

**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 10/19/04  
AGENDA ITEM 11  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** City Manager  
**SUBJECT:** Resolutions in Support of Measures AA and BB

This item appears on the agenda at the request of Mayor Roberta Cooper.

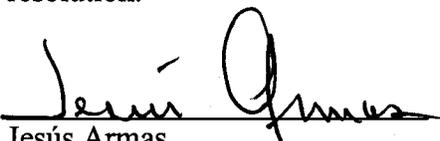
Measure AA is a \$980 million general obligation bond measure placed on the November ballot by the BART Board of Directors. Bond proceeds will fund BART's seismic retrofit program to strengthen the system against earthquakes. According to literature provided by BART, if approved, Measure AA will impose a property tax assessment of \$7.04 per \$100,000 of assessed value. For example, a homeowner who owns a residence with an assessed valuation of \$400,000 would pay \$28.16 per year.

Approval of two-thirds of the voters in Alameda, Contra Costa and San Francisco counties is required. If approved, the levy would be in effect for 40 years. Attached for the Council's consideration is information from BART's website, and a proposed resolution.

Measure BB pertains to AC Transit. In recent years, AC Transit has experienced significant budget shortfalls and has been forced to cutback on many of its services. To restore some of the services, the Board of Directors has placed Measure BB on the November ballot. According to information provided by AC Transit, proceeds from Measure BB can only be used for operations and maintenance to help preserve affordable local public transportation services.

Measure BB increases an existing parcel tax by \$2 per month, and extends the tax for ten years to 2015. The measure requires an affirmative vote of two-thirds of the voters.

Attached for the Council's consideration is information from AC Transit's website and a proposed resolution.

  
Jesús Armas  
City Manager

Attachments

**Measure AA**  
**General Obligation Bond Measure**  
**BART Earthquake Safety Program**  
**FACT SHEET**

**Overview**

In June, the BART Board of Directors voted to place a \$980 million General Obligation (GO) Bond issue on the November 2 ballot in Alameda, Contra Costa and San Francisco Counties to fund a critical earthquake safety retrofit program. The measure requires a two-thirds aggregate majority vote in the three BART counties. The bonds would be repaid by a property tax assessment over approximately 40 years.

**Background**

In 1962, Alameda, Contra Costa and San Francisco voters passed a \$792 million GO Bond measure to pay for the design and construction of the original 71.5-mile, 34-station core system. BART opened for service in September 1972. Since then, BART has added 30 miles of extensions and nine stations, including the San Francisco Airport Extension. The GO bonds funded by the 1962 measure were retired in June 1999 and the property tax discontinued. The conservative estimate for public investment in BART is \$15 billion.

**Earthquake Safety Retrofitting a Crucial Safety Measure**

Although BART is still safe to ride, earthquake improvements are necessary to upgrade the original system to modern seismic standards and to ensure a higher level of safety. The retrofits will increase rider safety, minimize disruption of BART service and contribute to the recovery of the region following a major earthquake. It is important to note that the new extension stations and trackways were built to state-of-the-art seismic design standards and do not need retrofitting.

**Loma Prieta Tested BART Post-Quake Performance**

BART was constructed in the 1960s using seismic design criteria that was state-of-the-art for its time. The system was able to withstand the forces of the 1989 Loma Prieta earthquake intact. More crucially, BART was able to resume service within hours and serve as a key transportation "lifeline" during the time that the Bay Bridge and Cypress Freeway were shut down and undergoing extensive repairs.

**Major Quake Could Hit Closer to Bay Area's Urban Core**

Loma Prieta's epicenter was 50 miles south of San Francisco. A U.S. Geological Survey statistical analysis predicts a 62 percent probability that a major earthquake will occur on the Hayward Fault before the year 2032. The Hayward Fault is of particular concern because of its close proximity to BART's facilities.

**Earthquake Design Standards Substantially Advanced in Recent Years**

Earthquake experts advance seismic knowledge in part by learning from each major quake. New information gathered following the 1994 Northridge, California and 1995 Kobe, Japan earthquakes, provided substantial leaps forward. Coupled with expanded

computer analysis tools and damage mitigating design techniques, today's engineers have an enhanced understanding of the effect of earthquakes on structures not available to earlier designers.

### **Vulnerability Study Points to Immediate Retrofit Needs**

Despite the system's reliability since opening for service in 1972, BART initiated a comprehensive Vulnerability Study to evaluate the system's earthquake safety following the Loma Prieta earthquake. Completed in 2002, the study identified parts of the BART system that require upgrades and called for a strengthening and reinforcement program immediately. Elements of the existing BART system identified in the study as most susceptible to earthquake damage and/or failure, included the Transbay Tube and elevated stations and structures.

