the City, at said municipal election, the ordinance and ballot measure set forth in Section 1. The City proposes to rehabilitate, renovate, acquire or construct the improvements referenced herein and to issue and sell general obligation bonds of the City of Oakland pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title IV of the Government Code of the State of California, 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 ballot measure vote in favor thereof. The bonds are to be general obligations of the City of Oakland 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 City.

Section 8. That each ballot used at said election must have printed thereon, in addition to any other matter required by law, the following:

<p>MEASURE _____ : THE NEIGHBORHOOD LIBRARY IMPROVEMENT, EXPANSION, REPAIR, AND CONSTRUCTION MEASURE</p> <p>To construct a new Main Library at the Henry J. Kaiser Convention Center and to acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$240,000,000 in bonds?</p>	<p>YES</p>	<p>NO</p>
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Section 9. All persons qualified to vote at the general municipal election in the City of Oakland upon the date of the election shall be qualified to vote upon the ballot measure submitted at said general election.

Section 10. 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 City, or once a week for two weeks in a newspaper printed, published and circulated less than six days a week in the City. The first of said publications shall be made, in either event, within fifteen (15) days after the final adoption of this Ordinance. The City Clerk is hereby authorized and directed to make said publications.

Section 11. The City Clerk of the City of Oakland is hereby directed to submit to the City Attorney a certified copy of the ballot measure set forth in this Ordinance. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the ballot measure on the existing law and the operation of the measure, which shall be mailed to the voters with the sample ballot for the special election. Said impartial analysis shall be submitted by the City Attorney to the County Clerk of the County of Alameda for printing before the arguments supporting and opposing the measure are due. The City Attorney's impartial analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Election Code of the State of California.

Section 12. The Director of Finance is hereby directed to prepare or cause to be prepared a statement, which shall be mailed to the voters with the sample ballot for the special election. This statement shall include:

- (1) The best estimate from official sources of the tax rate, which would be required to be levied to fund the bond issue during the first fiscal year after the first sale of the bonds based on assessed valuations available at the time of the special election or a

projection based on experience within the same jurisdiction or other demonstrable factors.

- (2) The best estimate from official sources of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds if the bonds are proposed to be sold in series and an estimate of the year in which the rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.
- (3) The best estimate from official sources of the highest tax rate which would be required to be levied to fund the bond issue and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

Section 13. The special municipal election called for by this Ordinance shall be, and is hereby ordered consolidated with the statewide general election to be held within the City of Oakland on November 7, 2006. The elections hereby consolidated shall be held in all respects as if there were only one election and only one form of ballot shall be used. All persons qualified to vote at the general statewide election in the City of Oakland upon the date of the election herein provided for shall be qualified to vote on the ballot measure submitted at said special election. Ballots for the election shall be provided in the form and in the number provided by law.

Section 14. The City Clerk is hereby directed to file with the Board of Supervisors of the County of Alameda a certified copy of this Ordinance immediately upon its adoption.

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

THE NEIGHBORHOOD LIBRARY IMPROVEMENT, REPAIR, AND CONSTRUCTION MEASURE

\$240,000,000

\$64.22 per \$100K AV

Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
1	\$240,000,000 \$64.22/100 AV*	Full Scope of Master Plan: 21 Branches Main Library at Kaiser	Per the Master Plan, improves all libraries, supplements the system with new branches and implements the Neighborhood and Community Library vision: Expansion: Asian, Brookfield, Dimond, Eastmont, MLK, Lakeview, Piedmont Ave, Rockridge, West Oakland Public Library Service Upgrades: AAMLO, Chavez, Elmhurst, Golden Gate, Melrose, Montclair, Temescal New Libraries: Hoover, Laurel, Oak Knoll (funded by developer), 81st Avenue, San Antonio New Main: Per the Master Plan, a new 160,000 square feet Main Library within the Kaiser	Full Scope of Master Plan

* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be dependent on prevailing market conditions at the time of bond issuance.

OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY

[Signature] for *Kathleen*
Salen Boyd
City Attorney

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

**DETERMINING AND DECLARING THAT THE PUBLIC INTEREST AND
NECESSITY DEMAND LIBRARY FACILITY IMPROVEMENTS, REPAIRS AND
NEW LIBRARY CONSTRUCTION TO BE FINANCED THROUGH THE ISSUANCE
OF GENERAL OBLIGATION BONDS**

RESOLVED, By the City Council of the City of Oakland:

Section 1. It is hereby determined and declared that the public interest and necessity demand the rehabilitation, improvement, land acquisition, construction or reconstruction by the City of Oakland of library facilities for and related to the provision of library services including facility improvements for the libraries and all other works, property and structures as listed in Exhibit A attached to this Resolution and as necessary or convenient for the foregoing purposes.

Section 2. The cost of said improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City of Oakland and will require expenditure greater than the amount allowed therefore by the annual tax levy.

Section 3. it is necessary to incur a bonded indebtedness in the amount not to exceed \$200,000,000 to pay for the costs of the said municipal improvement, including legal or other fees incidental to or connected with the authorization, issuance, sale and/or incurrence, of bonded indebtedness and other costs and expenses incidental to or connected with the authorization, issuance, sale and/or incurrence of bonded indebtedness.

