
DISTRICT

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

A 1/2 CENT TRANSIT SALES TAX

To:

- Connect BART to Milpitas, San Jose, Santa Clara;
- Build rail connection from San Jose Airport to BART, Caltrain, light rail;
- Purchase vehicles for disabled access, senior safety, clean air buses;
- Provide light rail throughout Santa Clara County;
- Expand, electrify Caltrain;
- Increase rail, bus service;

Shall Santa Clara Valley Transportation Authority enact a 1/2 cent sales tax for 30 years beginning 4/1/06 when current tax expires, with annual audits published in local newspapers and an independent citizens watchdog committee?

SANTA CLARA VALLEY WATER DISTRICT

B **CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION:** Shall the Santa Clara Valley Water District replace an expired program assessment with a special parcel tax, as provided in District Resolution No. 2000-44, to: protect homes, schools, businesses and roads from flooding and erosion; protect, enhance and restore healthy creek and bay ecosystems; provide additional open space trails and parks along creeks; and provide clean, safe water in our creeks and bays?

CITY

CITY OF SAN JOSE

K GENERAL PLAN — GREENLINE/URBAN GROWTH BOUNDARY

Shall the Greenline/Urban Growth Boundary policies of the San Jose 2020 General Plan, which protect the City's Greenbelt, hillsides and baylands from urban development, be adopted and affirmed with a requirement that they may only be repealed or amended by the voters of the City of San Jose?

Continue Voting on Next Page



SB-009.001

Groups 1-20,22-30,32,34-67

Statement of **MARGARET JOHNSON**, Candidate for
Judge of the Superior Court, Office No. 11

Occupation: Superior Court Commissioner

Education and Qualifications:

University of San Francisco (JD); University of London (B.Sc), private practice for fifteen years.

Commissioner Johnson has extensive judicial experience as a Commissioner and Judge Pro Tem. She is recognized for fairness, ability to make tough decisions and knowledge of the law. She has been a respected leader in combating domestic violence, Board Chair of Support Network, and a Santa Clara County Bar Association Trustee. She has been married for one year to a biotech scientist and raising three children.

Commissioner Johnson is supported by community leaders, judges, and law enforcement, including La Raza Lawyers, Santa Clara County Deputy Sheriff's Association and PORAC, the largest organization of law enforcement officers in California. Judge Leonard Edwards says "Margaret Johnson will make an outstanding judge. Her five years serving the Court as Commissioner have proven that she is fair but firm."

Commissioner Johnson is committed affordable access to justice. She brings to the bench her judicial experience, qualifications, professionalism and commitment. Elect a judge who will be tough, fair and honest. www.johnson4judge.com

Statement of **WILLIAM PRIEST**, Candidate for
Judge of the Superior Court, Office No. 11

Occupation: Superior Court Attorney

Education and Qualifications:

Age: 60

As Judge, Bill Priest will bring accountability and a no-nonsense approach to the Court. Keeping our families safe is Bill Priest's top priority.

Bill Priest's commitment to law enforcement and to victims of crime earned him endorsements from Santa Clara County Sheriff Laurie Smith, the San Jose Police Officers Association and Deputy Sheriffs, criminal prosecutors and many Santa Clara County judges.

Bill Priest's priorities include protecting rights of victims of crimes and supporting tough sentences and Three Strikes to keep violent, repeat offenders off of our streets.

Experience means everything. A Director of Community Legal Services, Bill Priest fought for rights of victims of domestic violence and child abuse. Under Bill's leadership, the Bar Foundation took on the insurance companies to ensure health care for those who had been unjustly denied their benefits. Please join Sheriff Laurie Smith, San Jose Mercury News, Palo Alto Daily News, Santa Clara County Supervisors Blanca Alvarado, Jim Beall and Don Gage, former Mayors Susan Hammer and Tom McEnery, judges, police officers and prosecutors in supporting Bill Priest for Superior Court Judge.

MEASURE A

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE A

California law permits the Santa Clara Valley Transportation Authority (VTA) to impose a transactions and use (sales) tax throughout Santa Clara County. Such a tax must first be approved by two-thirds of the voters voting in an election.

California law also places a maximum ceiling of 1.5% on the total sales tax rate which can be enacted by all local government agencies within each county, over and above the standard statewide sales tax rate of 7.25%. In Santa Clara County local government agencies currently impose a total sales tax rate of 1%, which is .5% under the maximum ceiling. This 1% rate is made up of the VTA's .5% sales tax begun in 1976 (with no expiration date) and the County's .5% sales tax begun in 1997 (known as Measure B, which is scheduled to expire on March 30, 2006).

The VTA Board of Directors proposes to enact a .5% sales tax to take effect on April 1, 2006, just as the Measure B tax expires. This VTA sales tax would expire on March 30, 2036. The use of revenue from this special tax would be restricted to funding only those rail and bus transportation projects, and certain operating and maintenance costs, which are identified in VTA board resolution 00.08.48 dated August 9, 2000. A copy of this resolution is available from the VTA or the Santa Clara County Registrar of Voters.