### **Key Findings of the Vulnerability Study**

- The soil surrounding the Transbay Tube could undergo a process called liquefaction, which, in a worst-case scenario, could cause the Tube to fail.
- Severe earthquake loads may cause elevated structure foundations to rock and sway and possibly fail altogether.

### **First Priority: Strengthening the Transbay Tube**

BART's Earthquake Safety Retrofit Program will focus first on the Transbay Tube, then address elevated structures, columns, stations, trackway and other BART District facilities.

### **Independent Expert Peer Review Panels**

Two independent panels of earthquake experts, including world-renowned engineers, geologists, seismologists, and the California Seismic Safety Commission, confirmed the study's findings and recommended retrofit work begin immediately.

### **Without Retrofits, BART Could Be Out of Service Up to 2 Years or more**

The Vulnerability Study found that a major earthquake on the Hayward fault, centered in Oakland, would likely severely limit the system's ability to transport riders for 2 years or more for reconstruction.

### **Project Budget: \$1.3 billion**

### **Estimated Construction Period**

BART anticipates a 10-year Earthquake Safety program, implemented in four segments beginning in FY 2005 and concluding in FY 2015.

### **Estimated Cost to Property Owners**

The average property tax assessment would be \$7.04 per \$100,000 of assessed property value, or, for example, \$28.16 for a property valued at \$400,000.

BART's Earthquake Safety Retrofit Program is designed to improve the system's safety, ensure rapid return to service after a major earthquake and preserve the vitality of a transportation system critical to the Bay Area's quality of life and economic strength.

**More Information**

- Read a "Q & A" on the measure (.pdf)
  - Visit the Earthquake Safety Section of the website
  - Read the press release announcing the Board vote to authorize
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## **BART Earthquake Safety Program**

### **Measure AA on November 2 Ballot**

#### **Q&A**

***Q: What is Measure AA?***

***A: Measure AA is the BART Earthquake Safety Retrofit General Obligation Bond. In June, the BART Board of Directors voted unanimously to place a \$980 million General Obligation (GO) Bond issue on the November 2 ballot in Alameda, Contra Costa and San Francisco counties. The measure would contribute funds to BART's critical earthquake safety retrofit program. Measure AA requires a two-thirds cumulative vote in the BART District. The bonds would be repaid by a property tax assessment over approximately 40 years.***

***Q: How will the money be used?***

***A: The money will be used to strengthen the original BART system against earthquakes. The funds can only be used for the earthquake safety program. By strengthening the BART system, the public's substantial investment in BART will be safeguarded. BART has a conservatively estimated value of \$15 billion.***

***Q: Does BART need to be upgraded now?***

***A: Yes. Following the 1989 Loma Prieta earthquake, BART initiated a comprehensive vulnerability study to evaluate the system's strength. The study, completed in 2002, revealed the need to strengthen BART in preparation for a major earthquake in the future. The studies identified parts of the original BART system that are vulnerable to earthquake damage and/or failure, including the Transbay Tube and elevated structures and stations. Two panels of independent experts, including the California Seismic Safety Commission, agreed that BART needs earthquake strengthening and that retrofit work should begin immediately.***

Recent studies indicate that Bay Area traffic would gridlock if BART were forced out of service because of an earthquake.

***Q: Is the current BART system safe?***

**A:** Yes, BART is still safe to ride. BART was built in the 1960s to exceed the state-of-the-art earthquake standards of the day. However, substantial advances in scientific knowledge about earthquakes have occurred since BART opened for service in 1972. Studies of recent earthquakes in particular, such as in Northridge, California (1994) and Kobe, Japan (1995), and advances in analysis tools, have yielded new data about the effect of earthquakes on structures. Using this new information, BART can be upgraded to a higher level of earthquake safety. The earthquake safety improvements BART will make to the system are essential to meet current higher earthquake standards.

***Q: Do the new Extensions need strengthening***

**A:** No. The Extensions -- which added approximately 30 miles and nine stations, including the San Francisco International Airport Extension -- were all built to the higher modern earthquake safety standards and do not need retrofits.

***Q: How long will the retrofits take and will they disrupt service?***

**A:** BART anticipates the system upgrades will take 10 years and be implemented in four segments, beginning in 2005 and concluding in 2015. No major changes in service are anticipated during construction.

***Q: Are there existing funds BART could use for the project?***

**A:** In 1962 voters passed a \$792 million GO Bond measure to pay for the design and construction of the original 71.5-mile, 34-station system. The GO bonds funded by the 1962 measure were retired in June 1999 and that property tax was discontinued. Therefore, it is critical to create new funds to make the needed safety upgrades to the system.

***Q: How much is this going to cost taxpayers?***

**A:** The estimated average property tax assessment would be \$7.04 per \$100,000 of assessed property value. For example, a property valued at \$400,000. would be assessed \$28.16 per year.

