

From: VTA Board Secretary
Sent: Tuesday, June 21, 2022 2:59 PM
To: VTA Board of Directors
Subject: VTA Information: 2016 Measure B Program Category Guidelines Additional Information

VTA Board of Directors:

We are forwarding you information below from the 2016 Measure B Program Office at the request of the Policy Advisory Committee (PAC).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone **408-321-5680**



As part of their action approving the Updated 2016 Measure B Program Category Guidelines, the PAC requested that the following items be sent to the Board of Directors for their information:

- Copy of the 2016 Measure B Ballot Language
 - Attached and available here: https://www.vta.org/sites/default/files/2021-06/2016_Measure_B_Ballot_Language.pdf
- Copy of the latest 2016 Measure B Program Annual Report
 - The FY2020 Annual Report is located here:
 - <https://www.vta.org/projects/funding/2016-measure-b>
 - <https://2016measureb.vta.org>
 - Under the Administration tile
 - The FY2021 Annual Report will be published soon and will also be uploaded to the two sites.
- Copy of the latest Bradley-Burns sales tax information for Santa Clara County
 - This information will be provided to the Board of Directors upon receipt from our consultants.

MEASURE B

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE B

California law permits the Santa Clara Valley Transportation Authority (VTA) to impose a retail transactions and use tax (commonly called a "sales tax") in the territory of the VTA, which includes both the unincorporated territory and all the cities within Santa Clara County. Such a tax must first be approved by two-thirds of the voters voting in an election.

Measure B was placed on the Ballot by the VTA Board of Directors (Board). Measure B proposes enactment of a .5% (one-half cent) sales tax. The Board anticipates that the sales tax would be operative on April 1, 2017. The authority to levy the sales tax will expire thirty years later.

Under California law, all local governments within each county cannot enact a total sales tax rate of more than 2% in any territory. Approval of this Measure would result in the territory within the cities of Campbell and San Jose reaching that 2% cap during 2017 and until the expiration of an existing tax. The State also imposes a sales tax, some of which is distributed to local governments. The State sales tax rate is scheduled to be 7.25% as of January 1, 2017. Approval of this Measure is anticipated to result in a total 9.25% sales tax in the cities of Campbell and San Jose, and a 9.0% sales tax elsewhere in Santa Clara County, as of the date the sales tax is anticipated to begin. Because existing sales taxes may expire, or other sales taxes may be enacted, overall tax rates may vary during the thirty-year period of this tax.

State law requires the VTA to state the specific purposes for which the sales tax proceeds will be used, and the VTA must spend the proceeds of the tax only for these purposes. The stated purposes of the proposed sales tax are to: repair potholes and fix local streets; finish the BART extension through downtown San Jose and to Santa Clara; improve bicycle and pedestrian safety; increase Caltrain capacity, in order to ease highway congestion, and improve safety at crossings; relieve traffic on the expressways and key highway interchanges; and enhance transit for seniors, students, low-income, and disabled individuals. The Measure states that the VTA will establish a program and develop program guidelines to administer tax revenues received from the measure.

Measure B provides for the establishment of an independent citizens' oversight committee for ensuring that proceeds of the tax are expended consistent with the program established by the VTA. The committee would hold public hearings, issue reports on at least an annual basis, and arrange for an annual independent audit of expenditures.

A "yes" vote is a vote to authorize a special sales tax of one-half cent (.5%) operative for 30 years, expected to expire on March 31, 2047.

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

James R. Williams
Acting County Counsel

By: /s/ Danielle L. Goldstein
Deputy County Counsel

COMPLETE TEXT OF MEASURE B

To repair potholes and fix local streets; finish the BART extension through downtown San Jose and to Santa Clara; improve bicycle and pedestrian safety; increase Caltrain capacity, in order to ease highway congestion, and improve safety at crossings; relieve traffic on the expressways and key highway interchanges; and enhance transit for seniors, students, low-income, and disabled, shall the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) enact a retail transactions and use tax ordinance, Ordinance No. 2016.01, 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 tangible personal property sold by him/her at retail in the territory of VTA; and (b) a complementary 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; collection of such tax to be limited to thirty years?

VTA shall be the administrator of the tax, shall establish a program and develop program guidelines to administer the tax revenues received from the enactment of this measure (the "Program"). Tax revenues received for the 30-year life of the tax, including any interest or other earnings thereon, less any funds necessary for satisfaction of debt service and/or cost of borrowing and costs of program administration and oversight, such as costs of grant administration and financial management, shall be referred to herein as "Program Tax Revenues."

VTA shall allocate the Program Tax Revenues to the following categories of transportation projects: Local Streets and Roads; BART Phase II; Bicycle and Pedestrian; Caltrain Grade Separation; Caltrain Capacity Improvements; Highway Interchanges; County Expressways; SR 85 Corridor; and Transit Operations.