An independent citizen's watchdog committee, consisting of private citizens and not elected officials, would review all expenditures of revenue from this sales tax. The committee would hold public hearings, issue reports on at least an annual basis, arrange for an annual independent audit of expenditures, and publish the results of reports and audits in local newspapers.

A "yes" vote is a vote to authorize a special sales tax of one-half cent (.5%) effective for 30 years beginning April 1, 2006.

A "no" vote is a vote not to authorize such a tax.

ANN MILLER RAVEL
County Counsel

By: **JEFFREY L. BRYSON**
Deputy County Counsel

COMPLETE TEXT OF MEASURE A

Shall the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) be authorized to enact a retail transactions and use tax ordinance imposing (a) a tax for the privilege of selling tangible personal property at retail upon every retailer in Santa Clara County, the territory of VTA; such tax to be at the rate of one-half of one percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the territory of VTA, and (b) a complimentary tax upon the storage, use, or other consumption in Santa Clara County, the territory of VTA; such tax to be at the rate of one-half of one percent of the sales price of the property whose storage, use, or other consumption is subject to the tax, such taxes to be imposed for a period not to exceed 30 years, and to take effect only upon the expiration of the current County of Santa Clara 1996 Measure B ½ cent sales tax in April, 2006, and to be used only to:

- **Extend BART from Fremont through Milpitas to Downtown San Jose and the Santa Clara Caltrain Station, specifically,**

To build a BART Extension from Fremont to Milpitas, San Jose and Santa Clara with a major connection to the Tasman Light Rail line at the Milpitas BART Station. In San Jose to include a BART subway section with stations at San Jose State University, the new San Jose City Hall, Downtown San Jose at Market Street, San Jose Arena and the Diridon Multimodal Station connecting to Caltrain, ACE, Amtrak, the Vasona Light Rail line and VTA bus service. In Santa Clara, to serve Santa Clara University, and the Caltrain Station with a people mover connection to San Jose International Airport.

- **Provide Connections from San Jose International Airport to BART, Caltrain and the VTA Light Rail, specifically,**

To build a people mover rail line connecting the airport passenger terminals directly with BART, Caltrain and the VTA Light Rail line.

- **Extend Light Rail from Downtown San Jose to the East Valley by**

Building a Downtown/East Valley Light Rail line from downtown San Jose serving the new San Jose City Hall and San Jose State University, out Santa Clara Street to Capitol Avenue to join the Capitol Light Rail line then south to Eastridge Shopping Center.

- **Purchase Low Floor Light Rail Vehicles, specifically**

To better serve disabled, seniors and others; purchase an additional 20 low floor light rail vehicles to join the 30 low floor vehicles now being constructed for the new Tasman, Capitol and Vasona Light Rail lines and 50 new low floor vehicles to replace VTA's existing 50 light rail vehicles.

- **Improve Caltrain: Double Track to Gilroy and Electrify from Palo Alto to Gilroy**

Extend the Caltrain double track from the San Jose Tamien Station through Morgan Hill to Gilroy. Provide VTA's funds for the partnership with San Francisco and San Mateo counties to electrify Caltrain from San Francisco to Gilroy.

- **Increase Caltrain Service, specifically**

Purchase new locomotive train sets for increased Caltrain service in Santa Clara County from Gilroy to Palo Alto and provide additional facilities to support the increased service.

COMPLETE TEXT OF MEASURE A - Continued

- **Construct a New Palo Alto Intermodal Transit Center**

In partnership with the City of Palo Alto and Stanford University, design and construct a new parkway and underpass for University Avenue from the campus to downtown Palo Alto to improve bicycle, pedestrian and transit access to the campus, Palo Alto Caltrain station and downtown Palo Alto. Upgrade passenger facilities at the historic Palo Alto Caltrain station, upgrade transit facilities for VTA, SAMTRANS, Dumbarton Express and the Stanford Marguerita and Palo Alto shuttle services.

- **Improve Bus Service in Major Bus Corridors**

For VTA Line 22 (Palo Alto to Eastridge Center) and the Stevens Creek Boulevard Corridor, purchase new low floor articulated buses. Improve bus stops and major passenger transfer points and provide bus queue jumping lanes at intersections to permit buses quick access along the corridors.

- **Upgrade Altamont Commuter Express (ACE)**

Provide VTA's matching funds for additional train sets, passenger facilities and service upgrades for the ACE Commuter Service from San Joaquin and Alameda Counties.

- **Improve Highway 17 Express Bus Service**

Provide VTA's share of funds for the partnership with the Santa Cruz County Transit District for additional buses and service upgrades for the Highway 17 Express Bus Service.

- **Connect Caltrain with Dumbarton Rail Corridor**

Provide VTA's share of matching funds for a partnership with Alameda and San Mateo counties for the rebuilding of the Dumbarton Rail Corridor to connect to Caltrain and train sets for this new service conditioned on Alameda and San Mateo County's funding.