Section 4. This resolution shall take effect immediately.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

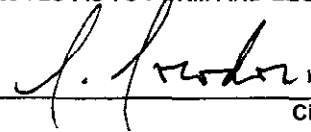
ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY



City Attorney

INTRODUCED BY COUNCILMEMBER _____

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

AN ORDINANCE OF THE CITY OF OAKLAND ORDERING THE SUBMISSION OF A BALLOT MEASURE TO INCUR BONDED INDEBTEDNESS NOT TO EXCEED \$200,000,000 FOR THE PURPOSES OF LIBRARY FACILITY IMPROVEMENTS, EXPANSION, REPAIRS AND NEW CONSTRUCTION TO THE QUALIFIED VOTERS OF THE CITY OF OAKLAND AT AN ELECTION TO BE HELD NOVEMBER 7, 2006

WHEREAS, the Oakland Public Library embarked on the development of a Master Facilities Plan in 2002 in response to the community's need for improved services, with the intent to plan for facilities to support these needs; and

WHEREAS, the Master Facilities Plan responds to recent fiscal crises that resulted in the community's support for its libraries through the passage of Measure Q (voter-approved parcel tax passed in March 2004 which increased funding for Oakland libraries); and

WHEREAS, the City of Oakland adopted the *2006 Draft Master Facilities Plan* that articulates a vision that is based on a highly participatory process and includes overall service recommendations and improvements for a revitalized system; and

WHEREAS, the *2006 Draft Master Facilities Plan* identifies specific improvement to facilities, including capital costs, and implementation strategies for the overall plan, such as funding options and phasing of improvements; and

WHEREAS, the *2006 Draft Master Facilities Plan* states:

"The needs of the Oakland Public Library do not represent a minor deficiency...additional library space is needed citywide in order to provide adequate library services to the diverse and unique population of Oakland. These services include the need for more tailored traditional services, such as collections and reading programs, as well as new services, such as technology access and training and literacy programs, many of which cannot happen in current facilities...."; and

Item: _____
Rules Committee
July 13, 2006

WHEREAS, the residents of the City of Oakland, through opinion surveys, community meetings, focus groups and City Council public hearings, have strongly expressed support for library programs and services for children, pre-teens and teens, educational support for children, tutoring, homework assistance, strong collections, literacy skills, a sense of place, access to technology, employment support, job skills and career information, language and life skills programs and services, a variety of social, recreational, and enrichment programs and services that should be offered at the library; and

WHEREAS, the Oakland Public Libraries are, in many instances, stretched beyond their capacities and have little room to grow and accommodate the many needs of patrons; and

WHEREAS, the Master Plan pinpoints a few under-served areas of the city without good access to any facility, and identifies the need for new facilities to provide equity in services; and

WHEREAS, it is desirable to implement public priorities pursuant to the *2006 Draft Master Facilities Plan*, and develop public library facilities, and to ask voters to approve public investments for the implementation; and

WHEREAS, the vision for the Oakland Public Library system is to improve all the libraries in the system, to supplement the system with new branches in the underserved areas and to revitalize and expand the Main Library; and

WHEREAS, in order to provide for the issuance by the City of Oakland of general obligation bonds to finance improvements and acquisition described in Exhibit A, it is now necessary for the City Council to pass an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purposes to the qualified voters of the City of Oakland at an election held for that purpose; and

WHEREAS, the City Council therefore desires to submit said ballot measure to the qualified voters of the City at a general municipal election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Oakland does ordain as follows:

Section 1. A municipal election is hereby called and ordered to be held in the City of Oakland on November 7, 2006, at which election there shall be submitted to the qualified voters the ballot measure set forth below in Section 2.

Section 2. The following measure shall appear on the ballot for said municipal election in the following form:

MEASURE ____: To construct a new Main Library at the Henry J. Kaiser Convention Center and to acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$200,000,000 in bonds?

The City Council does hereby submit to the qualified voters of the City of Oakland, at the said municipal election, this Ordinance and the measure set forth above.

Section 3. The object and purpose of incurring the indebtedness is to acquire land and construct new library facilities for those areas of the city underserved and without good access to any library facility and to improve, renovate and expand library facilities as outlined in Exhibit A. The estimated cost of the improvements and acquisitions is Two Hundred Million Dollars (\$200,000,000). This estimated cost includes legal and other fees, the cost of printing the bonds and expenses incidental to or connected with the issuance and sale of the bonds. The improvements, acquisition and construction to be funded by the net proceeds of the bonds shall be limited to those listed in Exhibit A attached to this Ordinance.

Section 4. The amount of the principal of the indebtedness to be incurred is not to exceed Two Hundred Million Dollars (\$200,000,000). The cost of repayment of the bonds is projected to average no more than \$54.00 per year per \$100,000 of assessed property valuation, provided however that such projection shall not be construed to limit the power and duty of the City Council to cause to be levied and collected a tax sufficient to pay debt service on the bonds in any fiscal year.

Section 5. The maximum rate of interest to be paid on the indebtedness shall not exceed twelve percent (12%) per annum, or such higher rate as may be established for general obligation bonds of the City by the legislature of the State of California.

Section 6. The net proceeds of the bonds shall be deposited into a special trust account with the Treasury of the City of Oakland and shall be allocated and expended at the direction of the City Council of the City of Oakland for purposes set forth in this Ordinance. The City Council shall order an independent audit of the expenditure of bond proceeds no later than three years from the date of issuance of the bonds for such proceeds to ensure proceeds are being expended for purposes set forth in this Ordinance.

Section 7. The City Council does hereby submit to the qualified voters of the City, at said municipal election, the ordinance and ballot measure set forth in Section 1. The City proposes to rehabilitate, renovate, acquire or construct the improvements referenced herein and to issue and sell general obligation bonds of the City of Oakland pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title IV of the Government Code of the State of California, 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 ballot measure vote in favor thereof. The bonds are to be general obligations of the City of Oakland 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 City.

Section 8. That each ballot used at said election must have printed thereon, in addition to any other matter required by law, the following:

<p>MEASURE ____ : THE NEIGHBORHOOD LIBRARY IMPROVEMENT, EXPANSION, REPAIR, AND CONSTRUCTION MEASURE</p> <p>To construct a new Main Library at the Henry J. Kaiser Convention Center and to acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$200,000,000 in bonds?</p>	<p>YES</p>	<p>NO</p>
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Section 9. All persons qualified to vote at the general municipal election in the City of Oakland upon the date of the election shall be qualified to vote upon the ballot measure submitted at said general election.