The present value (i.e., present day purchasing power) of the Program Tax Revenues, as of April 2017, is forecasted to be approximately \$6.3 Billion. The actual revenues to be received over the 30-year life of the tax will be affected by various economic factors, such as inflation and economic growth or decline. The estimated amounts for each category reflect the allocation of approximately \$6.3 Billion. The estimated amounts for each category, divided by \$6.3 Billion, establishes ratios for the allocation among the categories. The VTA Board of Directors may modify those allocation amounts following the program amendment process outlined in this resolution.

- **Local Streets and Roads—Estimated at \$1.2 Billion of the Program Tax Revenues in 2017 dollars.**

To be returned to cities and the County on a formula basis to be used to repair and maintain the street system. The allocation would be based on the population of the cities and the County of Santa Clara's road and expressway lane mileage. Cities and the County will be required to demonstrate that these funds would be used to enhance and not replace their current investments for road system maintenance and repair. The program would also require that cities and the County apply Complete Streets best practices in order to improve bicycle and pedestrian elements of the street system. If a city or the County has a Pavement Condition Index score of at least 70, it may use the funds for other congestion relief projects.

COMPLETE TEXT OF MEASURE B-Continued

- **BART Phase II—Estimated at \$1.5 Billion of Program Tax Revenues in 2017 dollars (capped at a maximum of 25% of Program Tax Revenues).**

To fund the planning, engineering, construction, and delivery costs of BART Phase II, which will create a new regional rail connection by extending BART from the Berryessa Station in San Jose to Santa Clara with stations at Alum Rock/28th Street, downtown San Jose, San Jose Diridon Station, and Santa Clara.

- **Bicycle/Pedestrian—Estimated at \$250 Million of Program Tax Revenues in 2017 dollars.**

To fund bicycle and pedestrian projects of countywide significance identified by the cities, County, and VTA. The program will give priority to those projects that connect to schools, transit, and employment centers; fill gaps in the existing bike and pedestrian network; safely cross barriers to mobility; and make walking or biking a safer and more convenient means of transportation for all county residents and visitors. Bicycle and pedestrian educational programs, such as Safe Routes to Schools, will be eligible for funding. Candidate Projects are set forth in Attachment A.

- **Caltrain Grade Separation—Estimated at \$700 Million of Program Tax Revenues in 2017 dollars.**

To fund grade separation projects along the Caltrain corridor in the cities of Sunnyvale, Mountain View, and Palo Alto, separating the Caltrain tracks from roadways to provide increased safety benefits for drivers, bicyclists, and pedestrians and also reduce congestion at the intersections.

- **Caltrain Corridor Capacity Improvements—Estimated at \$314 Million of Program Tax Revenues in 2017 dollars.**

To fund Caltrain corridor capacity improvements and increased service in Santa Clara County in order to ease highway congestion, including: increased service to Morgan Hill and Gilroy, station improvements, level boarding, extended platforms, and service enhancements.

- **Highway Interchanges—Estimated at \$750 Million of Program Tax Revenues in 2017 dollars.**

To fund highway projects throughout the valley that will provide congestion relief, improved highway operations and freeway access, noise abatement, roadway connection overcrossings, and deploy advanced technology through Intelligent Transportation Systems (ITS). Candidate Projects are set forth in Attachment B.

- **County Expressways—Estimated at \$750 Million of Program Tax Revenues in 2017 dollars.**

To fund Tier 1 improvement projects in the County's Expressway Plan in order to relieve congestion, improve safety and increase the effectiveness of the expressway system in the county. Candidate Projects are set forth in Attachment C.

- **State Route 85 Corridor—Estimated at \$350 Million of Program Tax Revenues in 2017 dollars.**

To fund new transit and congestion relief projects on SR 85, including a new transit lane from SR 87 in San Jose to U.S. 101 in Mountain View. Additionally this category will fund noise abatement along SR 85 and will provide funding to study transportation alternatives that include, but are not limited to, Bus Rapid Transit with infrastructure

COMPLETE TEXT OF MEASURE B-Continued

such as stations and access ramps, Light Rail Transit, and future transportation technologies that may be applicable.

- **Transit Operations—Estimated at \$500 Million of Program Tax Revenues in 2017 dollars.**

The revenue from this program category will provide additional funds specifically for bus operations to serve vulnerable, underserved, and transit dependent populations throughout the county. The goals of the program category are to increase ridership, improve efficiency, enhance mobility services for seniors and disabled, and improve affordability for the underserved and vulnerable constituencies in the county. As VTA considers modifications to bus operations and routes to improve ridership and efficiencies, these funds may also be utilized to maintain and expand service to the most underserved and vulnerable populations. The funds may be used to increase core bus route service frequencies, extending hours of operations to early mornings, evenings and weekends to improve mobility, safe access and affordability to residents that rely on bus service for critical transportation mobility needs. Attachment D describes the list of Candidate Projects and Programs.

The Program Categories will be administered in accordance with program guidelines and policies to be developed and approved by the VTA Board of Directors.

An independent citizen's oversight committee shall be appointed to ensure that the funds are being expended consistent with the approved Program. Annually, the committee shall have an audit conducted by an independent auditor. The audit shall review the receipt of revenue and expenditure of funds. The committee shall hold public hearings, and issue a report annually to inform the Santa Clara County residents how the funds are being spent. The hearings will be public meetings subject to the Brown Act.

