Date: January 24, 2018
W.I.: 1254
Referred by: BATA Oversight

ABSTRACT

BATA Resolution No. 123

This resolution calls for a ballot measure, known as Regional Measure 3 (RM3), to be placed on the ballot of an election to be held on June 5, 2018, concurrent and consolidated with the statewide election to be held on the same date, establishes the RM3 ballot language to be used in all nine counties of the Bay Area and directs staff to work with the registrars and county clerks in each of the nine counties to place RM3 on the ballot.

Further discussion of this resolution is contained in the Executive Director's memorandum to the BATA Oversight Committee dated January 3, 2018.

Date: January 24, 2018
W.I.: 1254
Referred by: BATA Oversight

Re: Calling Regional Measure 3 Election

BAY AREA TOLL AUTHORITY
RESOLUTION NO. 123

WHEREAS, the Bay Area Toll Authority ("Authority") is established pursuant to Section 30950 of the California Streets and Highways Code ("Code") and is responsible for the administration of all toll revenues from state-owned toll bridges within the geographic jurisdiction of the Metropolitan Transportation Commission; the geographic jurisdiction being comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma (individually, "County" and collectively, "Counties"), and the cities located in said Counties; and

WHEREAS, the Authority is authorized pursuant to subdivision (a) of Section 30923 of the Code to select a toll increase amount, of up to three dollars ($3), to be placed on the ballot in the City and County of San Francisco and each of the Counties; and

WHEREAS, the Authority is authorized pursuant to paragraph (1) of subdivision (c) of Section 30923 of the Code to select the date of the election for voters to consider such toll increase, which shall be consolidated with a statewide primary or general election; and

WHEREAS, paragraph (2) of subdivision (c) of Section 30923 of the Code provides that the ballot question addressing such toll increase shall be submitted to voters as "Regional Measure 3" and shall be stated separately in the ballot from state and local measures; and

WHEREAS, paragraph (1) of subdivision (c) of Section 30916 of the Code provides that the Authority may phase in such toll increase over a period of time with the first rate increase to commence not sooner than six months after the election approving such toll increase; and

WHEREAS, pursuant to paragraph (1) of subdivision (g) of Section 30923 of the Code, each County and the City and County of San Francisco is required to share translation services

for the ballot pamphlet and shall provide the Authority a certified invoice that details the incremental cost of including the measure on the ballot as well as the total costs associated with the election; and

WHEREAS, pursuant to paragraph (2) of subdivision (g) of Section 30923 of the Code, the Authority is required to reimburse each County and the City and County of San Francisco participating in the election for the incremental cost of submitting the measure to the voters and such costs shall be paid from bridge toll revenue administered by the Authority; and

WHEREAS, pursuant to subdivision (d) of Section 30923 of the Code, the Metropolitan Transportation Commission shall prepare a summary of the Regional Measure 3 expenditure plan, now, therefore, be it

RESOLVED, that the Authority specifically finds and declares that the statements, findings and determinations of the Authority set forth in the preambles above are true and correct; and be it further

RESOLVED, that the Authority hereby calls upon each Board of Supervisors in the City and County of San Francisco and each of the Counties to call a special election on June 5, 2018 to be conducted in the City and County of San Francisco and each of the Counties and place on the ballot as a measure separate from state and local measures the following question as Regional Measure 3:

> *BAY AREA TRAFFIC RELIEF PLAN. Shall voters authorize a plan to reduce auto and truck traffic, relieve crowding on BART, unclog freeway bottlenecks, and improve bus, ferry, BART and commuter rail service as specified in the plan in this voter pamphlet, with a $1 toll increase effective in 2019, a $1 increase in 2022, and a $1 increase in 2025, on all Bay Area toll bridges except the Golden Gate Bridge, with independent oversight of all funds?*

and,be it further

RESOLVED, that the Registrars of Voters for the City and County of San Francisco and each of the Counties are hereby requested to reprint Regional Measure 3, together with the summary of the Regional Measure 3 expenditure plan to be prepared by the Metropolitan Transportation Commission regarding the eligible projects and programs to be funded pursuant to Section 30914.7 of the Code, in the voter information pamphlet to be distributed to voters pursuant applicable law; and be it further

RESOLVED, that Authority staff is directed to work with the City and County of San Francisco and each of the Counties, including their respective Registrars of Voters and County Clerks to facilitate the placing of Regional Measure 3 on the ballot; and be it further

RESOLVED, that the election shall be consolidated with the statewide direct primary election to be held on June 5, 2018, and pursuant to paragraph (1) of subdivision (c) of Section 30923 of the Code and all applicable law, the Boards of Supervisors in the City and County of San Francisco and in each of the Counties are hereby requested to direct the Registrar of Voters in the City and County of San Francisco and in each of the respective Counties and to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same. The Authority hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by all applicable law, including, where applicable, the California Elections Code; and be it further

RESOLVED, that pursuant to paragraph (2) of subdivision (g) of Section 30923 of the Code, the Authority shall reimburse the City and County of San Francisco and each of the Counties participating in the election for the incremental cost of submitting the measure to the voters, with such costs to be paid from bridge toll revenue administered by the Authority; and be it further

RESOLVED, that the Secretary of the Authority is hereby directed to cause to be filed as soon as practicable, and in any event no later than March 9, 2018 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to each of the

Registrars of Voters, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the City and County of San Francisco and of each of the Counties; and be it further

RESOLVED, that the Commissioners of the Authority, the Executive Director, any officer and all other staff of the Authority, are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution in accordance with the terms hereof and of applicable provisions of law; and be it further

RESOLVED, that this Resolution shall take effect from and after its adoption.

BAY AREA TOLL AUTHORITY

Jake Mackenzie, Chair

The above resolution was first entered into by the
Bay Area Toll Authority at a regular meeting
of the Authority held in San Francisco, California,
on January 24, 2018.