Section 10. 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 City, or once a week for two weeks in a newspaper printed, published and circulated less than six days a week in the City. The first of said publications shall be made, in either event, within fifteen (15) days after the final adoption of this Ordinance. The City Clerk is hereby authorized and directed to make said publications.

Section 11. The City Clerk of the City of Oakland is hereby directed to submit to the City Attorney a certified copy of the ballot measure set forth in this Ordinance. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the ballot measure on the existing law and the operation of the measure, which shall be mailed to the voters with the sample ballot for the special election. Said impartial analysis shall be submitted by the City Attorney to the County Clerk of the County of Alameda for printing before the arguments supporting and opposing the measure are due. The City Attorney's impartial analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Election Code of the State of California.

Section 12. The Director of Finance is hereby directed to prepare or cause to be prepared a statement, which shall be mailed to the voters with the sample ballot for the special election. This statement shall include:

- (1) The best estimate from official sources of the tax rate, which would be required to be levied to fund the bond issue during the first fiscal year after the first sale of the bonds based on assessed valuations available at the time of the special election or a

projection based on experience within the same jurisdiction or other demonstrable factors.

- (2) The best estimate from official sources of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds if the bonds are proposed to be sold in series and an estimate of the year in which the rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.
- (3) The best estimate from official sources of the highest tax rate which would be required to be levied to fund the bond issue and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

Section 13. The special municipal election called for by this Ordinance shall be, and is hereby ordered consolidated with the statewide general election to be held within the City of Oakland on November 7, 2006. The elections hereby consolidated shall be held in all respects as if there were only one election and only one form of ballot shall be used. All persons qualified to vote at the general statewide election in the City of Oakland upon the date of the election herein provided for shall be qualified to vote on the ballot measure submitted at said special election. Ballots for the election shall be provided in the form and in the number provided by law.

Section 14. The City Clerk is hereby directed to file with the Board of Supervisors of the County of Alameda a certified copy of this Ordinance immediately upon its adoption.

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

THE NEIGHBORHOOD LIBRARY IMPROVEMENT, REPAIR, AND CONSTRUCTION MEASURE

\$200,000,000
\$53.52 per \$100K AV

Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be				
2	\$200,000,000 \$53.52/ \$100K AV*	18 Selected Branches Main Library at Kaiser	Expansion: Asian, Brookfield, Dimond, Eastmont, MLK, Lakeview, Piedmont Ave, Rockridge, West Oakland Public Library <i>per the Master Plan</i> Service Upgrades: AAMLO, Chavez, Elmhurst, Golden Gate, Melrose, Montclair, Temescal <i>per the Master Plan</i> New Libraries: Laurel, Oak Knoll (funded by developer), 81st Avenue <i>per the Master Plan</i> New Main: Reduced expansion of Main at Kaiser: 110,000 sq. ft./40,000 sq. ft. for future expansion and finish (Option is to leave 1-2 floors unfinished).	All Expansions as outlined in the Master Plan All Service Upgrades as outlined in the Master Plan No new libraries in Hoover, San Antonio Main Library reduced from 160,000 sq ft to 150,000 sq ft and finished at 110,000 sq ft (40,000 sq ft for future finish)

dependent on prevailing market conditions at the time of bond issuance.

OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY

A. J. ... for Kathleen S. ...
City Attorney

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

**DETERMINING AND DECLARING THAT THE PUBLIC INTEREST AND
NECESSITY DEMAND LIBRARY FACILITY IMPROVEMENTS, REPAIRS AND
NEW LIBRARY CONSTRUCTION TO BE FINANCED THROUGH THE ISSUANCE
OF GENERAL OBLIGATION BONDS**

RESOLVED, By the City Council of the City of Oakland:

Section 1. It is hereby determined and declared that the public interest and necessity demand the rehabilitation, improvement, land acquisition, construction or reconstruction by the City of Oakland of library facilities for and related to the provision of library services including facility improvements for the libraries and all other works, property and structures as listed in Exhibit A attached to this Resolution and as necessary or convenient for the foregoing purposes.

Section 2. The cost of said improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City of Oakland and will require expenditure greater than the amount allowed therefore by the annual tax levy.

Section 3. it is necessary to incur a bonded indebtedness in the amount not to exceed \$157,000,000 to pay for the costs of the said municipal improvement, including legal or other fees incidental to or connected with the authorization, issuance, sale and/or incurrence, of bonded indebtedness and other costs and expenses incidental to or connected with the authorization, issuance, sale and/or incurrence of bonded indebtedness.

Section 4. This resolution shall take effect immediately.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

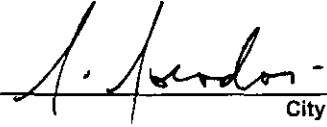
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER _____



City Attorney

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

**AN ORDINANCE OF THE CITY OF OAKLAND ORDERING THE SUBMISSION OF A
BALLOT MEASURE TO INCUR BONDED INDEBTEDNESS NOT TO EXCEED
\$157,000,000 FOR THE PURPOSES OF LIBRARY FACILITY IMPROVEMENTS,
EXPANSION, REPAIRS AND NEW CONSTRUCTION TO THE QUALIFIED VOTERS
OF THE CITY OF OAKLAND AT AN ELECTION TO BE HELD NOVEMBER 7, 2006**

WHEREAS, the Oakland Public Library embarked on the development of a Master Facilities Plan in 2002 in response to the community's need for improved services, with the intent to plan for facilities to support these needs; and

WHEREAS, the Master Facilities Plan responds to recent fiscal crises that resulted in the community's support for its libraries through the passage of Measure Q (voter-approved parcel tax passed in March 2004 which increased funding for Oakland libraries); and

WHEREAS, the City of Oakland adopted the *2006 Draft Master Facilities Plan* that articulates a vision that is based on a highly participatory process and includes overall service recommendations and improvements for a revitalized system; and