To support and advance the delivery of projects in the Program, VTA may issue or enter into financial obligations secured by the tax revenues received from the State Board of Equalization (SBOE), including but not limited to, bonds, notes, commercial paper, leases, loans and other financial obligations and agreements (collectively, "Financing Obligations"), and may engage in any other transactions allowed by law. Notwithstanding anything to the contrary, to obtain the strongest credit ratings and lowest financing costs, VTA may pledge up to the full amount of tax revenues received from the SBOE as security for any Financing Obligations of the Program and may contract with the SBOE to have pledged amounts transferred directly to a fiduciary, such as a bond trustee, to secure Financing Obligations to fund any project in the Program. Any Financing Obligation shall be fully paid prior to the expiration of this tax measure.

If approved by a 3/4 majority of the VTA Board of Directors, and only after a noticed public meeting in which the County of Santa Clara Board of Supervisors, and the city council of each city in Santa Clara County have been notified at least 30 days prior to the meeting, VTA may modify the Program for any prudent purpose, including to account for the results of any environmental review required under the California Environmental Quality Act of the individual specific projects in the Program; to account for increases or decreases in federal, state, and local funds, including revenues received from this tax measure; to account for unexpected increase or decrease in revenues; to add or delete a project from the Program in order to carry out the overall purpose of the Program; to maintain consistency with the Santa Clara Valley Transportation Plan; to

COMPLETE TEXT OF MEASURE B-Continued

shift funding between project categories; or to take into consideration new innovations or unforeseen circumstances.

**ATTACHMENT A
ENVISION SILICON VALLEY BICYCLE AND PEDESTRIAN
CANDIDATE LIST**

Project

- Implementation of Santa Clara Countywide Bicycle Plan*
- Trails in Expressway Rights-of-Way
- Alum Rock Trail
- Coyote Creek Trail Completion
- Lions Creek Trail
- Lower Silver Creek Trail
- Miramonte Avenue Bikeways
- Fremont Road Pathway
- Los Gatos Creek Trail Connector to SR 9
- Berryessa Creek Trail
- West Llagas Creek Trail
- Guadalupe River Trail-Extension to Almaden
- Three Creeks Trail East from Guadalupe River to Coyote Creek Trail
- Five Wounds Trail from William Street to Mabury Road/Berryessa
- Hwy. 237 Bicycle Trail: Great America Parkway to Zanker (Class I, II, and IV)
- Lower Guadalupe River Access Ramps
- Los Gatos Creek Trail Gap Closure
- Calabazas Creek Trail
- San Tomas Aquino Trail Extension to South & Campbell Portion
- Union Pacific Railroad Trail
- Stevens Creek Trail Extension
- Hamilton Avenue/Highway 17 Bicycle Overcrossing
- Pedestrian/Bicycle Bridge over SR 17 from Railway/Sunnyside to Campbell Technology Parkway
- Mary Avenue Complete Streets Conversion
- UPRR Bicycle/Pedestrian Bridge Crossing: Stevens Creek Boulevard to Snyder Hammond House/Rancho San Antonio Park
- Montague Expressway Bicycle/Pedestrian Overcrossing at Milpitas BART Station
- Shoreline/101 Bicycle/Pedestrian Bridge
- Mayfield Tunnel Pedestrian/Bicycle under Central Expressway connecting to San Antonio Caltrain Station
- South Palo Alto Caltrain Bicycle/Pedestrian Crossing
- Matadero Creek Trail Undercrossing
- Caltrain Capitol Undercrossing
- Phelan Avenue Pedestrian/Bicycle Bridge over Coyote Creek
- Newhall Street Bicycle/Pedestrian Overcrossing over Caltrain Tracks
- Kiely Bicycle/Pedestrian Overcrossing
- Winchester Bicycle/Pedestrian Overcrossing
- Bernardo Caltrain Undercrossing
- San Tomas Aquino Creek Trail Underpass at 49er Stadium
- Latimer Avenue Bicycle/Pedestrian Overcrossing

COMPLETE TEXT OF MEASURE B-Continued

- Bicycle/Pedestrian safety education at approximately 200 schools
- Implementation of Pedestrian Access to Transit Plan (VTA)*
- Bike amenities at transit stops and on transit vehicles
- Countywide Vision Zero Program (VTA)*
- Highway 9 Pedestrian Safety Improvements

*These plans are currently being developed/updated and projects are being identified.

**ATTACHMENT B
ENVISION HIGHWAY PROGRAM CANDIDATE LIST**

Project

US 101 Improvements in the cities of Palo Alto and Mountain View to address regional connectivity and circulation between San Antonio Road and Charleston Road at the US 101/San Antonio Road, US 101/Rengstorff/Charleston Road and US 101/Shoreline Boulevard interchanges.

SR 85/SR 237 Area Improvements in Mountain View to address mainline congestion and regional connectivity through the SR 85/SR 237 connector, SR 85/EI Camino Real interchange, and the SR 237/EI Camino/Grant Road interchange.