- **Purchase Zero Emission Buses and Construct Service Facilities**

Provide funds to supplement federal funds to expand and replace existing VTA diesel bus fleet from current size of just over 500 vehicles to 750 vehicles with the new zero emission buses and to provide maintenance facilities for this new, clean vehicle propulsion system. All new buses to be low floor for easier boarding by seniors and the disabled.

- **Develop New Light Rail Corridors**

Provide capital funds for at least two new future light rail corridors to be determined by Major Investment Studies (MIS). Potential corridors include: Sunnyvale/Cupertino; Santa Teresa/Coyote Valley; Downtown/East Valley Connection to Guadalupe Line; Stevens Creek Boulevard; North County/Palo Alto; Winchester/Vasona Junction; and, initial study of BART connection from Santa Clara through Palo Alto to San Mateo County.

COMPLETE TEXT OF MEASURE A - Continued

• Fund Operating and Maintenance Costs for Increased Bus, Rail and Paratransit Service

Provide revenue to ensure funding, to at least 2014, and possibly longer, of the following: the new Tasman East, Capitol and Vasona Light Rail lines, the commuter rail connection to BART, expanded paratransit services, expanded bus fleet of 750 vehicles, the Downtown/East Valley Light Rail line operations, which can commence in 2008, and the BART extension to San Jose which can commence operations by 2010;

all subject to the following mandatory requirements:

• The Tax Must Expire 30 Years After Implementation.

If approved by the voters, this half-cent sales tax must expire 30 years after implementation. The tax will be imposed for the period commencing April 1, 2006 when current tax expires and terminate on March 31, 2036. The length of this tax cannot be extended without a vote - and the approval - of the residents of Santa Clara County.

• An Independent Citizen's Watchdog Committee Must Review all Expenditures.

The Independent Citizen's Watchdog Committee will consist of private citizens, not elected officials, who comprise the VTA's Citizen's Advisory Committee. Responsibilities of the Citizen's Watchdog Committee are:

- **Public Hearings and Reports:** The Committee will hold public hearings and issue reports on at least an annual basis to inform Santa Clara County residents how the funds are being spent. The hearings will be held in full compliance with the Brown Act, California's open meeting law with information announcing the hearings well-publicized and posted in advance.
- **Annual Independent Audits:** An annual audit conducted by an Independent Auditor will be done each fiscal year to ensure tax dollars are being spent in accordance with the intent of this measure.
- **Published Results of Audits and Annual Reports:** The Committee must publish the results of the Independent Auditor and the Annual Report in local newspapers. In addition, copies of these documents must be made available to the public at large.

such authorization being pursuant to the provisions of Sections 100250 et seq. of the Public Utilities Code and Sections 7251 et seq. of the Revenue and Taxation Code.

ARGUMENT IN FAVOR OF MEASURE A

Yes on Measure A

Please vote yes for BART and traffic relief -- NOW. Measure A is the best transportation solution for Santa Clara County. We connect to BART so 78,000 daily riders get off our roads. That's like adding 3 traffic lanes. We improve roads, freeways, our environment with cleaner air. We spend more time at home, less on the road. It's about time.

Measure A requires **NO TAX INCREASE**. It extends current ½ cent sales tax that expires in 2006. With Measure A this year, we save \$725 million of state funds from going elsewhere, like Los Angeles, because local matching funds are required soon. It's about time.

Better and faster transit to take cars off the road:

- Brings BART to Milpitas, San Jose, Santa Clara;
- Connects San Jose International Airport to CalTrain, light rail, BART;
- Expands, electrifies CalTrain from Palo Alto to Gilroy;
- Builds light rail to East San Jose, Evergreen, with plans for Cupertino, Los Gatos, Palo Alto, Santa Clara, Sunnyvale, South or West San Jose;
- Adds express bus service, new clean-air bus fleet;
- Increases service for seniors and the disabled.

Balances road and freeway improvements.

Measure A focuses on transit so \$2 billion of transportation funds can go directly to roads and freeways for potholes, landscaping, graffiti removal, pedestrian safety, and new interchanges, additional lanes, safety improvements on:

- Highways 17, 85, 101, 237, 280, 880;
- Central, Lawrence, Montague, and San Tomas Expressways.

Strong accountability: projects on time and on budget.

- Annual independent financial audits appear in local newspapers.
- Citizens watchdog committee insures bonds issued at lowest interest rates, projects are on time and budget.
- Administrative cost limited to ½ of one percent.

Transportation experts worked 16 months on these solutions. Now people have a chance to vote for BART and traffic relief. **It's about time.** See the plan: www.vta.org.

MURPHY SABATINO

Founder, Santa Clara County Taxpayers Association

RON GONZALES

Mayor, City of San Jose

SUSANNE WILSON

Founder, Land Trust For Santa Clara County

ROD DIRIDON, SR.