WHEREAS, the *2006 Draft Master Facilities Plan* identifies specific improvement to facilities, including capital costs, and implementation strategies for the overall plan, such as funding options and phasing of improvements; and

WHEREAS, the *2006 Draft Master Facilities Plan* states:

"The needs of the Oakland Public Library do not represent a minor deficiency...additional library space is needed citywide in order to provide adequate library services to the diverse and unique population of Oakland. These services include the need for more tailored traditional services, such as collections and reading programs, as well as new services, such as technology access and training and literacy programs, many of which cannot happen in current facilities..."; and

Item: _____
Rules Committee
July 13, 2006

WHEREAS, the residents of the City of Oakland, through opinion surveys, community meetings, focus groups and City Council public hearings, have strongly expressed support for library programs and services for children, pre-teens and teens, educational support for children, tutoring, homework assistance, strong collections, literacy skills, a sense of place, access to technology, employment support, job skills and career information, language and life skills programs and services, a variety of social, recreational, and enrichment programs and services that should be offered at the library; and

WHEREAS, the Oakland Public Libraries are, in many instances, stretched beyond their capacities and have little room to grow and accommodate the many needs of patrons; and

WHEREAS, the Master Plan pinpoints a few under-served areas of the city without good access to any facility, and identifies the need for new facilities to provide equity in services; and

WHEREAS, it is desirable to implement public priorities pursuant to the *2006 Draft Master Facilities Plan*, and develop public library facilities, and to ask voters to approve public investments for the implementation; and

WHEREAS, the vision for the Oakland Public Library system is to improve all the libraries in the system, to supplement the system with new branches in the underserved areas and to revitalize and expand the Main Library; and

WHEREAS, in order to provide for the issuance by the City of Oakland of general obligation bonds to finance improvements and acquisition described in Exhibit A, it is now necessary for the City Council to pass an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purposes to the qualified voters of the City of Oakland at an election held for that purpose; and

WHEREAS, the City Council therefore desires to submit said ballot measure to the qualified voters of the City at a general municipal election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Oakland does ordain as follows:

Section 1. A municipal election is hereby called and ordered to be held in the City of Oakland on November 7, 2006, at which election there shall be submitted to the qualified voters the ballot measure set forth below in Section 2.

Section 2. The following measure shall appear on the ballot for said municipal election in the following form:

MEASURE _____: To construct a new Main Library at the Henry J. Kaiser Convention Center and to acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$157,000,000 in bonds?

The City Council does hereby submit to the qualified voters of the City of Oakland, at the said municipal election, this Ordinance and the measure set forth above.

Section 3. The object and purpose of incurring the indebtedness is to acquire land and construct new library facilities for those areas of the city underserved and without good access to any library facility and to improve, renovate and expand library facilities as outlined in Exhibit A. The estimated cost of the improvements and acquisitions is One Hundred and Fifty-Seven Million Dollars (\$157,000,000). This estimated cost includes legal and other fees, the cost of printing the bonds and expenses incidental to or connected with the issuance and sale of the bonds. The improvements, acquisition and construction to be funded by the net proceeds of the bonds shall be limited to those listed in Exhibit A attached to this Ordinance.

Section 4. The amount of the principal of the indebtedness to be incurred is not to exceed One Hundred and Fifty-Seven Million Dollars (\$157,000,000). The cost of repayment of the bonds is projected to average no more than \$42.01 per year per \$100,000 of assessed property valuation, provided however that such projection shall not be construed to limit the power and duty of the City Council to cause to be levied and collected a tax sufficient to pay debt service on the bonds in any fiscal year.

Section 5. The maximum rate of interest to be paid on the indebtedness shall not exceed twelve percent (12%) per annum, or such higher rate as may be established for general obligation bonds of the City by the legislature of the State of California.

Section 6. The net proceeds of the bonds shall be deposited into a special trust account with the Treasury of the City of Oakland and shall be allocated and expended at the direction of the City Council of the City of Oakland for purposes set forth in this Ordinance. The City Council shall order an independent audit of the expenditure of bond proceeds no later than three years from the date of issuance of the bonds for such proceeds to ensure proceeds are being expended for purposes set forth in this Ordinance.

Section 7. The City Council does hereby submit to the qualified voters of the City, at said municipal election, the ordinance and ballot measure set forth in Section 1. The City proposes to rehabilitate, renovate, acquire or construct the improvements referenced herein and to issue and sell general obligation bonds of the City of Oakland pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title IV of the Government Code of the State of California, 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 ballot measure vote in

favor thereof. The bonds are to be general obligations of the City of Oakland 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 City.

Section 8. That each ballot used at said election must have printed thereon, in addition to any other matter required by law, the following:

<p>MEASURE ____ : THE NEIGHBORHOOD LIBRARY IMPROVEMENT, EXPANSION, REPAIR, AND CONSTRUCTION MEASURE</p> <p>To construct a new Main Library at the Henry J. Kaiser Convention Center and to acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$157,000,000 in bonds?</p>	<p>YES</p>	<p>NO</p>
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Section 9. All persons qualified to vote at the general municipal election in the City of Oakland upon the date of the election shall be qualified to vote upon the ballot measure submitted at said general election.

Section 10. 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 City, or once a week for two weeks in a newspaper printed, published and circulated less than six days a week in the City. The first of said publications shall be made, in either event, within fifteen (15) days after the final adoption of this Ordinance. The City Clerk is hereby authorized and directed to make said publications.

Section 11. The City Clerk of the City of Oakland is hereby directed to submit to the City Attorney a certified copy of the ballot measure set forth in this Ordinance. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the ballot measure on the existing law and the operation of the measure, which shall be mailed to the voters with the sample ballot for the special election. Said impartial analysis shall be submitted by the City Attorney to the County Clerk of the County of Alameda for printing before the arguments supporting and opposing the measure are due. The City Attorney's impartial analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Election Code of the State of California.

