Public Transit Revenue Measure District

July 24, 2026 **Agenda Item 6a - 26-0833**

Public Transit Revenue Measure District Resolution No. 2

Acceptance of Certification for "Connect Bay Area Transit Initiative" ("Initiative Measure") and Request to Boards of Supervisors of the Counties of Alameda, Contra Costa, San Mateo, Santa Clara, and the City and County of San Francisco to Call a Special Election on the Initiative Measure to be Consolidated with the November 3, 2026, Statewide General Election Pursuant to Government Code Section 67740(a)

Subject:

Adoption of Public Transit Revenue Measure District ("District") Resolution No. 2—Acceptance of Certification for "Connect Bay Area Transit Initiative" ("Initiative Measure") and Request to Boards of Supervisors of the Counties of Alameda, Contra Costa, San Mateo, Santa Clara, and the City and County of San Francisco to Call a Special Election on the Initiative Measure to be Consolidated with the November 3, 2026, Statewide General Election Pursuant to Government Code Section 67740(a)

Background:

Title 7.85 of the California Government Code, commencing with Government Code Section 67700 (Senate Bill 63/Connect Bay Area Act, Wiener/Arreguín, October 13, 2025) created the Public Transit Revenue Measure District (PTRMD, or "District") with jurisdiction extending throughout the territorial boundaries of the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and the City and County of San Francisco. This new law provided that the District will be governed by the same board that governs the Metropolitan Transportation Commission (MTC).

As provided in Government Code Sections 67730 and 67732, the District, or alternatively a qualified voter initiative, may impose a retail transactions and use tax ordinance applicable to the entire district for a duration of 14 years, and in an amount of 0.5% in each of the above-described counties located within the district and 1% in the City and County of San Francisco, subject to voter approval at the November 3, 2026, statewide general election. Pursuant to Section 67700 *et seq.,* the District has many responsibilities should a tax measure be proposed under this title, including administrative responsibilities related to the November 3, 2026, statewide general election, and additional responsibilities if such measure were to be approved by the voters.

Initiative Process and Signature Collection Requirements

On January 16, 2026, the District received a notice of intention from the Connect Bay Area Transit Committee to circulate an initiative petition for the purpose of placing the Initiative Measure on the November 3, 2026, general election ballot. The District Elections Official found this submission complied with the necessary requirements pursuant to Elections Code Section 9304. On May 26, 2026, proponents for the Initiative Measure submitted petitions containing signatures to the Registrar of Voters of the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and to the Department of Elections of the City and County of San Francisco, which were subsequently accepted. It was determined the total number of signatures that had been collected across the entire District was 306,288. Pursuant to Elections Code Section 9310, subdivision (a), the requisite number of signatures required to qualify the Initiative Measure for the ballot was 187,119, which is 5% of 3,742,378. This latter figure represents the total number of registered voters within the District, as calculated by the last report of registration issued by the California Secretary of State prior to the filing of the notice of intention.

To determine the estimated number of valid signatures pursuant to Elections Code Section 9309, subdivision (a), the Registrar of Voters of the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and the Department of Elections of the City and County of San Francisco used a random sampling technique of three percent (3%) of the total signatures gathered in each county (and city and county) for the verification of signatures. Combined, the Registrar of Voters of the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and the Department of Elections of the City and County of San Francisco collectively reviewed 9,190 signatures, which is approximately 3% of 306,288, finding 7,260 valid signatures and 1,930 invalid signatures (including 6 duplicate signatures), establishing that approximately 79.00% of signatures were valid.

Certification of Initiative Petition

Applying these findings to the signature verification formulas set forth in California Code of Regulations, Title 2, Sections 20530 through 20532, the District Elections Official found that the petition contained a combined estimated value of 235,503 valid signatures of qualified registered

voters in the District. This exceeds the 110% threshold of required signatures (205,831) necessary to declare the Initiative Measure sufficient pursuant to Elections Code Section 9309. The District Elections Official then prepared a "Certificate to Initiative Petition" reflecting these findings, dated July 1, 2026, which is included as an attachment to District Resolution No. 2.

Elections Code Section 9309, subdivision (f), requires that the certification of the results of the examination of the signatures of an initiative petition be submitted to the Board of the District at the next Board meeting following the certification. Following certification, and pursuant to Government Code Section 67740, subdivision (a), the Boards of Supervisors of the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and the City and County of San Francisco must call a special election on the Initiative Measure in their respective counties (and city and county) to be held on November 3, 2026.

District Resolution 2 Overview

In addition to accepting the District Elections Official's certification of the initiative measure and requesting the call for an election pursuant to Government Code Section 67740, subdivision (a), District Resolution No. 2 also contains other administrative information and requirements, including the text of the ballot question, information regarding the placement and designation of the measure, and details regarding District and individual county-based deadlines, including those for the submission of ballot arguments and rebuttals. It also provides important details related to the passage of SB 830, an urgency statute signed into law on July 16, 2026, which updates certain election-related aspects of SB 63, including a change that ballot arguments and rebuttals will be submitted to, and selected by, the respective election officials for each county (or city and county) rather than the District.

Importantly, the Resolution also directs and empowers the District Elections Official and other specified staff to take any and all actions necessary under the law to ensure the measure is submitted to the voters during the November 3, 2026 statewide general election. This includes the power to take all actions necessary to prepare for and conduct the election, including, but not limited to, amendments and/or corrections to the Resolution or its exhibits as necessary to conform to any legal or other regulatory requirement.

As a voter-sponsored initiative, the Initiative Measure is not a project subject to the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA") pursuant to CEQA Guidelines Section 15378(b)(3) and the California Supreme Court's decision in *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165, 189-191. Additionally, it can be seen with certainty that there is no possibility the adoption and implementation of the Initiative Measure may have a significant effect on the environment, and accordingly, the adoption of the Initiative Measure is also exempt from CEQA pursuant to the "common sense exemption" codified at CEQA Guidelines Section 15061(b)(3).

Recommendations:

Staff recommend the District adopt Resolution No. 2.

Attachments:

- District Resolution No. 2
- Connect Bay Area Transit Initiative: Notice of Intention, Written Text of Initiative, Affidavits of Newspaper Representatives

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