Executive Director, Mineta Transportation Institute

MS. MARTY PETERSON

Santa Clara County Senior Care Commissioner

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE A

- Measure A is a 30-year, \$6 billion transit TAX. Interest, BART buy-in costs, and BART cost overruns in the hundreds of millions are **NOT** factored in this measure. All other transit projects will be jeopardized by unanticipated BART costs.
The lack of ongoing operating funds in this measure means probable new **Sales and Property taxes** like other counties that have BART.
- A 30-year TAX is far too long. Who can predict what our needs will be in 2036? Measure A provides no flexibility for addressing unanticipated traffic problems that will emerge over the next 30 years.
- Measure A will NOT fund any road or highway projects for 30 years. Relying on Federal and State funds for local road and highway projects is **questionable** as these sources of funds are **NOT** guaranteed.
Relying on State and Federal funds means **losing local control** over these projects. CALTRANS has historically had project delays and cost overruns.
- Measure A does **NOT** provide direct airport or Silicon Valley job center access nor expanded weekend or evening bus service for seniors and the working poor.
- Measure A absolutely does NOT limit administrative costs to half of one percent. It does **NOT** provide accountability.
- Measure A will **NOT** provide IMMEDIATE congestion relief. 54,000 of the projected 78,000 BART riders would be **new commuters**, which means that I-880 and I-680 would remain congested with existing commuters.

For more information, go to www.YesIn2002.org.

Vote **NO** on Measure A.

KING LEAR

Mayor Pro Tem, Los Altos

BILL MICHEL

Conservation Chair, Sierra Club: Loma Prieta Chapter

WALLY EBRIGHT

Senior Activist

JANET GRAY HAYES

Former Mayor of San Jose

VAUGHN F. BECKMAN

Reverend

ARGUMENT AGAINST MEASURE A

Measure A is a \$6 billion, 30-year TAX to pay for an ill-conceived transit plan.

Unfortunately the plan does not provide the traffic relief desperately needed today by our citizens.

- Measure A will **NOT** provide one penny for highway projects.
- Measure A will **NOT** maintain local streets or fill potholes.
- Measure A will **NOT** provide signal synchronization on our expressways.
- Measure A will **NOT** make badly needed highway safety improvements.

The transit projects in Measure A won't be built until 2008, so you won't get immediate congestion relief from this plan. Worse yet, BART cost overruns and long-term operating costs aren't factored in the measure. This shortfall may prevent us from completing projects and will probably require future new sales and property taxes.

Measure A is a 30-year, \$6 billion transit tax. Do you believe that we can predict our transportation needs for the next 30 years? The answer is **NO**. Yet, Measure A commits our tax dollars to transit projects for the next 30 years -- ignoring our current highway needs and providing no flexibility for the future.

Is this the best we can do? The answer is **NO**.

- We need a real solution to traffic in our valley.
- We need a balanced plan that offers both highway and transit solutions.

Demand accountability and insist on a responsible plan that relieves traffic congestion.

Join neighborhood associations, environmental groups, transit advocates, and community leaders in a countywide planning process to develop an effective transportation plan to put on the ballot in 2002.

For more information, go to www.YesIn2002.org.

Vote **NO** on Measure A.

DONALD F. GAGE

Chairperson, Board of Supervisors

BLANCA ALVARADO

Member, Board of Supervisors

DAVID FADNESS

Member, County Roads Commission

TOMMY J. FULCHER, JR.

President/CEO Economics & Social Opportunities

MARGARET OKUZUMI

Executive Director, Peninsula Rail 2000

REBUTTAL TO ARGUMENT AGAINST MEASURE A

Measure A extends the current ½ cent sales tax that expires in 2006. It is **NOT A TAX INCREASE**. Supporters say:

"The time to act is now. My \$5 billion Transportation Plan that includes more than \$1 billion in funding for BART, light rail, and other vital traffic relief projects in Silicon Valley is only assured for two years. Help me help you spend less time on the road and more time with your family by supporting Measure A."

Governor Gray Davis

"Measure A is a real opportunity to give people transportation options and improve their everyday lives. It will be a big step to get BART to Silicon Valley."

Norman Y. Mineta, former Chair, House of Representatives, Public Works and Transportation Committee

"This will help roads and highways more than any transportation effort in Santa Clara County history. Over \$2 billion of state and federal funds will be freed up with a VTA resolution for potholes, signal synchronization, lane widenings, and highway safety."

Jack Going, Santa Clara County Roads Commission

"We can't wait for BART or traffic relief."

Assemblywoman Elaine Alquist

"We get BART and traffic relief by extending -- not increasing -- our sales tax. Measure A pays operating costs for BART, rail, and buses for decades without additional taxes."

Carl Guardino, CEO, Silicon Valley Manufacturing Group

"Measure A is important to our future. That's why it has widespread support from our entire community."

Reverend Paul Locatelli, President, Santa Clara University

Please vote yes on Measure A. It's about time.