Section 12. The Director of Finance is hereby directed to prepare or cause to be prepared a statement, which shall be mailed to the voters with the sample ballot for the special election. This statement shall include:

- (1) The best estimate from official sources of the tax rate, which would be required to be levied to fund the bond issue during the first fiscal year after the first sale of the bonds based on assessed valuations available at the time of the special election or a

projection based on experience within the same jurisdiction or other demonstrable factors.

(2) The best estimate from official sources of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds if the bonds are proposed to be sold in series and an estimate of the year in which the rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

(3) The best estimate from official sources of the highest tax rate which would be required to be levied to fund the bond issue and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

Section 13. The special municipal election called for by this Ordinance shall be, and is hereby ordered consolidated with the statewide general election to be held within the City of Oakland on November 7, 2006. The elections hereby consolidated shall be held in all respects as if there were only one election and only one form of ballot shall be used. All persons qualified to vote at the general statewide election in the City of Oakland upon the date of the election herein provided for shall be qualified to vote on the ballot measure submitted at said special election. Ballots for the election shall be provided in the form and in the number provided by law.

Section 14. The City Clerk is hereby directed to file with the Board of Supervisors of the County of Alameda a certified copy of this Ordinance immediately upon its adoption.

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

Item: _____
Rules Committee
July 13, 2006

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

THE NEIGHBORHOOD LIBRARY IMPROVEMENT, REPAIR, AND CONSTRUCTION MEASURE

\$157,000,000
\$42.01 per \$100K AV

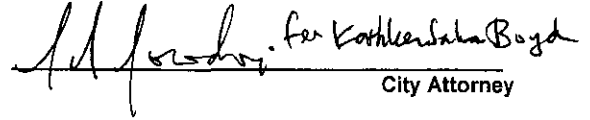
Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
3	<p>\$157,000,000</p> <p>\$42.01/ \$100K AV*</p>	<p>12 Selected Branches Main Library at Kaiser</p>	<p>Expansion: Asian, Dimond, Lakeview, Piedmont Ave, West Oakland <i>per the Master Plan</i></p> <p>Service Upgrades: Brookfield, Eastmont, Elmhurst, Rockridge – mechanical, electrical, HVAC</p> <p>New Libraries: Laurel, Oak Knoll (funded by developer), 81st Avenue <i>per the Master Plan</i></p> <p>New Main: Reduced expansion of Main at Kaiser: 110,000 sq. ft./40,000 sq. ft. for future expansion and finish (Option is to leave 1-2 floors unfinished).</p>	<p>No expansion of Brookfield, Eastmont, Rockridge, MLK,</p> <p>No Service Upgrades to AAMLO, Chavez, Golden Gate, Melrose, Montclair, Temescal</p> <p>No new libraries in Hoover, San Antonio</p> <p>Main Library reduced from 160,000 sq ft to 150,000 sq ft and finished at 110,000 sq ft (40,000 sq ft for future finish)</p>

* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be dependent on prevailing market conditions at the time of bond issuance.

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY


City Attorney

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

**DETERMINING AND DECLARING THAT THE PUBLIC INTEREST AND
NECESSITY DEMAND LIBRARY FACILITY IMPROVEMENTS, REPAIRS AND
NEW LIBRARY CONSTRUCTION TO BE FINANCED THROUGH THE ISSUANCE
OF GENERAL OBLIGATION BONDS**

RESOLVED, By the City Council of the City of Oakland:

Section 1. It is hereby determined and declared that the public interest and necessity demand the rehabilitation, improvement, land acquisition, construction or reconstruction by the City of Oakland of library facilities for and related to the provision of library services including facility improvements for the libraries and all other works, property and structures as listed in Exhibit A attached to this Resolution and as necessary or convenient for the foregoing purposes.

Section 2. The cost of said improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City of Oakland and will require expenditure greater than the amount allowed therefore by the annual tax levy.

Section 3. it is necessary to incur a bonded indebtedness in the amount not to exceed \$123,000,000 to pay for the costs of the said municipal improvement, including legal or other fees incidental to or connected with the authorization, issuance, sale and/or incurrence, of bonded indebtedness and other costs and expenses incidental to or connected with the authorization, issuance, sale and/or incurrence of bonded indebtedness.

Section 4. This resolution shall take effect immediately.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER _____

City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE OF THE CITY OF OAKLAND ORDERING THE SUBMISSION OF A BALLOT MEASURE TO INCUR BONDED INDEBTEDNESS NOT TO EXCEED \$123,000,000 FOR THE PURPOSES OF LIBRARY FACILITY IMPROVEMENTS, EXPANSION, REPAIRS AND NEW CONSTRUCTION TO THE QUALIFIED VOTERS OF THE CITY OF OAKLAND AT AN ELECTION TO BE HELD NOVEMBER 7, 2006

WHEREAS, the Oakland Public Library embarked on the development of a Master Facilities Plan in 2002 in response to the community's need for improved services, with the intent to plan for facilities to support these needs; and

WHEREAS, the Master Facilities Plan responds to recent fiscal crises that resulted in the community's support for its libraries through the passage of Measure Q (voter-approved parcel tax passed in March 2004 which increased funding for Oakland libraries); and

WHEREAS, the City of Oakland adopted the *2006 Draft Master Facilities Plan* that articulates a vision that is based on a highly participatory process and includes overall service recommendations and improvements for a revitalized system; and

WHEREAS, the *2006 Draft Master Facilities Plan* identifies specific improvement to facilities, including capital costs, and implementation strategies for the overall plan, such as funding options and phasing of improvements; and

WHEREAS, the *2006 Draft Master Facilities Plan* states:

“The needs of the Oakland Public Library do not represent a minor deficiency...additional library space is needed citywide in order to provide adequate library services to the diverse and unique population of Oakland. These services include the need for more tailored traditional services, such as collections and reading programs, as well as new services, such as technology access and training and literacy programs, many of which cannot happen in current facilities...”; and

