

**RESOLUTION OF THE SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY BOARD OF DIRECTORS
CALLING AND PROVIDING FOR A SPECIAL ELECTION ON NOVEMBER 2,
2010 TO SUBMIT TO THE VOTERS A MEASURE TO AUTHORIZE AN
INCREASE IN MOTOR VEHICLE REGISTRATION FEES OF \$10, AND
REQUESTING THE CONSOLIDATION OF SUCH SPECIAL VTA ELECTION
WITH THE STATEWIDE ELECTION TO BE HELD ON NOVEMBER 2, 2010**

WHEREAS, the Board of Directors of the Santa Clara Valley Transportation Authority (VTA), a countywide transportation planning agency, deems it advisable to submit to the voters of Santa Clara County, at a special election to be held on November 2, 2010, a measure to authorize an increase in the fees of motor vehicle registration in the county for transportation-related projects and programs, pursuant to Section 65089.20 of the Government Code and Section 9250.4 of the Vehicle Code.

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 Santa Clara County at a special election to be held and conducted on November 2, 2010, and that the Registrar of Voters be, and thereby 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 Santa Clara County on November 2, 2010. The full text of the proposed measure to appear in the sample ballot is set forth as follows:

Traffic Congestion Relief and Road Improvement Measure

To repair potholes, repave and maintain local streets, improve traffic flow on local roads; increase Santa Clara County's share of state/federal matching funds; improve safety; and pay for other congestion and pollution mitigation projects; shall the motor vehicle registration fee be increased \$10 for each vehicle registered in Santa Clara County; thereby relieving traffic congestion, improving streets and reducing polluted, toxic roadway runoff which contaminates water supplies, with all revenues to remain in Santa Clara County?

An expenditure plan for the increased fee revenues has been adopted by the Board of Directors of the Santa Clara Valley Transportation Authority (VTA), the countywide transportation planning agency

that will administer the distribution of the revenues, and provides that:

- (1) Local Road Improvement and Repair Program. 80% of the fee revenues will return to the cities within the county based on population and to the County of Santa Clara based on miles of roadway, to be spent on the following transportation-related programs and projects.

Revenue Estimate - \$11.2 million (FY 2011)

Eligible Project Categories (includes all expenses for administration, planning, design, construction, procurement and operation of a Complete Streets System):

- Pavement Rehabilitation/Reconstruction
- Traffic Control Signals, Traveler Information & Safety Devices
- Curb & Gutter Rehabilitation/Reconstruction
- Roadway-related Facilities to Improve Safety
- Automobile-related Environmental Mitigation including Roadway Sweeping & Litter Control

- (2) Countywide Program. 15% of the fee revenues will be used for the following countywide programs and projects.

Revenue Estimate - \$2.1 million (FY 2011)

Eligible Project Categories (includes all expenses for administration, planning, design, construction, procurement and operation of a Complete Streets System):

- Matching funds for Federal/State/Regional transportation grants applied to any roadway transportation project included in the adopted Valley Transportation Plan.
- Intelligent Transportation System Technologies (transportation-related technologies including traffic control signals, safety and traveler information systems)
- Countywide Environmental Mitigation related to pollution caused by autos and trucks

- (3) Program Administration. Up to 5% of the fee revenues will be used for program administration for:

- Expense directly related to administration, oversight, programming, reporting, surveys, initial election ballot and auditing/accounting of the program.
- Annual public report of expenditures

Revenue Estimate - \$0.7 million (FY 2011)

Unused program administration funds will be disbursed through the Countywide Program.

The expenditure plan will be audited annually and periodically reviewed by the VTA Board of Directors to determine if any modifications to the plan are needed.

This Measure shall take effect at the close of the polls on the day of the election at which the increased fee is approved by a majority of the electors voting on the Measure.

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

To repair potholes, repave and maintain local streets, improve traffic flow on local roads; increase Santa Clara County's share of state/federal matching funds; improve safety; and pay for other congestion and pollution mitigation projects; shall the motor vehicle registration fee be increased \$10 for each vehicle registered in Santa Clara County; thereby relieving traffic congestion, improving streets and reducing polluted, toxic roadway runoff which contaminates water supplies, with all revenues to remain in Santa Clara County?