***Q: When will voters decide on Measure AA?***

**A:** The outcome of Measure AA will be determined by voters at California's General Election on Tuesday, November 2.

**For more information, visit [www.bart.gov/earthquakesafety](http://www.bart.gov/earthquakesafety).**

## VOTER INFORMATION

Last day to register to vote in this election: **October 18, 2004**

Last day to request an absentee ballot: **October 26, 2004**

Election Day: **Tuesday, November 2, 2004**

Polls open: **7:00 a.m. to 8:00 p.m.**

### To request an absentee ballot, call:

Alameda County: (510) 663-VOTE

Contra Costa County: (925) 646-4166

### To find your polling place, call:

Alameda County: (510) 272-6971

Contra Costa County: (925) 646-4166

Upon request, the information in this brochure is available in accessible format: large print, Braille, computer diskette, or audio tape. Call (510) 891-4777.

# Measure BB

on your ballot  
November 2, 2004



Alameda-Contra Costa Transit District  
1600 Franklin Street  
Oakland, CA 94612  
Call 511  
Visit [www.actransit.org](http://www.actransit.org)



### **What is Measure BB?**

If approved by local voters on November 2, 2004, Measure BB will provide operations and maintenance funding to help preserve local and transbay bus services for East Bay residents.

### **Why is Measure BB on the ballot?**

This past year, AC Transit has faced a \$50-million budget shortfall and declared a fiscal emergency. More than 25% of management positions were eliminated, more than 150 bus drivers and mechanics were laid off, nearly 17% of bus services were eliminated or significantly reduced, and fares were increased. As a result, the AC Transit Board of Directors recently voted to place Measure BB on the ballot.

### **Specifically, what will Measure BB funds be used for?**

Measure BB funds can only be used for operations and maintenance to help "preserve affordable local public transportation services that allow seniors and people with disabilities to remain independent, take students to and from school, help East Bay residents commute to work, and reduce traffic and air pollution by reducing the number of cars on the road."\*

### **How much will Measure BB cost?**

Measure BB increases an existing parcel tax by \$2 per month, and extends the tax for 10 years to 2015.

### **Who will vote on Measure BB?**

All registered voters in Alameda, Albany, Berkeley, El Cerrito, Emeryville, Hayward, Oakland, Piedmont, Richmond, San Leandro, San Pablo, and certain unincorporated areas of Alameda and Contra Costa counties are eligible to vote on Measure BB.

Measure BB requires a "Yes" vote from two-thirds of those voting on the measure to pass.

### **Who benefits from AC Transit bus services?**

AC Transit is a public agency that provides affordable bus services to more than 200,000 passengers each day, with more than 100 bus lines and curb-to-curb paratransit services. These services help to reduce traffic and air pollution by keeping cars off the road.

### **How can I be sure Measure BB funds will be spent properly?**

An independent citizens oversight committee will ensure that all Measure BB funds are spent only in the cities and counties identified above and for the purposes approved by the voters.

### **Where can I get more information?**

Visit [www.actransit.org](http://www.actransit.org) or call (510) 891-4854 to request an information packet.

\*From the text of Measure BB

## **Measure BB on the Nov. 2 Ballot**

AC Transit Marketing  
09/10/2004

On August 4, the AC Transit Board of Directors voted to place Measure BB on the November 2, 2004 ballot. Should voters approve Measure BB by a two-thirds margin, AC Transit will use funds for the operation and maintenance of its service, which would help preserve affordable local public transportation services that allow seniors and people with disabilities to remain independent, and take students to and from school.

The AC Transit Board of Directors adopted a resolution on September 1, 2004, stating that if Measure BB passes, a scheduled five dollar (\$5.00) increase in the 31-day pass for youth, and the monthly pass for seniors and the disabled, will not occur. The resolution permits the Board to consider imposition of the fare increase in January 2005 if Measure BB is not approved.

Measure BB increases an existing parcel tax by \$2 per month and extends the tax for 10 years, until 2015. The existing independent citizens oversight committee will ensure that all Measure BB funds are spent only in cities and counties identified below and for the purposes approved by voters.

### **Members of the Oversight Committee**

Members of the committee are: Janet Abelson, El Cerrito Councilwoman; Irma Anderson, Mayor of Richmond; Henry Gardner, former City Manager of Oakland; Beverly Johnson, Mayor of Alameda, and Mary King, former Alameda County Supervisor.

This past year, AC Transit faced a \$50-million budget shortfall and declared a fiscal emergency. More than 25 percent of management positions were eliminated, more than 150 bus drivers and mechanics were laid off, nearly 17 percent of bus services were eliminated or significantly reduced, and fares were increased. In order to provide a steady stream of funding for AC Transit, the AC Transit Board of Directors voted to place Measure BB on the ballot.