Item: _____
Rules Committee
July 13, 2006

WHEREAS, the residents of the City of Oakland, through opinion surveys, community meetings, focus groups and City Council public hearings, have strongly expressed support for library programs and services for children, pre-teens and teens, educational support for children, tutoring, homework assistance, strong collections, literacy skills, a sense of place, access to technology, employment support, job skills and career information, language and life skills programs and services, a variety of social, recreational, and enrichment programs and services that should be offered at the library; and

WHEREAS, the Oakland Public Libraries are, in many instances, stretched beyond their capacities and have little room to grow and accommodate the many needs of patrons; and

WHEREAS, the Master Plan pinpoints a few under-served areas of the city without good access to any facility, and identifies the need for new facilities to provide equity in services; and

WHEREAS, it is desirable to implement public priorities pursuant to the *2006 Draft Master Facilities Plan*, and develop public library facilities, and to ask voters to approve public investments for the implementation; and

WHEREAS, the vision for the Oakland Public Library system is to improve all the libraries in the system, to supplement the system with new branches in the underserved areas and to revitalize and expand the Main Library; and

WHEREAS, in order to provide for the issuance by the City of Oakland of general obligation bonds to finance improvements and acquisition described in Exhibit A, it is now necessary for the City Council to pass an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purposes to the qualified voters of the City of Oakland at an election held for that purpose; and

WHEREAS, the City Council therefore desires to submit said ballot measure to the qualified voters of the City at a general municipal election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Oakland does ordain as follows:

Section 1. A municipal election is hereby called and ordered to be held in the City of Oakland on November 7, 2006, at which election there shall be submitted to the qualified voters the ballot measure set forth below in Section 2.

Section 2. The following measure shall appear on the ballot for said municipal election in the following form:

MEASURE _____: To acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$123,000,000 in bonds?

The City Council does hereby submit to the qualified voters of the City of Oakland, at the said municipal election, this Ordinance and the measure set forth above.

Section 3. The object and purpose of incurring the indebtedness is to acquire land and construct new library facilities for those areas of the city underserved and without good access to any library facility and to improve, renovate and expand library facilities as outlined in Exhibit A. The estimated cost of the improvements and acquisitions is One Hundred Twenty Three Million Dollars (\$123,000,000). This estimated cost includes legal and other fees, the cost of printing the bonds and expenses incidental to or connected with the issuance and sale of the bonds. The improvements, acquisition and construction to be funded by the net proceeds of the bonds shall be limited to those listed in Exhibit A attached to this Ordinance.

Section 4. The amount of the principal of the indebtedness to be incurred is not to exceed One Hundred Twenty Three Million Dollars (\$123,000,000). The cost of repayment of the bonds is projected to average no more than \$32.91 per year per \$100,000 of assessed property valuation, provided however that such projection shall not be construed to limit the power and duty of the City Council to cause to be levied and collected a tax sufficient to pay debt service on the bonds in any fiscal year.

Section 5. The maximum rate of interest to be paid on the indebtedness shall not exceed twelve percent (12%) per annum, or such higher rate as may be established for general obligation bonds of the City by the legislature of the State of California.

Section 6. The net proceeds of the bonds shall be deposited into a special trust account with the Treasury of the City of Oakland and shall be allocated and expended at the direction of the City Council of the City of Oakland for purposes set forth in this Ordinance. The City Council shall order an independent audit of the expenditure of bond proceeds no later than three years from the date of issuance of the bonds for such proceeds to ensure proceeds are being expended for purposes set forth in this Ordinance.

Section 7. The City Council does hereby submit to the qualified voters of the City, at said municipal election, the ordinance and ballot measure set forth in Section 1. The City proposes to rehabilitate, renovate, acquire or construct the improvements referenced herein and to issue and sell general obligation bonds of the City of Oakland pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title IV of the Government Code of the State of California, 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 ballot measure vote in favor thereof. The bonds are to be general obligations of the City of Oakland 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 City.

Section 8. That each ballot used at said election must have printed thereon, in addition to any other matter required by law, the following:

<p>MEASURE ____ : THE NEIGHBORHOOD LIBRARY IMPROVEMENT, EXPANSION, REPAIR, AND CONSTRUCTION MEASURE</p>		
<p>To acquire land and construct new branch library facilities and to renovate and expand branch library facilities, shall the City of Oakland issue \$123,000,000 in bonds?</p>	<p>YES</p>	<p>NO</p>

Section 9. All persons qualified to vote at the general municipal election in the City of Oakland upon the date of the election shall be qualified to vote upon the ballot measure submitted at said general election.

Section 10. 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 City, or once a week for two weeks in a newspaper printed, published and circulated less than six days a week in the City. The first of said publications shall be made, in either event, within fifteen (15) days after the final adoption of this Ordinance. The City Clerk is hereby authorized and directed to make said publications.

Section 11. The City Clerk of the City of Oakland is hereby directed to submit to the City Attorney a certified copy of the ballot measure set forth in this Ordinance. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the ballot measure on the existing law and the operation of the measure, which shall be mailed to the voters with the sample ballot for the special election. Said impartial analysis shall be submitted by the City Attorney to the County Clerk of the County of Alameda for printing before the arguments supporting and opposing the measure are due. The City Attorney's impartial analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Election Code of the State of California.

Section 12. The Director of Finance is hereby directed to prepare or cause to be prepared a statement, which shall be mailed to the voters with the sample ballot for the special election. This statement shall include:

- (1) The best estimate from official sources of the tax rate, which would be required to be levied to fund the bond issue during the first fiscal year after the first sale of the bonds based on assessed

valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

- (2) The best estimate from official sources of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds if the bonds are proposed to be sold in series and an estimate of the year in which the rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.
- (3) The best estimate from official sources of the highest tax rate which would be required to be levied to fund the bond issue and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

Section 13. The special municipal election called for by this Ordinance shall be, and is hereby ordered consolidated with the statewide general election to be held within the City of Oakland on November 7, 2006. The elections hereby consolidated shall be held in all respects as if there were only one election and only one form of ballot shall be used. All persons qualified to vote at the general statewide election in the City of Oakland upon the date of the election herein provided for shall be qualified to vote on the ballot measure submitted at said special election. Ballots for the election shall be provided in the form and in the number provided by law.