Yes _____

No _____

BE IT FURTHER RESOLVED that the Santa Clara County Board of Supervisors is hereby requested to consolidate this election with the statewide general election and any other elections to be held within Santa Clara County on November 2, 2010, and that it include in its proclamation or notice of the special election that Article 3 of Chapter 2 of Division 9 of the Elections Code relating to arguments concerning county measure applies, and the County Counsel is directed to prepare an impartial analysis.

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.

BE IT FURTHER RESOLVED that pursuant to Elections Code section 10418, all proceedings related to, connected with, and incidental to the election shall be regulated and performed in accordance with the provisions of law regulating the statewide election.

BE IT FURTHER RESOLVED by the Board of Directors of the Santa Clara Valley Transportation Authority, that the Board of Directors hereby adopts the attached expenditure plan allocating the revenue to transportation-related programs and projects that have a relationship or benefit to the persons who pay the fee, which will be audited annually and periodically reviewed by the Board of Directors to determine if any modifications to the plan are needed.

BE IT FURTHER RESOLVED that based on the benefits study presented to the Board of Directors on June 3, 2010, a copy of which is attached hereto, the Board of Directors of the Santa Clara Valley Transportation Authority adopts a finding of fact that the projects and programs to be funded by the fee increase as contained in the attached expenditure plan have a relationship or benefit to persons who will be paying the fee, and the projects and programs are consistent with the regional transportation plan adopted pursuant to Government Code Section 65080;

BE IT FURTHER RESOLVED that if any provision of the measure or expenditure plan or the application thereof to any person or circumstance is held invalid, the remainder of the measure or expenditure plan and the application of such provision to other persons or circumstances shall not be affected, and those funds shall be redistributed to other expenditures in accordance with the expenditure plan.

BE IT FURTHER RESOLVED that VTA shall contract with the Department of Motor Vehicles to collect the fee imposed pursuant to Government Code section 65089.20 upon the registration or renewal of registration of a motor vehicle registered in Santa Clara County, pursuant to Vehicle Code section 9250.4, except those vehicles that are expressly exempted under the Vehicle Code from the payment of registration fees;

BE IT FURTHER RESOLVED that pursuant to Vehicle Code section 9250.4, the initial setup and programming costs identified by the Department of Motor Vehicles to collect the fee upon registration or renewal of registration of a motor vehicle shall be paid by VTA from the fee. The costs deducted pursuant to this paragraph shall not be counted against the five percent administrative cost limit specified in California Government Code section 65089.20(d).

BE IT FURTHER RESOLVED that the costs of placing the measure authorizing imposition of the fee on the ballot, including payments to the County Registrar of Voters

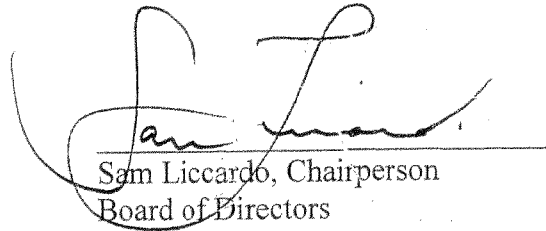
and payments for the printing of the portions of the ballot pamphlet relating to the Vehicle Registration Fee, advanced by VTA, shall be paid from the proceeds of the fee, and shall not be counted towards the 5% limit on administrative costs; and that the costs of preparing the Expenditure Plan, advanced by VTA, shall be paid from the proceeds of the fee subject to the 5% limit on administrative costs.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on June 3, 2010 by the following vote:

AYES: ABE-KOGA, GAGE, HERRERA, LICCARDO, MATTHEWS, MOYLAN, PAGE, PYLE, WOODWARD

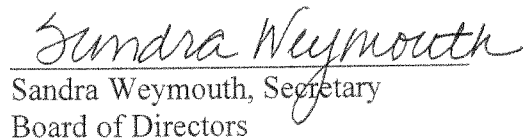
NOES: NONE

ABSENT: KALRA, KNISS, REED



Sam Liccardo, Chairperson
Board of Directors

ATTEST:



Sandra Weymouth, Secretary
Board of Directors

APPROVED AS TO FORM:



Kevin D. Allmand
General Counsel