SR 237/US 101/Mathilda Avenue Area Improvements in Sunnyvale to address local roadway congestion.

SR 237 Corridor Improvements in the cities of San Jose, Santa Clara and Milpitas to address mainline congestion and regional connectivity by addition of SR 237 westbound/eastbound auxiliary lanes between Zanker Road and North First Street, improvements at the SR 237/Great America Parkway westbound off-ramp, and replacement/widening of the Calaveras Boulevard structures over the UPRR tracks.

West County Improvements along I-280 in Cupertino, Los Altos, Los Altos Hills and Sunnyvale to address mainline congestion with mainline and interchange improvements from Magdalena Avenue to the San Mateo County line.

SR 85/I-280 Area Improvements in Cupertino, Los Altos, and Sunnyvale to address regional connectivity through a northbound I-280 braided ramp between SR 85 and Foothill Boulevard and improvements at the northbound I-280 off-ramp to Foothill Boulevard.

US 101/Trimble Road/De La Cruz Boulevard to Zanker Road Area Improvements to address local roadway connectivity and mainline congestion in San Jose and Santa Clara with US 101/Trimble Road/De La Cruz Boulevard interchange improvements, southbound US 101/SB 87 connector improvements, and a new US 101/Zanker Road interchange.

US 101/Old Oakland Road Improvements in San Jose to address local roadway congestion, access and connectivity.

A new interchange at US 101/Mabury Road in San Jose to address regional access.

I-680 Corridor Improvements in San Jose to address mainline congestion and regional connectivity by improving the I-680/Alum Rock Avenue and I-680/McKee Road interchanges.

I-280/Lawrence Expressway/Stevens Creek Boulevard Interchange Improvements to address mainline and local roadway congestion.

COMPLETE TEXT OF MEASURE B-Continued

I-280/Saratoga Avenue Interchange Improvements to address local circulation and mainline congestion.

I-280/Winchester Boulevard Area Improvements in Santa Clara and San Jose to address regional connectivity and local circulation.

SR 87 Corridor Technology-based Improvements in San Jose to address mainline congestion and system reliability through the implementation of technology-based operational improvements to the freeway.

Highway 17 Corridor Congestion Relief: Upgrade Highway 17/9 interchange to improve pedestrian and bicycle safety, mobility, and roadway operations; deploy advanced transportation technology to reduce freeway cut through traffic in Los Gatos, including traffic signal control system upgrades in Los Gatos, Traveler Information System, advanced ramp metering systems; support Multi-Modal Congestion Relief Solutions, including enhanced Highway 17 Express Bus service, implementing local bus system improvements that reduce auto trips to schools, work, and commercial areas in Los Gatos; and develop park and ride lots to serve as transit hubs for express bus, shuttles, local bus system connections.

SR 17 Southbound/Hamilton Avenue Off-ramp Widening Improvements in Campbell to address mainline congestion and local circulation.

SR 17/San Tomas Expressway Improvements in Campbell to address mainline congestion and local circulation.

US 101/Blossom Hill Boulevard Improvements in San Jose to address local roadway congestion and connectivity, including for bicyclists and pedestrians.

US 101 Improvements in Gilroy to address mainline congestion and regional connectivity with a new US 101/Buena Vista Avenue interchange and US 101/SR 152 10th Street ramp and intersection improvements.

SR 152 Corridor Improvements in Gilroy including US 101/SR 25 interchange improvements to address regional connectivity and goods movement network improvements.

I-280/Wolfe Road Interchange Improvements in Cupertino to address mainline congestion and improve local traffic circulation.

I-880/Charcot Avenue Overcrossing in San Jose to address local relief circulation and adjacent I-880 interchanges congestion relief.

Noise Abatement Projects in Santa Clara County to implement treatments to address existing freeway noise levels throughout the county.

Intelligent Transportation Systems (ITS) Projects in Santa Clara County such as integrated corridor management systems, traffic operations systems, ramp metering, managed lanes, and local traffic signal control systems to address freeway mainline congestion and local roadway congestion caused by cut-through traffic.

COMPLETE TEXT OF MEASURE B-Continued

**ATTACHMENT C
SANTA CLARA COUNTY EXPRESSWAY IMPROVEMENTS
(TIER 1)**

Project

- Almaden Expressway at SR-85-Interim Improvements
- Almaden Expressway at Branham Lane Intersection Improvements
- Almaden Expressway at Camden Ave Intersection Improvements
- Capitol Expressway Widening and Interchange Modifications between I-680 and Capitol Avenue
- Central Expressway at Thompson Intersection Improvements
- Foothill Expressway Auxiliary Lanes between El Monte and San Antonio
- Lawrence Expressway at Homestead Road Interim Improvements
- Lawrence Expressway at Homestead Road Grade Separation
- Lawrence Expressway from Reed/Monroe to Arques Grade Separation
- Montague Expressway Complete 8-lane Widening including HOV lanes and Auxiliary Lanes between Great Mall and McCarthy/O'Toole
- Oregon-Page Mill Widening (possible HOV lanes) and Trail between I-280 and Foothill Expressway
- Oregon-Page Mill Intersection Improvements between Porter and Hansen
- Oregon-Page Mill/El Camino Real Intersection Improvements
- San Tomas Expressway Widening and Trail between Homestead and Stevens Creek
- Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main
- Santa Teresa-Hale Corridor Widening and Trail between Long Meadow and Fitzgerald
- SR 17/San Tomas Expressway Interim Improvements
- I-280/Foothill Expressway Interchange Modifications and Auxiliary Lane to Homestead
- I-280/Oregon-Page Mill Road Interchange Reconfiguration
- Expressway ITS/Signal System Countywide