MURPHY SABATINO

Founder, Santa Clara County Taxpayers Association

RON GONZALES

Mayor, City of San Jose

SUSANNE WILSON

Founder, Land Trust for Santa Clara County

ROD DIRIDON, SR.

Executive Director, Mineta Transportation Institute

MS. MARTY PETERSON

Santa Clara County Senior Care Commissioner

MEASURE B

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE B

California law permits the Santa Clara Valley Water District (the District) to levy a special tax on each parcel of land within the District or any zone(s) thereof, if the tax is approved by two-thirds of the voters voting in an election.

The Board of Directors of the District proposes to levy a special tax on each parcel within the District's combined Flood Control Zone consisting of Zones One, Two, Three, Four and Five. The tax would be in effect for a period of 15 years (July 1, 2001, through June 30, 2016). Proceeds of the tax would be used to carry out the goals of the District's Clean, Safe Creeks and Natural Flood Protection Plan, which include increased protection from flooding, recreational opportunities, protection and improvement of water quality, and improvement of stream habitat. The Board would appoint an independent committee to review implementation of this plan annually.

The proposed tax is described in the District's report titled "Clean, Safe Creeks and Natural Flood Protection: a 15-Year Plan to Preserve & Protect Our Quality of Life." In general summary, a separate tax rate per unit of area would apply to each of five county-designated land use categories ranging from vacant undisturbed land (Group E, lowest rate) to commercial/industrial (Group A, highest rate). On parcels in any given category which are equal to or less than specified minimum sizes, a flat minimum tax could be levied. For example, a single family residential parcel (Group C) of .25 acre or less would be taxed at \$39 annually. A larger single family residential parcel would be taxed at \$39, plus \$2 per acre for the area over .25 acre. All special tax rates could be increased in any year, beginning July 1, 2002, by up to the larger of a cost of living index increase or 3%. A higher increase could be levied for up to three years immediately following a year in which a disaster is declared affecting an area of the combined Flood Control Zone.

If state legislation is enacted to allow an exemption for residential parcels owned and occupied by at least one person age 65 or older where the total annual household income does not exceed specified limits, such parcels would be exempt from the tax. No special tax would be imposed on a federal or state or local governmental agency, or upon parcels used exclusively as well sites for residential uses.

The tax would appear as a separate item on each property tax bill and would be levied and collected at the same time and in the same manner as the general tax levy for county purposes. Upon recording of the resolution confirming the special tax, such tax would be a lien upon the real property affected thereby.

A "yes" vote is a vote to authorize a special tax on parcels within the Santa Clara Valley Water District's combined Flood Control Zone for a period of 15 years.

A "no" vote is a vote not to authorize such a special tax.

ANN MILLER RAVEL
County Counsel

By: **JEFFREY L. BRYSON**
Deputy County Counsel



SAMPLE BALLOT

& Voter Information Pamphlet

General Election November 7, 2000

Mark and TAKE this pamphlet with you to the Poll location shown on the back cover.

Polls Open: 7 a.m. to 8 p.m.

BALOTA DE MUESTRA

y Folleto de Información para el Votante

Elección General 7 de noviembre del 2000

Marque este folleto y TRÁIGALO al puesto de votación indicado en la contraportada.

Los lugares de votación estarán abiertos de 7 a.m. a 8 p.m.

www.sccvote.org

VOTE

REGISTRAR OF VOTERS
1555 BERGER DRIVE, BUILDING 2
P.O. BOX 1740
SAN JOSE, CALIFORNIA 95109-1740

NON-PROFIT ORG.
U.S. POSTAGE
PAID
San Jose, CA
Permit No. 7

ABSENTEE VOTER BALLOT APPLICATION / SOLICITUD DE BALOTA PARA EL VOTO EN AUSENCIA

APPLICATION MUST BE IN REGISTRAR'S OFFICE BY 5:00 P.M. OCTOBER 31, 2000.
LA SOLICITUD LA DEBE RECIBIR EL REGISTRAR DE VOTANTES NO MAS TARDE DE LAS 5:00 P.M. DEL 31 DE OCTUBRE DEL 2000.

I hereby apply for an absentee ballot for the GENERAL ELECTION - NOVEMBER 7, 2000.

Por la presente, solicito una balota de voto en ausencia para la ELECCION GENERAL - 7 DE NOVIEMBRE DEL 2000.

Printed Name / Nombre en Letra de Moide

Waiting Address (if different) / Dirección Postal (si es diferente)

Residence Address / Dirección de Residencia

City / Ciudad

State / Estado

Zip Code / Zona Postal

City / Ciudad

State / Estado

Zip Code / Zona Postal

Voters with specified DISABILITIES may qualify as Permanent Absentee Voters.
Yes, I would like a Permanent Application sent to me.
Los Votantes con INCAPACIDADES específicas pueden calificar como Votantes en Ausencia Permanente.
Si me gustaría obtener una Solicitud Permanente por correo.

