

File No. 180134

Committee Item No. \_\_\_\_\_

Board Item No. 46

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: February 13, 2018

### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

### OTHER

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Bay Area Toll Authority Resolution No. 123 (Regional Measure 3)</u> |
|                          |                                     | <u>- January 24, 2018</u>  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |

Prepared by: Brent Jalipa

Date: February 8, 2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Calling and Consolidation of Elections Scheduled for June 5, 2018]

2  
3 **Resolution calling and providing for a special election on behalf of the Bay Area Toll**  
4 **Authority regarding Regional Measure 3, directing the Director of Elections to conduct**  
5 **that special election, and consolidating that special election with the State of California**  
6 **Statewide Direct Primary Election and the City and County of San Francisco Municipal**  
7 **Election, all of which will occur on June 5, 2018; and providing that the election**  
8 **precincts, voting places, and officers for these elections shall be the same as for the**  
9 **Statewide Direct Primary Election.**

10  
11 WHEREAS, The City received from the Bay Area Toll Authority ("Authority") a  
12 proposed ballot measure - Regional Measure 3 - and request to consolidate and conduct an  
13 election on June 5, 2018; and

14 WHEREAS, The Authority adopted Resolution No. 123, a copy of which is on file with  
15 the Clerk's Office in Board File No. \_\_\_\_\_, on January 24, 2018, proposing a special  
16 election, setting out the form of the ballot question, requesting the services of the Department  
17 of Elections, requesting consolidation of the election, and specifying certain procedures for the  
18 election; and

19 WHEREAS, California Streets and Highways Code, Section 30923, Subsection (c)(1),  
20 authorizes the Authority to select the date of the election for voters to consider the Authority's  
21 measure, and that such election shall be consolidated with a statewide primary or general  
22 election; and

23 WHEREAS, The Authority has selected June 5, 2018, for the date of the election for  
24 voters to consider Regional Measure 3, and requested that such election shall be  
25 consolidated with the statewide primary election; and

1 WHEREAS, California Streets and Highways Code, Section 30923, Subsection (c)(2)  
2 authorizes the Authority to determine the ballot question, submit that ballot question to the  
3 voters, and that the ballot question shall be stated separately in the ballot from state and local  
4 measures; and

5 WHEREAS, California Streets and Highways Code, Section 30923, Subsection (g)(2)  
6 provides that the Authority shall reimburse each county in which the measure appears on the  
7 ballot for the incremental costs incurred by the county elections official related to submitting  
8 the measure to the voters; and

9 WHEREAS, The State of California will hold a statewide direct primary election on  
10 June 5, 2018, for the purpose of voting on candidates for federal and state offices, as well as  
11 proposed state ballot measures to be submitted to the voters; and

12 WHEREAS, The City and County of San Francisco will hold a municipal election on  
13 June 5, 2018, for the purpose of voting on candidates for local office and proposed local ballot  
14 measures to be submitted to the voters; and

15 WHEREAS, The Board of Supervisors believes that it is in the best interests of the  
16 public that these elections be consolidated, as authorized by law; now, therefore, be it

17 RESOLVED, That the Board of Supervisors, pursuant to California Streets and  
18 Highways Code Section 30923, Subsection (c)(1), calls, orders, and provides for a special  
19 election on the Authority's proposed measure, Regional Measure 3, a copy of which is on file  
20 with the Clerk's Office in Board File No. \_\_\_\_\_; and, be it

21 FURTHER RESOLVED, That the Director of Elections shall place on the ballot the  
22 exact ballot question provided by the Authority; and, be it

23 FURTHER RESOLVED, That the Director of Elections is hereby authorized and  
24 directed to procure and furnish those election services requested by the Authority; and, be it

1 FURTHER RESOLVED, That Authority shall reimburse the City for the incremental  
2 costs related to submitting the measure to the voters, as set forth in California Streets and  
3 Highways Code, Section 30923, Subsection (g)(2); and, be it

4 FURTHER RESOLVED, That the Director of Elections is directed to submit to the  
5 Authority a bill for the election services provided by the Department of Elections in conformity  
6 with California Streets and Highways Code, Section 30923, Subsection (g)(2); and be it

7 FURTHER RESOLVED, That pursuant to California Elections Code, Section 10400 et  
8 seq. and California Streets and Highways Code, Section 30923, the State of California  
9 Statewide Direct Primary Election, the City and County of San Francisco Municipal Election,  
10 and the Regional Measure 3 special election shall be consolidated; and, be it

11 FURTHER RESOLVED, That the voting precincts, polling places, and officers of the  
12 elections set forth in this Resolution shall, in every case, be the same; that there shall be only  
13 one set of election officers in each precinct, to wit, the election officers to be appointed by the  
14 Director of Elections for each precinct; that all candidates, ballot measures and bond  
15 proposals shall be set forth on the ballots provided for said election; that the elections shall be  
16 held in all respects as though there were only one election; and that all returns shall be  
17 canvassed by the Director of Elections as provided in the California Elections Code.

18  
19 n:\ethics\as2016\9690393\01132323.doc  
20  
21  
22  
23  
24  
25

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.

Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2018 FEB - 6 PM 4:21  
 Time stamp: **AK**  
 or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Breed

Subject:

Calling and Consolidation Elections Scheduled for June 5, 2018

The text is listed:

Attached

Signature of Sponsoring Supervisor:

*Jonathan Bush*

For Clerk's Use Only