**ATTACHMENT D
TRANSIT OPERATIONS CANDIDATE PROJECTS AND
PROGRAMS LIST**

- Expand mobility services and affordable fare programs for seniors, disabled, students and low-income riders.

This project would provide funds to develop and expand senior and disabled transportation mobility programs and services. The proposed program would provide mobility options such as coordinated eligibility services and enhanced mobility options provided in a secure and safe manner for the most vulnerable and underserved residents in the County, such as seniors and persons with disabilities. It would support mobility options including maintaining the paratransit service coverage area and service expansion by extending hours of operation and weekend service. The funds would also establish permanent and augment discount fare programs to increase transit access for low-income, underserved and vulnerable populations unable to afford standard fares.

COMPLETE TEXT OF MEASURE B-Continued

- Enhance Frequent Core Bus Network.

The project would upgrade service frequency on VTA's top core network routes to 15-minutes or faster. Some specific examples include expanding the number of high frequency core routes and expanding the schedule of existing services. This may also include enhancing frequency of services during early mornings, evenings and weekends in order to improve convenience, reliability, connectivity, ridership, farebox recovery and support local land use plans. The upgrade would improve the quality of service for vulnerable, underserved and transit dependent populations as well as existing riders and attract new riders which would decrease vehicle miles traveled, traffic congestion and pollution.

- Improve amenities at bus stops to increase safety, security and access.

The project would provide funds for system wide improvements to bus stops, transit centers and stations including new and replacement shelters, lighting, access improvements including safe sidewalk connections, passenger information signs and security.

- Support new innovative transit service models to address first/last mile connections.

The project would support affordable new innovative transit service models to address first/last mile connections including FLEX type services, dynamic on-demand subscription shuttles and partnerships with other demand responsive service providers serving vulnerable, underserved and transit dependent populations.

ARGUMENT IN FAVOR OF MEASURE B

Uncommon allies united for a common goal: Relieve Traffic; Repair our Roads. That's why the League of Women Voters, San Jose Silicon Valley Chamber of Commerce, League of Conservation Voters, former U.S. Transportation Secretary Norman Mineta and Senator Dianne Feinstein are championing Measure B to provide vital local funding to fill potholes, maintain roads and reduce traffic throughout Santa Clara County.

We are fortunate to enjoy a special quality of life here. Unfortunately, many of Santa Clara County's roads are in dire need of repair and we're spending too much time trapped in traffic. We need meaningful countywide congestion relief.

Measure B will:

- Finish the BART extension to downtown San Jose and Santa Clara
- Relieve traffic congestion on all 10 Expressways (Almaden, Capitol, Central, Foothill, Lawrence, Montague, Page Mill, San Tomas, Santa Teresa, Hale) and key highway interchanges
- Protect and enhance transit options for seniors, the disabled, students and the poor
- Repair roads and fix potholes in all 15 cities
- Improve bicycle and pedestrian safety, especially near schools
- Increase Caltrain capacity, easing highway congestion and improving safety at grade crossings
- Connect BART/Caltrain in downtown San Jose and Santa Clara, with platform-to-platform connections, to finally provide rapid rail around the entire Bay Area

Voting YES on Measure B provides Santa Clara County with a source of locally controlled funding to repair and maintain our roads and improve safety. Measure B helps Santa Clara County secure state and federal matching funds, otherwise lost to other regions.

The state or federal government cannot take away Measure B funds. We need to act now; the longer we wait, the more expensive these improvements become.

Measure B mandates strong taxpayer safeguards, including independent financial audits with citizen oversight. Elected leaders will be held accountable to spend funds as promised.

Measure B repairs our roads and contributes to a better quality of life throughout Santa Clara County. Join us in supporting Measure B.

ARGUMENT IN FAVOR OF MEASURE B-Continued

www.YesMeasureB.com

/s/ Roberta Hollimon

Chair, Council of the Leagues of Women Voters of Santa Clara County

/s/ Matthew Mahood

President & CEO, San Jose Silicon Valley Chamber of Commerce

/s/ Rod Diridon, Sr.

Chair Emeritus, League of Conservation Voters of Santa Clara County

/s/ Michael E. Engh

President, Santa Clara University

/s/ Darryl Von Raesfeld

Fire Chief, City of San Jose (Retired)

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE B

Has your commute improved since Measure A in 2000? One thing is abundantly clear: If VTA actually could deliver "meaningful countywide congestion relief" they would have done it by now. This is a promise they can't deliver on.