YOUR POLLING PLACE
EL LUGAR DONDE USTED VOTA



YES



Date: August 7, 2000

Committee Meeting Date: N/A

Board Meeting Date: August 9, 2000

BOARD MEMORANDUM

ACTION X DISCUSSION INFO

TO: Santa Clara Valley Transportation Authority Board of Directors

THROUGH: Peter M. Cipolla General Manager

FROM: Michael F. Evanhoe Director, Congestion Management and Highway Programs

SUBJECT: Proposed VTA Sales and Use Tax Measure

APPROVAL: ACCEPTED ADOPTED DENIED PRESENTED Santa Clara Valley Transportation Authority Board of Directors Sandra A. Wymouth, Secretary BY: [Signature] DATE: 8/9/00

Resolution No. 00.08.48

RECOMMENDATION:

Adopt a resolution calling for a special election, to be consolidated with the statewide election to be held on November 7, 2000 to authorize VTA to enact a one half cent sales and use tax for transit purposes, for a period not to exceed 30 years; and to take effect on April 1, 2006 upon the expiration of the current County of Santa Clara 1996 Measure B half cent sales tax.

BACKGROUND:

Members of the Board of Directors have called for a special Meeting on August 9, 2000 to consider placing before the voters of Santa Clara County the proposal that VTA would enact a one half of one percent sales and use tax to finance the Valley Transportation Plan 2020 (VTP 2020) Transit Expenditure Program. The Board of Directors will consider the options of imposing the tax for 20 years or for 25 or 30 years in order to finance additional elements of the Transit Expenditure Program.

Over the past 18 months VTA has been developing the long range Valley Transportation Plan 2020. As part of that Plan, VTA has been developing a long range Expenditure Program to implement VTP 2020. The initial reason for fast tracking the development of the Expenditure Program was to meet the time frame set in State Senator John Burton's proposed Senate Constitutional Amendment #3 (SCA 3).

Under the original time frame SCA 3 required that counties wishing to be a part of the SCA 3 process were to adopt a Countywide Expenditure Programs prior to the Measure being placed on the November 7, 2000 ballot.

In May 2000, when the Governor expressed his opposition to SCA 3, the call came for a local effort to place a Measure on the November 7, 2000 ballot.

DISCUSSION:

VTA has statutory authority to enact sales and use taxes if so authorized by the voters. Because VTA is a Transit District, the voters must approve the tax by a two thirds majority. While the revenue from the tax may be used only to finance transit projects, programs and services, this does not mean critical roadway and bicycle projects will not be funded. As noted in Attachment D, with all sales tax proceeds going towards transit, literally all State Transportation Improvement Program (STIP) and federal funds would be readily available for roadway and bicycle projects. In some instances, the availability of STIP funds would serve to advance certain projects.

With that in mind, in order to finance the bicycle and roadway elements of the VTP 2020 Expenditure Program, staff recommends that at the Board of Director's September 7, 2000 meeting the Board revise the Expenditure Program that was adopted on June 23, 2000 to reflect that all State Transportation Improvement Program (STIP) and Federal Funds be programmed for the bicycle and roadway projects and programs during the life of a transit tax should one be approved by the voters on November 7, 2000.

The Board requested staff to present to them three alternatives: a 20, 25 or 30 year tax. Attached are the three alternative Expenditure Programs. Attachment "A" is the 20 year tax with the basic set of transit projects and programs. Attachment "B" is for a 25 year tax and the additional \$1.1 billion in revenues is dedicated to operating funds to cover the increased services created with the opening of the Tasman East, Capitol, Vasona Light Rail lines, commuter rail service to Union City, expanded bus and paratransit service and the institution of service on the downtown East Valley Light Rail line and the BART extension. Current financial projections indicates that VTA will need additional operating revenue by 2006. Dedicating the additional \$1.1 billion will enable VTA to cover increased operating cost to 2013. Attachment C provides for a 30 year tax. The additional \$1.1 billion will be made available to finance up to two additional rail corridor projects. Attachment D is a draft resolution calling for the voters to authorize the Board of Directors to enact a 30 year sales and use tax and identifies the projects and programs to be implemented with the proceeds of the tax.

ALTERNATIVES:

The Board of Directors could elect to recommend to the voters that they authorize a 20 or 25 year tax.

FISCAL IMPACT:

If the Board of Directors elect to forego the tax there is no direct impact on VTA's current operations. However, prior to 2006, the Board of Directors must secure additional operating funds.

Prepared by Michael P. Evanhoe

RESOLUTION NO. 00.08.48

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) CALLING AND PROVIDING FOR A SPECIAL ELECTION TO SUBMIT TO THE VOTERS A MEASURE SEEKING AUTHORIZATION FOR ADOPTION BY THE BOARD OF DIRECTORS OF A RETAIL TRANSACTIONS AND USE TAX ORDINANCE, AND REQUESTING THE CONSOLIDATION OF SUCH SPECIAL VTA ELECTION WITH THE STATEWIDE ELECTION TO BE HELD ON NOVEMBER 7, 2000.