Section 14. The City Clerk is hereby directed to file with the Board of Supervisors of the County of Alameda a certified copy of this Ordinance immediately upon its adoption.

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

Item: _____
Rules Committee
July 13, 2006

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A**THE NEIGHBORHOOD LIBRARY IMPROVEMENT, REPAIR, AND
CONSTRUCTION MEASURE**

\$123,000,000
\$32.91 per \$100K AV

Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
4	\$123,000,000 \$32.91/ 100K AV*	System-Wide Branch Libraries	Per the Master Plan, improves all libraries, supplements the system with new branches and implements the Neighborhood and Community Library vision No New Main Library	None

* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be dependent on prevailing market conditions at the time of bond issuance.

OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY

[Signature]
City Attorney *[Signature]*

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

**DETERMINING AND DECLARING THAT THE PUBLIC INTEREST AND
NECESSITY DEMAND LIBRARY FACILITY IMPROVEMENTS, REPAIRS AND
NEW LIBRARY CONSTRUCTION TO BE FINANCED THROUGH THE ISSUANCE
OF GENERAL OBLIGATION BONDS**

RESOLVED, By the City Council of the City of Oakland:

Section 1. It is hereby determined and declared that the public interest and necessity demand the rehabilitation, improvement, land acquisition, construction or reconstruction by the City of Oakland of library facilities for and related to the provision of library services including facility improvements for the libraries and all other works, property and structures as listed in Exhibit A attached to this Resolution and as necessary or convenient for the foregoing purposes.

Section 2. The cost of said improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City of Oakland and will require expenditure greater than the amount allowed therefore by the annual tax levy.

Section 3. it is necessary to incur a bonded indebtedness in the amount not to exceed \$117,000,000 to pay for the costs of the said municipal improvement, including legal or other fees incidental to or connected with the authorization, issuance, sale and/or incurrence, of bonded indebtedness and other costs and expenses incidental to or connected with the authorization, issuance, sale and/or incurrence of bonded indebtedness.

Section 4. This resolution shall take effect immediately.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

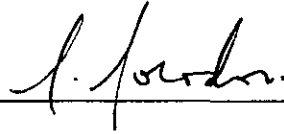
ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2006 JUN 29 PM 7:50

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER _____



City Attorney

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

**AN ORDINANCE OF THE CITY OF OAKLAND ORDERING THE SUBMISSION OF A
BALLOT MEASURE TO INCUR BONDED INDEBTEDNESS NOT TO EXCEED
\$117,000,000 FOR THE PURPOSES OF CONSTRUCTING A NEW MAIN LIBRARY TO
THE QUALIFIED VOTERS OF THE CITY OF OAKLAND AT AN ELECTION TO BE
HELD NOVEMBER 7, 2006**

WHEREAS, the Oakland Public Library embarked on the development of a Master Facilities Plan in 2002 in response to the community's need for improved services, with the intent to plan for facilities to support these needs; and

WHEREAS, the Master Facilities Plan responds to recent fiscal crises that resulted in the community's support for its libraries through the passage of Measure Q (voter-approved parcel tax passed in March 2004 which increased funding for Oakland libraries); and

WHEREAS, the City of Oakland adopted the *2006 Draft Master Facilities Plan* that articulates a vision that is based on a highly participatory process and includes overall service recommendations and improvements for a revitalized system; and

WHEREAS, the *2006 Draft Master Facilities Plan* identifies specific improvement to facilities, including capital costs, and implementation strategies for the overall plan, such as funding options and phasing of improvements; and

WHEREAS, the *2006 Draft Master Facilities Plan* states:

"The needs of the Oakland Public Library do not represent a minor deficiency...additional library space is needed citywide in order to provide adequate library services to the diverse and unique population of Oakland. These services include the need for more tailored traditional services, such as collections and reading programs, as well as new services, such as technology access and training and literacy programs, many of which cannot happen in current facilities...."; and

Item: _____
Rules Committee
July 13, 2006

WHEREAS, the residents of the City of Oakland, through opinion surveys, community meetings, focus groups and City Council public hearings, have strongly expressed support for library programs and services for children, pre-teens and teens, educational support for children, tutoring, homework assistance, strong collections, literacy skills, a sense of place, access to technology, employment support, job skills and career information, language and life skills programs and services, a variety of social, recreational, and enrichment programs and services that should be offered at the library; and

WHEREAS, the Oakland Public Libraries are, in many instances, stretched beyond their capacities and have little room to grow and accommodate the many needs of patrons; and

WHEREAS, the Master Plan pinpoints a few under-served areas of the city without good access to any facility, and identifies the need for new facilities to provide equity in services; and

WHEREAS, it is desirable to implement public priorities pursuant to the *2006 Draft Master Facilities Plan*, and develop public library facilities, and to ask voters to approve public investments for the implementation; and

WHEREAS, the vision for the Oakland Public Library system is to improve all the libraries in the system, to supplement the system with new branches in the underserved areas and to revitalize and expand the Main Library; and

WHEREAS, in order to provide for the issuance by the City of Oakland of general obligation bonds to finance improvements and acquisition described in Exhibit A, it is now necessary for the City Council to pass an ordinance ordering the submission of the proposition of incurring bonded indebtedness for such purposes to the qualified voters of the City of Oakland at an election held for that purpose; and

WHEREAS, the City Council therefore desires to submit said ballot measure to the qualified voters of the City at a general municipal election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Oakland does ordain as follows:

Section 1. A municipal election is hereby called and ordered to be held in the City of Oakland on November 7, 2006, at which election there shall be submitted to the qualified voters the ballot measure set forth below in Section 2.