Measure B would add a big increase to an already hefty transportation sales tax. What confidence do you have that you will ever benefit from it?

Look at the performance of Measure A from 2000. VTA's Capital Program Dashboard shows that no Measure A projects have been completed. The most expensive project, BART to Santa Clara, was cut in half. Why trust that Measure B will be any different? Voters deserve to see projects delivered before being asked to pay more taxes!

We've seen all this before: traffic keeps getting worse. The billions spent from existing taxes are not making our lives better. Clearly, the strategy doesn't work. Doing more of the same will continue to produce unacceptable results.

Measure B is a recipe for failure. We need a new direction. For example, voters need to consider whether major employers should pay more to reduce the congestion impacts of their employees' commutes.

Voting NO on Measure B sends a strong message: Find a new direction for our county--one that is good for the environment, good for the economy, and good for our health.

Please vote NO on Measure B. After the "bait and switch" of 2000's Measure A, let's not give VTA a \$6.3 billion blank check.

/s/ Michael J. Ferreira

Executive Committee Chair, Loma Prieta Chapter, Sierra Club

/s/ Mark W.A. Hinkle

President of the Silicon Valley Taxpayers Association

/s/ John M. Inks

Mountain View City Councilmember

/s/ Elizabeth C. Brierly

Santa Clara County Homeowner and Lifelong Resident

ARGUMENT AGAINST MEASURE B

Each year you are stuck in worse congestion. The 1% sales tax you've paid for the past thirty years to "relieve traffic" hasn't worked. Will raising the tax by 44% really "relieve traffic"?

Santa Clara County has tremendously congested roadways and one of the very worst performing light rail systems in the nation. Bus service is unusable and scheduled to get worse.

Population has increased since 2001, while transit ridership has declined 23 percent. If allowed to continue, the whole county will end up in gridlock.

Let's not put even more money into a failed strategy!

Here is the actual list of projects promised by Measure A in 2000, and what happened since then:

- Connect BART to Milpitas, San Jose, Santa Clara (project was cut in half and is still not complete)
- Build rail connection from San Jose Airport to BART, Caltrain, light rail (project canceled)
- New vehicles for disabled access, senior safety, clean air buses (completed)
- New light rail throughout Santa Clara County (one corridor changed into a bus lane project; other corridors canceled)
- Expand, electrify Caltrain (project is delayed more than 15 years)
- Increase rail, bus service (2015 service was 13% below 2001 levels)

The County Civil Grand Jury determined in 2004 that "The VTA Board has proceeded with a transit capital improvement plan that cannot accomplish all that was promised in Measure A." That certainly turned out to be the case.

Why vote for another bait-and-switch?

This election will be close. Your vote can help defeat this tax increase and send a message that new thinking is needed. Air quality and climate change demand new solutions.

For short and long-term traffic relief, please vote No.

Demand a new direction!

ARGUMENT AGAINST MEASURE B-Continued

For more information: www.No2VTMeasureB.org
Twitter: #No2VTMeasureB
Phone: 408-604-0932

/s/ Gladwyn d' Souza
Regional Chair, Loma Prieta Chapter, Sierra Club

/s/ Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

/s/ John M. Inks
Mountain View City Councilmember

/s/ Andy Chow
President, BayRail Alliance

/s/ Elizabeth C. Brierty
San Jose Homeowner & Lifelong Santa Clara County Resident

REBUTTAL TO ARGUMENT AGAINST MEASURE B

When reading the argument against Measure B, please consider the sources and review the facts for yourself. The opponents offer no solutions to the traffic congestion we face every day.

Some of the organizations signing the argument against Measure B have histories of opposing absolutely everything, including measures to support our schools, parks and public safety.

The text of their argument is even less credible.

Here are the facts:

*The first segment of the BART extension is running \$75 million under budget and a year ahead of schedule, with passenger service beginning in fall 2017.

*Thanks to major investments, electrification of Caltrain will begin in 2020, which helps nearly double ridership capacity from 65,000 daily trips to 110,000.

Why is Measure B important? Please review the official ballot question for yourself. Measure B will accomplish the following while also mandating annual audits by an independent citizens watchdog committee to ensure accountability:

- Repair streets and fix potholes in all 15 cities & towns
- Finish the BART extension to downtown San Jose and Santa Clara
- Improve bicycle/pedestrian safety, especially near schools
- Increase Caltrain capacity, ease highway congestion and improve safety at crossings
- Relieve traffic on all 10 expressways and key highway interchanges
- Enhance transit for seniors, students, low-income citizens and the disabled

All of us are Santa Clara County taxpayers and residents (the signers of the argument against cannot say the same thing). Please join community leaders and organizations

from across Santa Clara County in supporting Measure B for better commutes and better roads.

REBUTTAL TO ARGUMENT AGAINST MEASURE B-Continued

www.YesMeasureB.com

/s/ Yoriko Kishimoto
Friends of Caltrain Chair and Board President of the Midpeninsula
Regional Open Space District

/s/ Glenn M. Grigg
Traffic Engineer, City of Cupertino (Ret.)