WHEREAS, the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) deems it advisable to submit a measure to the voters within the territory of the Authority at a special election to be held on November 7, 2000, to authorize the VTA Board of Directors to adopt a retail transactions and use tax ordinance pursuant to Public Utilities Code sec. 100250 et seq.,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, that the measure hereinafter set forth in full be submitted to the voters within the territory of VTA at a special election to be held and conducted on November 7, 2000, and that the Registrar of Voters be, and hereby is, directed to publish such notice as may be required by law for the time and in the manner so required, and to place the same on the ballot at an election to be held throughout the territory of VTA on November 7, 2000. The proposed measure is set forth as follows:

Shall the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) be authorized to enact a retail transactions and use tax ordinance imposing (a) a tax for the privilege of selling tangible personal property at retail upon every retailer in Santa Clara County, the territory of VTA; such tax to be at the rate of one-half of one percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the territory of VTA, and (b) a complimentary tax upon the storage, use, or other consumption in Santa Clara County, the territory of VTA; such tax to be at the rate of one-half of one percent of the sales price of the property whose storage, use, or other consumption is subject to the tax, such taxes to be imposed for a period not to exceed 30 years, and to take effect only upon the expiration of the current County of Santa Clara 1996 Measure B ½ cent sales tax in April, 2006, and to be used only to:

- **Extend BART from Fremont through Milpitas to Downtown San Jose and the Santa Clara Caltrain Station, specifically,**

To build a BART Extension from Fremont to Milpitas, San Jose and Santa Clara with a major connection to the Tasman Light Rail line at the Milpitas BART Station. In San Jose to include a BART subway section with stations at San Jose State University, the new San Jose City Hall, Downtown San

Jose at Market Street, San Jose Arena and the Diridon Multimodal Station connecting to Caltrain, ACE, Amtrak, the Vasona Light Rail line and VTA bus service. In Santa Clara, to serve Santa Clara University, and the Caltrain Station with a people mover connection to San Jose International Airport.

- **Provide Connections from San Jose International Airport to BART, Caltrain and the VTA Light Rail, specifically,**

To build a people mover rail line connecting the airport passenger terminals directly with BART, Caltrain and the VTA Light Rail line.

- **Extend Light Rail from Downtown San Jose to the East Valley by**

Building a Downtown/East Valley Light Rail line from downtown San Jose serving the new San Jose City Hall and San Jose State University, out Santa Clara Street to Capitol Avenue to join the Capitol Light Rail line then south to Eastridge Shopping Center.

- **Purchase Low Floor Light Rail Vehicles, specifically**

To better serve disabled, seniors and others; purchase an additional 20 low floor light rail vehicles to join the 30 low floor vehicles now being constructed for the new Tasman, Capitol and Vasona Light Rail lines and 50 new low floor vehicles to replace VTA's existing 50 light rail vehicles.

- **Improve Caltrain: Double Track to Gilroy and Electrify from Palo Alto to Gilroy**

Extend the Caltrain double track from the San Jose Tamien Station through Morgan Hill to Gilroy. Provide VTA's funds for the partnership with San Francisco and San Mateo counties to electrify Caltrain from San Francisco to Gilroy.

- **Increase Caltrain Service, specifically**

Purchase new locomotive train sets for increased Caltrain service in Santa Clara County from Gilroy to Palo Alto and provide additional facilities to support the increased service.

- **Construct a New Palo Alto Intermodal Transit Center**

In partnership with the City of Palo Alto and Stanford University, design and construct a new parkway and underpass for University Avenue from the campus to downtown Palo Alto to improve bicycle, pedestrian and transit access to the campus, Palo Alto Caltrain station and downtown Palo Alto. Upgrade passenger facilities at the historic Palo Alto Caltrain station, upgrade transit facilities for VTA, SAMTRANS, Dumbarton Express and the Stanford Marguerita and Palo Alto shuttle services.

- **Improve Bus Service in Major Bus Corridors**

For VTA Line 22 (Palo Alto to Eastridge Center) and the Stevens Creek Boulevard Corridor, purchase new low floor articulated buses. Improve bus stops and major passenger transfer points and provide bus que jumping lanes at intersections to permit buses quick access along the corridors.

- **Upgrade Altamont Commuter Express (ACE)**

Provide VTA's matching funds for additional train sets, passenger facilities and service upgrades for the ACE Commuter Service from San Joaquin and Alameda Counties.

- **Improve Highway 17 Express Bus Service**

Provide VTA's share of funds for the partnership with the Santa Cruz County Transit District for additional buses and service upgrades for the Highway 17 Express Bus Service.

- **Connect Caltrain with Dumbarton Rail Corridor**

Provide VTA's share of matching funds for a partnership with Alameda and San Mateo counties for the rebuilding of the Dumbarton Rail Corridor to connect to Caltrain and train sets for this new service conditioned on Alameda and San Mateo County's funding.

- **Purchase Zero Emission Buses and Construct Service Facilities**

Provide funds to supplement federal funds to expand and replace existing VTA diesel bus fleet from current size of just over 500 vehicles to 750 vehicles with the new zero emission buses and to provide maintenance facilities for this new, clean vehicle propulsion system. All new buses to be low floor for easier boarding by seniors and the disabled.

- **Develop New Light Rail Corridors**

Provide capital funds for at least two new future light rail corridors to be determined by Major Investment Studies (MIS). Potential corridors include: Sunnyvale/Cupertino; Santa Teresa/Coyote Valley; Downtown/East Valley Connection to Guadalupe Line; Stevens Creek Boulevard; North County/Palo Alto; Winchester/Vasona Junction; and, initial study of BART connection from Santa Clara through Palo Alto to San Mateo County.

- **Fund Operating and Maintenance Costs for Increased Bus, Rail and Paratransit Service**

Provide revenue to ensure funding, to at least 2014, and possibly longer, of the following: the new Tasman East, Capitol and Vasona Light Rail lines, the commuter rail connection to BART, expanded paratransit services, expanded bus fleet of 750 vehicles, the Downtown/East Valley Light Rail line operations, which can commence in 2008, and the BART extension to San Jose which can commence operations by 2010;

all subject to the following mandatory requirements:

- The Tax Must Expire 30 Years After Implementation.

If approved by the voters, this half-cent sales tax must expire 30 years after implementation. The tax will be imposed for the period commencing April 1, 2006 when current tax expires and terminate on March 31, 2036. The length of this tax cannot be extended without a vote – and the approval – of the residents of Santa Clara County.

- An Independent Citizen's Watchdog Committee Must Review all Expenditures.

The Independent Citizen's Watchdog Committee will consist of private citizens, not elected officials, who comprise the VTA's Citizen's Advisory Committee. Responsibilities of the Citizen's Watchdog Committee are:

- **Public Hearings and Reports:** The Committee will hold public hearings and issue reports on at least an annual basis to inform Santa Clara County residents how the funds are being spent. The hearings will be held in full compliance with the Brown Act, California's open meeting law with information announcing the hearings well-publicized and posted in advance.
- **Annual Independent Audits:** An annual audit conducted by an Independent Auditor will be done each fiscal year to ensure tax dollars are being spent in accordance with the intent of this measure.
- **Published Results of Audits and Annual Reports:** The Committee must publish the results of the Independent Auditor and the Annual Report in local newspapers. In addition, copies of these documents must be made available to the public at large.

such authorization being pursuant to the provisions of Sections 100250 et seq. of the Public Utilities Code and Sections 7251 et seq. of the Revenue and Taxation Code.

Such measure will appear in summarized form upon the ballot as follows:

Santa Clara Valley Transportation Authority Measure

MEASURE _____ 1/2 CENT TRANSIT SALES TAX

To:

- * Connect BART to Milpitas, San Jose, Santa Clara;
- * Build rail connection from San Jose Airport to BART, Caltrain, light rail;
- * Purchase vehicles for disabled access, senior safety, clean air buses;
- * Provide light rail throughout Santa Clara County;
- * Expand, electrify Caltrain;
- * Increase rail, bus service;

Shall Santa Clara Valley Transportation Authority enact a 1/2 cent sales tax for 30 years beginning 4/1/06 when current tax expires, with annual audits published in local newspapers and an independent citizens watchdog committee?

YES _____

NO _____

BE IT FURTHER RESOLVED, that the VTA Board of Directors requests the consolidation of such special VTA election with the statewide election to be held on November 7, 2000; and

BE IT FURTHER RESOLVED, that the Santa Clara County Board of Supervisors is requested to permit the Registrar of Voters to render all services specified by Elections Code section 10418 relating to the election, for which services VTA agrees to reimburse the County; and

BE IT FURTHER RESOLVED, that the returns of such VTA election shall be canvassed by the Registrar of Voters of the County of Santa Clara and the returns when canvassed, shall be reported to the Board of Directors of the Santa Clara Valley Transportation Authority; and

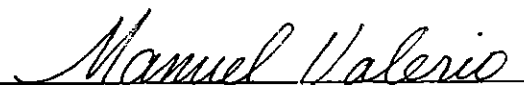
BE IT FURTHER RESOLVED, that the Board Secretary is hereby directed to file a certified copy of this resolution with the Santa Clara County Board of Supervisors and to submit certified copies of this resolution to the County Clerk and to the Registrar of Voters of the County of Santa Clara.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Transportation Authority on August 9, 2000 by the following vote:


AYES: DIRECTORS: Chavez, Eakins, Gonzales, LeZotte, Lucas, McHugh, Noe, Powers, Springer, Valerio, Woody

NOES: DIRECTORS: Alvarado

ABSENT: DIRECTORS: None


MANUEL VALERIO, Vice Chairperson
Board of Directors

ATTEST:


SANDRA WEYMOUTH
Board Secretary

APPROVED AS TO FORM:


SUZANNE GIFFORD
General Counsel