Section 2. The following measure shall appear on the ballot for said municipal election in the following form:

MEASURE _____: To construct a new Main Library at the Henry J. Kaiser Convention Center, shall the City of Oakland issue \$117,000,000 in bonds?

The City Council does hereby submit to the qualified voters of the City of Oakland, at the said municipal election, this Ordinance and the measure set forth above.

Section 3. The object and purpose of incurring the indebtedness is to acquire land and construct new library facilities for those areas of the city underserved and without good access to any library facility and to improve, renovate and expand library facilities as outlined in Exhibit A. The estimated cost of the improvements and acquisitions is One Hundred Seventeen Million Dollars (\$117,000,000). This estimated cost includes legal and other fees, the cost of printing the bonds and expenses incidental to or connected with the issuance and sale of the bonds. The improvements, acquisition and construction to be funded by the net proceeds of the bonds shall be limited to those listed in Exhibit A attached to this Ordinance.

Section 4. The amount of the principal of the indebtedness to be incurred is not to exceed One Hundred Seventeen Million Dollars (\$117,000,000). The cost of repayment of the bonds is projected to average no more than \$31.31 per year per \$100,000 of assessed property valuation, provided however that such projection shall not be construed to limit the power and duty of the City Council to cause to be levied and collected a tax sufficient to pay debt service on the bonds in any fiscal year.

Section 5. The maximum rate of interest to be paid on the indebtedness shall not exceed twelve percent (12%) per annum, or such higher rate as may be established for general obligation bonds of the City by the legislature of the State of California.

Section 6. The net proceeds of the bonds shall be deposited into a special trust account with the Treasury of the City of Oakland and shall be allocated and expended at the direction of the City Council of the City of Oakland for purposes set forth in this Ordinance. The City Council shall order an independent audit of the expenditure of bond proceeds no later than three years from the date of issuance of the bonds for such proceeds to ensure proceeds are being expended for purposes set forth in this Ordinance.

Section 7. The City Council does hereby submit to the qualified voters of the City, at said municipal election, the ordinance and ballot measure set forth in Section 1. The City proposes to rehabilitate, renovate, acquire or construct the improvements referenced herein and to issue and sell general obligation bonds of the City of Oakland pursuant to Article 1, commencing with Section 43600, of Chapter 4 of Division 4 of Title IV of the Government Code of the State of California, 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 ballot measure vote in favor thereof. The bonds are to be general obligations of the City of Oakland 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 City.

Section 8. That each ballot used at said election must have printed thereon, in addition to any other matter required by law, the following:

<p>MEASURE ____ : THE NEIGHBORHOOD LIBRARY IMPROVEMENT, EXPANSION, REPAIR, AND CONSTRUCTION MEASURE</p>		
<p>To construct a new Main Library at the Henry J. Kaiser Convention Center, shall the City of Oakland issue \$117,000,000 in bonds?</p>	<p>YES</p>	<p>NO</p>

Section 9. All persons qualified to vote at the general municipal election in the City of Oakland upon the date of the election shall be qualified to vote upon the ballot measure submitted at said general election.

Section 10. 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 City, or once a week for two weeks in a newspaper printed, published and circulated less than six days a week in the City. The first of said publications shall be made, in either event, within fifteen (15) days after the final adoption of this Ordinance. The City Clerk is hereby authorized and directed to make said publications.

Section 11. The City Clerk of the City of Oakland is hereby directed to submit to the City Attorney a certified copy of the ballot measure set forth in this Ordinance. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the ballot measure on the existing law and the operation of the measure, which shall be mailed to the voters with the sample ballot for the special election. Said impartial analysis shall be submitted by the City Attorney to the County Clerk of the County of Alameda for printing before the arguments supporting and opposing the measure are due. The City Attorney's impartial analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Election Code of the State of California.

Section 12. The Director of Finance is hereby directed to prepare or cause to be prepared a statement, which shall be mailed to the voters with the sample ballot for the special election. This statement shall include:

- (1) The best estimate from official sources of the tax rate, which would be required to be levied to fund the bond issue during the

first fiscal year after the first sale of the bonds based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

- (2) The best estimate from official sources of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds if the bonds are proposed to be sold in series and an estimate of the year in which the rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.
- (3) The best estimate from official sources of the highest tax rate which would be required to be levied to fund the bond issue and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the special election or a projection based on experience within the same jurisdiction or other demonstrable factors.

Section 13. The special municipal election called for by this Ordinance shall be, and is hereby ordered consolidated with the statewide general election to be held within the City of Oakland on November 7, 2006. The elections hereby consolidated shall be held in all respects as if there were only one election and only one form of ballot shall be used. All persons qualified to vote at the general statewide election in the City of Oakland upon the date of the election herein provided for shall be qualified to vote on the ballot measure submitted at said special election. Ballots for the election shall be provided in the form and in the number provided by law.

Section 14. The City Clerk is hereby directed to file with the Board of Supervisors of the County of Alameda a certified copy of this Ordinance immediately upon its adoption.

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

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES-BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

EXHIBIT A

**THE NEIGHBORHOOD LIBRARY IMPROVEMENT, REPAIR, AND
CONSTRUCTION MEASURE**

**\$117,000,000
\$31.31 per \$100K AV**

Option	Bondable Cost	Libraries	Development Strategies	Deviation from Master Plan
5	\$117,000,000 \$31.31/ \$100K AV*	Main Library at Kaiser Arena	Per the Master Plan, a new 160,000 square feet Main Library within the Kaiser No Upgraded/New Branches	None

* Estimated based on conservative market assumptions. Actual cost per \$100,000 of assessed valuation will be dependent on prevailing market conditions at the time of bond issuance.