/s/ Mark Turner
President/CEO, Gilroy Chamber of Commerce

/s/ Tony Siress
President/CEO Mountain View Chamber of Commerce

/s/ Teresa Alvarado
San Jose Director, SPUR

From: VTA Board Secretary
Sent: Friday, June 24, 2022 5:00 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Correspondence: Week ending June 24, 2022

VTA Board of Directors:

We are forwarding to you the following correspondence:

From	Topic
Adina Levin, Seamless Bay Area	Pertaining to the June 17, 2022, Board of Directors Meeting: Agenda Item #7.2 – SB 917 (Becker) Position <i>(Due to technical difficulties, this letter wasn't received until 6/23/22)</i>
David Dearborn, Member of the Public	VTA's BART Silicon Valley Phase II Project

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)



Conserve paper. Think before you print.



June 17, 2022

Re: Agenda Item 7.2 SB917

Honorable board members,

Thank you to the VTA board for supporting the Seamless Transit Principles, and considering SB917 as it relates to those principles.

As sponsors of the bill, we appreciate the prudence that the VTA board has expressed in considering how specific policies and legislation would implement the principles in a way that benefits residents in Santa Clara County and does not have negative unintended consequences.

The goal of SB917 is to advance priority items in the region's Transformation Action Plan, which was adopted unanimously by the Blue Ribbon Transit Recovery Task Force which included transit agency General Managers, with the goal of recovering public transportation from the impacts of Covid by making the system more convenient, accessible and affordable for riders.

The bill sets deadlines for priority items including the Connected Network Plan; key provisions of the Fare Policy Vision Mapping and Wayfinding standards; and real-time data standards. The Fare Policy Vision was approved by the Fare Integration Task Force including transit General Managers.

Since the bill was introduced, Senator Becker's office has been negotiating in good faith with multiple transit operators working together, and the bill has incorporated many amendments with goals of making the provisions practical to implement and preventing unintended negative consequences.

Unfortunately, the staff report contains a number of statements that are inaccurate and/or out-of-date because they have been addressed by amendments to the bill.

This letter clarifies the spirit and content of SB917. We urge the VTA board to review SB917 and assess the bill based on the board's goals and principles, and on the current provisions in the bill.

Staff report concerns	What the bill does
Creates an unfunded mandate to implement an extremely costly reconfiguration of transit service.	SB917 sets deadlines to create the Connected Network Plan which defines a service vision for regionally significant corridors and hubs. There is no requirement in the bill for agencies to implement the Connected Network Plan. A key purpose of the Connected Network Plan is to attract funding to implement the service improvements identified in the plan.

If implemented in the current form, it will reduce funds available to local service.	The Fare components of the bill have “ do-if-funded ” provisions that require cost estimates of funding needed to implement, and do not require implementation unless funding is available. The bill explicitly includes the intent to avoid negative impact on service levels. Demonstrated negative impacts on service levels can be used to justify an exemption from the provisions.
Provides MTC the authority to withhold State Transit Assistance funds if an operator is found out of compliance with no due process consideration	MTC has had this authority in law since the 1990s . The bill provides new specificity focusing on provisions that advance agreed goals, and provides an exemption in case an agency identifies that implementation would negatively impact service levels.
As written provides no protection for communities of concern and transit dependent.	The Fare Coordination and Integration Study showed with detailed analysis that low-income people gain the most benefits from the Fare Policy Vision provisions that are advanced by this bill. The Connected Network Plan section has provisions directing a focusing on low-income and transit-dependent populations. An amendment has been added affirming compliance with the requirements of Federal Title VI.

Following is a summary of additional issues raised by transit operators that have been addressed by recent amendments.

Transit operators issue	Amendments to address operator concern, June 2022
Federal Title VI not mentioned	Bill not intended to conflict with federal law; language added confirming compliance with requirements of Title VI
Conflicts with board fare setting authority	Includes provisions clarifying transit board review of fare structure decisions and agency participation in pilots
Relative authority, MTC and transit operators	Switch language about co-development of fare policies to put Regional Transit Coordinating Council first
Potential fiscal impact of free and reduced cost transfers	Defines this program as a pilot for 1- 3 years starting with existing dedicated funding to ensure that there is funding available for the program.

Thank you for your consideration,



Adina Levin
Advocacy Director
Seamless Bay Area
<https://seamlessbayarea.org>

PUBLIC COMMENTS

From: David D
Sent: Monday, June 20, 2022 8:08 AM
To: VTA Board Secretary <Board.Secretary@vta.org>
Subject: [EXTERNAL] Fwd: Independent Review of Phase II

CAUTION: This Message originated from outside VTA. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Begin forwarded message:

From: David D

Subject: Independent Review of Phase II

Date: June 18, 2022 at 1:02:46 PM PDT

To: Charles Jones Jr <chappiejones@me.com>, Sam Liccardo <sam.liccardo@gmail.com>, Raul Peralez <raul.peralez@sanjoseca.gov>

Cc: BART Board <BoardofDirectors@bart.gov>

Hello Chappie, Sam, Raul,

Again, you are to be commended for requesting an independent review of single vs twin-bore.

I see Fountain Alley is slated for a 21 story 1.25 acre mixed use high-rise.

Twin-bore with mined station would easily allow a wide, safe, BART compatible center platform only ~50ft below street level,

Wide high-capacity mined-and-lined escalator tubes to sidewalk, indoor or off West San Fernando Street Historic District would be a natural, intuitive solution for downtown. Twin-bore design-build folks have an inventory of such designs for adapting to downtown locations in wet soft soils.

Soil is preconditioned from below ground as they mine. This is common for dense urban locations and

infrastructures.

This would:

- a) improve downtown service and access,
- b) eliminate the 100-ft deep silo and two lateral platform access tubes,
- c) lower project costs and exposure to materials and labor inflationary risks,
- d) and expand the options for sourcing TBMs.

Something to consider when providing oversight and direction to staff re: scoping of the Independent Study.

Thank you and best regards,

David Dearborn

From: David D

Sent: Wednesday, June 15, 2022 8:07 AM

To: VTA Board Secretary <Board.Secretary@vta.org>; BART Board <BoardofDirectors@bart.gov>; Jonathon Kass <jkass@spur.org>; Knies, Scott <sknies@sjdowntown.com>

Cc: Eliyahu Kamisher <ekamisher@bayareanewsgroup.com>; mangst@bayareanewsgroup.com

Subject: [EXTERNAL] Independent Review CORRECTION

CAUTION: This Message originated from outside VTA. Do not click links or open attachments unless you recognize the sender and know the content is safe!

To: VTA Board of Directors

cc: BART Board of Directors
Jonathon Kass, Transportation Policy Manager, SPUR SJ
Scott Knies, Exe. Dir. SJDA

Subj: VTA's BART Phase II Project Independent Review Twin vs Single Bore

Re: Request for scoping actual environmental impacts

--- CORRECTION ---

Environmental benefits: As you know, single bore will use 2 times the reinforced concrete for tunnel lining, track support and deep station silos required for twin-bore mined station design; thus doubling GHG emissions.

Correct 375,000 tons of emissions more than twin-bore as follows...

- concrete is ~10% cement by weight making that ~37,500 tons of emissions
- add to that emissions applicable to tons of steel used
- add emissions applicable for removing and hauling nearly 3X the volume of soil and muck

... and you should find the single bore contributing roughly 50,000 more tons of GHG emissions.

Please accept my apology for the previous over statement and include a complete review of environmental factors when scoping the twin bore for the independent evaluation. I along with many others are curious to know how close that 50k tons of GHG emissions is to the actual.

Thank you for your dedication to this transformational project.

Respectfully,

David Dearborn

From: David D

Sent: Tuesday, June 14, 2022 12:07 PM

To: VTA Board Secretary <Board.Secretary@vta.org>; BART Board <BoardofDirectors@bart.gov>; jkass@spur.org; Knies, Scott <sknies@sjdowntown.com>

Cc: Eliyahu Kamisher <ekamisher@bayareanewsgroup.com>; mangst@bayareanewsgroup.com

Subject: [EXTERNAL] BSV2, Independent Twin vs Single Bore

CAUTION: This Message originated from outside VTA. Do not click links or open attachments unless you recognize the sender and know the content is safe!

To: VTA Board of Directors

cc: BART Board of Directors
Jonathon Kass, Transportation Policy Manager, SPUR SJ
Scott Knies, Exe. Dir. SJDA

Subj: VTA's BART Phase II Project Independent Review Twin vs Single Bore

Re: Request for scoping actual environmental impacts

We thank VTA for a well done project update at the SJDA meeting.

We were told mining a twin bore station would require soil conditioning done from above ground creating significant disruption.

Not true: Current best practices, materials and processes precondition soil from below ground. As TBMs pass

through areas to be mined, data on soils and moisture content are recorded. This informs where and how preconditioning will be done prior to excavation and sealing. These practices, materials and processes have been around for some time. ie. Crossrail, Toronto and elsewhere; all twin bore.

Environmental benefits: As you know, single bore will use 2 times the reinforced concrete for tunnel lining, track support and deep station silos required for twin bore mined station design; thus doubling GHG emissions.

Thats 375,000 tons more Dioxin*, CO2, NOx, SO2 and particulates into the atmosphere than twin-bore.

New Technology: Biocement has been around for some time. Scaling it up for TBM tunnel lining and large reinforced concrete projects is way off in the future. However, biocement could potentially become an eco friendly sustainable method for soil improvement such as soil preconditioning prior cavern excavation.

Typically biocement reaches full strength 7 to 9 times faster than traditional concrete; which, in the SEM sequential excavation method of excavation make it an eco friendly part of the process.

Request: Please include these environmental factors when scoping the twin bore for the independent evaluation.

Thank you for your dedication to this transformational project.

Respectfully,

David Dearborn

* Dioxins are called persistent organic pollutants (POPs), meaning they take a long time to break down once they are in the environment. Dioxins are highly toxic and can cause cancer, reproductive and developmental problems, damage to the immune system, and can interfere with hormones.