### **Special Transit Service District 1 Votes on the Measure**

Measure BB will be on the ballot only in that portion of AC Transit known as Special Transit Service District 1. This area spans San Pablo to Hayward. Only the cities of Fremont and Newark will not have Measure BB on the ballot.

All registered voters in Alameda, Albany, Berkeley, El Cerrito, Emeryville, Hayward, Oakland, Piedmont, Richmond, San Leandro, San Pablo, and certain unincorporated areas of Alameda and Contra Costa counties are eligible to vote on Measure BB.

**Measure BB Ballot Language**

Here is the language for Measure BB that you will see on the November 2 ballot:

“To preserve affordable local public transportation services that allow seniors and people with disabilities to remain independent, take students to and from school, help East Bay residents commute to work and reduce traffic and air pollution by reducing the number of cars on the road, shall the Alameda-Contra Costa Transit District (AC Transit) increase its existing parcel tax by \$2 per parcel per month for ten years with an independent fiscal oversight committee and all money staying local?”

**Voter**

**Information**

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Contra Costa County: **925-646-4166**

**See For Yourself**

- Measure BB Q&A Brochure
- Resolution 2141

**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. 04-

Introduced by Council Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HAYWARD IN SUPPORT OF MEASURE AA

WHEREAS, Bay Area Rapid Transit District (BART) serves as the regions' transportation and economic lifeline, and averted major economic and transportation gridlock in the region by carrying 350,000 passengers each day after the Loma Prieta earthquake when the Bay Bridge closed; and

WHEREAS, BART carries 50% of peak transbay traffic, and BART ridership is associated with significant reduction in vehicle miles traveled and related air pollution; and

WHEREAS, BART is a regional asset on a number of different community fronts, such as being a leader in the "smart growth" movement, which strives to promote more livable and functional communities; and

WHEREAS, the nation's most prestigious transit organization, The American Public Transportation Association, has just honored BART as the number one "Large Transit System in North America" with the "2004 Outstanding Achievement Award" for a transit system providing 30 million annual passenger trips or more; and

WHEREAS, the BART Board of Directors has received a BART Seismic Vulnerability Study, which presented analysis of the BART system underscoring major vulnerability to earthquakes, and recommended retrofits and performance enhancements to protect the systems' riders and the region during the next earthquake; and

WHEREAS, the Board has approved an Earthquake Safety Program as a part of its "General Obligation Bon Report" which declares the seismic safety work is feasible and necessary; and

WHEREAS, the Board has submitted to the voters a request, called Measure AA, to issue bonds not to exceed \$980M to fortify and secure BART facilities in Contra Costa, San Francisco and Alameda Counties, including strengthening tunnels, bridges, overhead tracks and the underwater Transbay Tube, and also establishing an independent citizens oversight committee to review and report to the public on bond expenditures; and

WHEREAS, the bond measure should be widely supported to protect a vital component of our public infrastructure, and to guarantee the Bay Area traffic keep mowing and to speed economic recovery in the aftermath of an earthquake or other disaster.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward hereby endorses Measure AA, and encourages Hayward residents to also vote to support Measure AA.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2004

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. 04-

Introduced by Council Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HAYWARD IN SUPPORT OF MEASURE BB

WHEREAS, the Alameda-Contra Costa Transit District, as a special transit district organized under the provisions of the Public Utilities Code, is authorized by State law, upon approval of two-thirds of the electorate voting on the measure, to levy a special tax for specified purposes; and

WHEREAS, the Board of Directors has determined that a special tax is necessary the purpose of providing for the operation and maintenance of bus service over the next ten years; and

WHEREAS, the District has reduced or eliminated bus service and increased fares due to significant budgetary shortfalls caused by the continuing economic downturn. The Board finds that the absence of bus services and increased fares have a serious impact upon school children, seniors and people with disabilities, as well as efforts to reduce air pollution and traffic congestion on local streets and freeways; and

WHEREAS, the State budget proposes to take a total of \$3 Million in property taxes from the District over the next two fiscal years (2004-05 and 2005-06) to help balance the state budget; and

WHEREAS, the District's 2001 to 2006 Short Range Transit Plan submitted to the Metropolitan Transportation Commission projects continued budgetary deficits during the next ten years; and

WHEREAS, the passage of this special tax measure will help to maintain service and diminish the need for additional fare increases, particularly for youth, seniors and the disabled; and

WHEREAS, following a noticed public hearing the Board voted to place Measure BB on the November 2, 2004 ballot.

NOW, THEREFORE, BE IT RESOLVED, by the Hayward City Council to endorse Measure BB and to encourage Hayward residents to also vote in support of Measure BB.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2004

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_

City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward