



## Sample Ballot and Voter Information Guide

## Muestra de Boleta e Guía de Información para el Votante

### Presidential General Election

**Tuesday, November 8, 2016**

Polls are open 7am – 8pm

### Elección General Presidencial

**Martes, 8 de noviembre de 2016**

Los lugares de votación abren de 7am a 8pm

← Polling place on the back cover

← Lugar de votación en la contraportada

**Santa Cruz County Elections Department**  
701 Ocean Street, Room 210, Santa Cruz  
Open Monday—Friday, 8am to 5pm

[www.votescount.com](http://www.votescount.com)  
[info@votescount.com](mailto:info@votescount.com)

Information in English: 831-454-2060  
Información en español: 831-454-2060  
若需更多中文資訊: 831-454-5137  
Impormasyon sa Tagalog: 831-454-5135  
Toll Free (sin cargo): 866-282-5900  
TDD: 711  
FAX: 831-454-2445

Dear Voter,

Welcome to the November 2016 Election!

The November 8 ballot features contests from President and Vice President of the United States to local special districts. In addition, there are 17 state propositions and 16 local measures. Only those local measures that impact where you live will appear on your ballot.

Clearly the November 2016 is a big ballot with lots of different contests. I want to remind you that voting is not a test. You do not have to vote on every contest.

In November, all voters will receive the same ballot regardless of your political party or no party registration.

Some contests allow for write-in candidates and others do not. The law does not allow write-ins for the voter-nominated offices of US Senate, US Representative, State Senate, and State Assembly.

You will find a lot of information in this guide to help you make your decisions. You can also find information on our website at [www.votescount.com](http://www.votescount.com). In addition, there is another great website, [www.votersedge.com](http://www.votersedge.com), where candidates can post information about themselves free of charge.

If you are signed up to be a permanent vote-by-mail voter, we will automatically mail you a ballot on October 10. Be aware that mail can take 3 to 7 days for delivery.

As a new convenience for our voters, we have installed new ballot drop boxes available 24/7 located in each of the four cities and at the County Government Center.

We are here to help and answer any of your questions. Please call us at 831-454-2060 or email [info@votescount.com](mailto:info@votescount.com)

Your vote counts! Thank you for being a voter!

Santa Cruz County Clerk/Elections Department

Estimado Elector,

¡Bienvenido a la Elección de noviembre de 2016!

La boleta electoral del 8 de noviembre presenta contiendas que van desde Presidente y Vicepresidente de los Estados Unidos hasta distritos especiales locales. Además, hay 17 propuestas estatales y 16 iniciativas de ley locales. Sólo aquellas iniciativas de ley locales que tendrán un impacto en el lugar donde usted vive aparecerán en su boleta electoral.

Claramente, la boleta electoral de noviembre de 2016 es grande y con un contenido muy variado. Quiero recordarle que votar no es un examen. No es necesario que vote en cada una de las contiendas.

En noviembre, todos los votantes recibirán la misma boleta electoral independientemente de su partido político o no afiliación partidista.

Algunas contiendas permiten incluir a candidatos por escrito y otras no. La ley no permite candidatos por escrito para los cargos nominados por los electores del Senado de EE. UU., Representante de EE. UU., Senado Estatal, y la Asamblea Estatal.

En esta guía encontrará mucha información que le ayudará a tomar sus decisiones. También puede encontrar información en nuestro sitio web [www.votescount.com](http://www.votescount.com). Existe además otro excelente sitio web en [www.votersedge.com](http://www.votersedge.com), donde los candidatos pueden publicar sin cargo información sobre ellos mismos.

Si está inscrito como para votar por correo permanente, le enviaremos por correo automáticamente su boleta electoral el 10 de octubre. Este consciente de que el correo puede demorar de 3 a 7 días.

Para facilidad de nuestros votantes, hemos instalado nuevos buzones para boletas electorales disponibles las 24 horas del día, los 7 días de la semana en cada una de las cuatro ciudades y en el Centro Gubernamental del Condado.

Estamos aquí para ayudarle y responder a sus preguntas. Por favor llámeme al 831-454-2060 o por correo electrónico [info@votescount.com](mailto:info@votescount.com)

¡Su voto cuenta! ¡Gracias por ser un votante!

Secretario del Condado/Departamento de Elecciones de Santa Cruz

# What's in this guide?

## ¿Que hay en esta guía?

### Ways to vote

3 ways to vote	2
How to vote by mail	3
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How to vote with a touch screen ballot	5
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### Formas de votar

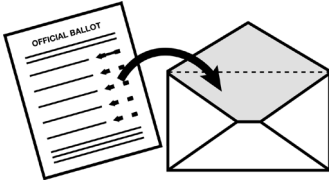
<i>3 formas de votar, Cómo votar por correo, Cómo votar por boleta electoral de papel, Cómo votar por boleta electrónica, Como votar por voto accesible, Quién está en la boleta para esta elección</i>	8
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### What's on the ballot for this election?

### ¿Que está en la boleta electoral para estas elecciones?

Party endorsements - Endosos de partido	14
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Paid candidate statements - Declaraciones pagadas de los candidatos	16
Local ballot measures - Medidas locales electorales	
Sample ballot – Muestra de Boleta	Center

# 3 ways to vote



## Vote by mail

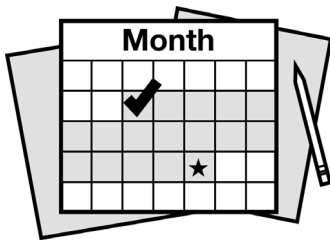
Request a vote-by-mail ballot by **November 1**.

Return it by mail, deliver it to the Registrar of Voters office, or drop it off at any polling place on Election Day.

Vote-by-mail ballots must be postmarked or delivered to a polling place by **November 8**

For more details, see **page 3**.

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## Vote early in person

You may vote early at two locations

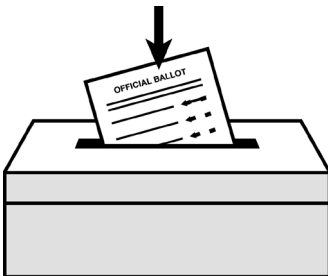
**October 10 - November 8**

701 Ocean St., Room 210, Santa Cruz  
Monday – Friday 8am to 5pm

Watsonville City Clerk's Office  
275 Main St., 4th Floor (6th floor of the parking garage)  
Monday – Friday, 8am to 5pm

Both locations will also be open  
Saturday and Sunday, November 5 & 6, 9am to 5pm

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## Vote at the polls in person

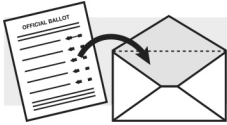
Polls are open on Election Day:  
**November 8, from 7am to 8pm**

The location of your polling place is printed on the back cover of this guide.

Or, you can look up your polling place:

- On the web: [www.votescount.com](http://www.votescount.com)
- Call the County Clerk's office at 831-454-2060

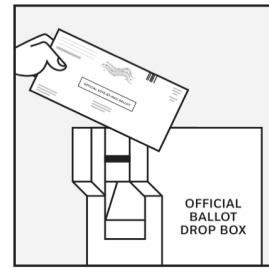
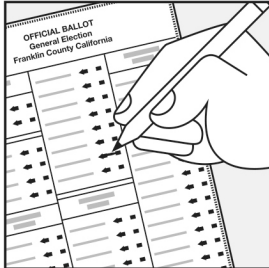
For more details, see **page 4 and 5**.



## How to vote by mail

### You can vote by mail before Election Day

To vote by mail, you have to request a ballot. Then you can mark the ballot and send it back or drop it off at any polling place. You can vote by mail for this election only, or for all future elections.



### How to get your vote-by-mail ballot

You must request a vote-by-mail ballot by November 1.

You can:



Request a ballot at [www.votescount.com](http://www.votescount.com)



Use the application on the back of this booklet, and mail it or FAX it to 831-454-2445



Call 831-454-2060

After you apply to vote by mail, you will receive your ballot within one week.

Overseas voters, military personnel and their dependents can get a vote-by-mail ballot by asking your commanding officer, or go to: [www.votescount.com](http://www.votescount.com)

### How to return your vote-by-mail ballot

Mark your ballot. Then follow the instructions on the official envelope to sign, date, and seal your ballot. You can:



Mail your ballot, so that it is postmarked by Election Day, November 8.



Hand deliver your ballot to the Santa Cruz County Clerk Elections or the Capitola, Santa Cruz, Scotts Valley or Watsonville City Clerk.

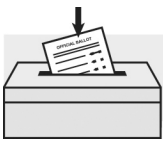


Drop it off at one of the 24/7 drop boxes located at:

- 701 Ocean Street, Santa Cruz, in front of the county building.
- 212 Church Street, Santa Cruz, public parking lot
- 1 Civic Center Drive, Scotts Valley City Hall parking lot
- 420 Capitola Avenue, Capitola City Hall parking lot
- 316 Rodriguez Street, Watsonville public parking lot 14



Drop off your ballot on Election Day at any polling place in Santa Cruz County.



# How to vote with a paper ballot

At the polling place, you can choose to vote on a paper or touch screen ballot.

## Mark your ballot

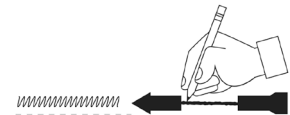
Draw a single line to connect the head and tail of the arrow that points to your choice.

Use only a blue or black ballpoint ink pen. Do not use red ink pens, Sharpies, markers or any other type of pen.



**Do not sign your name** on your ballot, write your initials, or write any other words or marks on your voted ballot.

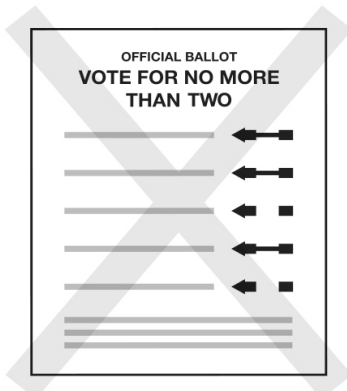
To vote for a qualified write-in candidate, write their name on the blank line at the end of the list of candidates. Then connect the arrow pointing to that name.



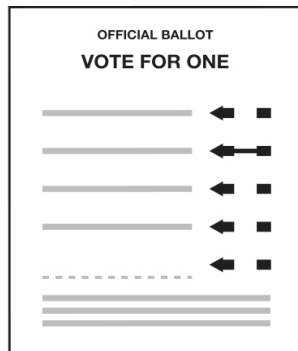
A list of qualified write-in candidates is available at the polling place on Election Day. The list is posted on our website at [www.votescount.com](http://www.votescount.com) 13 days before the election

## Check your ballot carefully

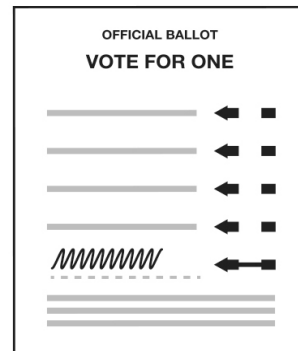
If you make a mistake ask a poll worker for a new ballot or follow the instructions in your ballot packet.



Don't vote for too many.



Vote for the number allowed.

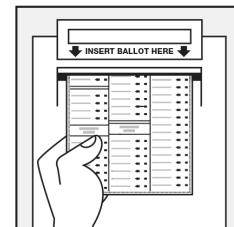


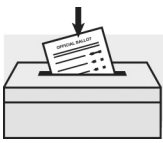
Always connect the arrow, even on a write-in vote.

## Cast your ballot at the scanner

After you have marked your ballot, take it to the scanner and insert your ballot.

If you made a mistake, such as voting for too many candidates, the scanner will eject your ballot so you can correct it.





## How to vote with an electronic ballot

**At the polling place, you can choose to vote on a touch screen or paper ballot.**

With touch screen voting, all voters – including those with disabilities – can vote privately and independently.

### 1. Tell the poll worker you want to use the touch screen

- The poll worker will give you a ticket.
- Take it to the touch screen area.
- When it's your turn, a poll worker will activate the screen so you can vote.



### 2. Mark your ballot

- Touch the box next to your choice. A green check mark will appear.
- To change your vote, touch that choice again. The green check mark will disappear.
- To vote for a write-in candidate, touch the box that says WRITE-IN. A keyboard will pop up. Type the write-in candidate's name, then touch OK.

NONPARTISAN	
COUNTY	
Sheriff-Coroner	
THOMAS ONE Retired Sheriff's Lieutenant	<input checked="" type="checkbox"/>
JILL TWO Retired Sheriff's Lieutenant	<input type="checkbox"/>
CARLOS THREE Chief Deputy Sheriff	<input type="checkbox"/>
WRITE-IN	

### 3. Review your votes

- Touch the screen to print and review a paper record of your votes.
- If you want to make changes, you can start again.

Touch Here to Print  
and Review a Paper  
Record of Your Ballot

### 4. Cast your vote

- Touch the screen to cast your ballot.
- Protect your vote. Do not leave the voting system until you see the green "Thank you" screen that says your vote has been recorded.

Vote Recorded.  
Thank You.



## Accessible Voting

### At the polling place



To check polling place accessibility, look for the wheelchair symbol on the back cover of this pamphlet. If your site is accessible, next to the symbol you will find the word Yes.

In some polling places, temporary thresholds, ramps, signage, cones, and door props, are used to improve access to the facility.

### Curbside voting

If your polling place is not accessible, you may vote on a paper or an electronic ballot from a nearby accessible location, including a car. A poll worker will qualify you to vote and will return the voted ballot to the polling place.

To request curbside voting assistance, you can:

- call in advance to coordinate a time and place
- have an assistant make the request inside the polling place

### Accessible voting system

Each polling place in the county has a touch screen voting system with:

- an audio option that reads the ballot to you
- a universal plug for personal assistive device
- large print (24 points)
- a choice of English or Spanish

### A ride to your polling place

We can arrange to have an accessible van pick you up and take you to the polls to vote. Please call prior to Election Day to make an appointment.

### Ballot delivery to your home

We can deliver a ballot to your home and return it to the Elections Department. Please call before Election Day so there will be enough time to provide assistance.

### Voting information

Audio versions of the information about local measures and information printed in the State Voter Guide are available on request. The recordings are available approximately four weeks before the election.

### How to request assistance

To request any of these options, or for assistance with accessible voting:



Phone Santa Cruz County: 831-454-2060

Disability Rights California will operate a statewide Election Day Hotline  
7am to 8pm on Election Day: November 8, 2016  
1-888-569-7955





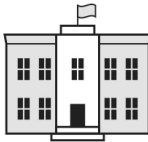
TDD: 711



## Who is on the ballot for this election?

In the November General Election, all voters receive the same ballot, no matter what political party you are registered with, or if you have no party preference. The address where you are registered to vote determines which contests are on your ballot.


In the June Primary Election, all Californians were able to vote to decide which candidates for federal and state offices moved on to the November General Election. Candidates for local county offices in June received enough votes to be elected without having to be in a run-off in November.

 <b>Presidential Nominated by party</b>	 <b>California Top-Two Primary Nominated by voters</b>	 <b>Local Nonpartisan candidates</b>
<ul style="list-style-type: none"> <li>• President and Vice President</li> </ul>	<ul style="list-style-type: none"> <li>• U.S. Senator</li> <li>• U.S. Representative</li> <li>• State Senator</li> <li>• State Assembly Member</li> </ul>	<ul style="list-style-type: none"> <li>• School District Offices</li> <li>• Special District Offices</li> <li>• Municipal Offices</li> </ul>
<p><b>The candidates nominated by each political party are on the ballot.</b></p>	<p><b>The top two candidates—the ones with the most votes in June—are on your ballot.</b></p>	<p>Candidates for county offices on the ballot in June received at least 50% plus 1 vote in the Primary. So, they were elected and are not on the General Election ballot.</p>
<p>You can write-in a candidate for President and Vice President.</p>	<p>There is no write-in for these offices.</p>	<p>You can write-in a candidate for these offices.</p>
<p>The party nominating the candidate is listed with their name.</p> <p>Candidates may be nominated by more than one party.</p>	<p>The candidates' party preference (or "None") is listed with their name.</p> <p>Both candidates on the ballot may have the same party preference.</p>	<p>Candidates for nonpartisan offices do not have a party preference listed on the ballot.</p>

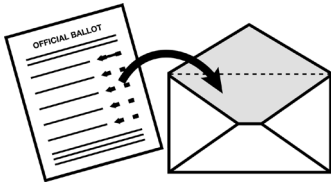
For more information you can:

 Call the Elections Department: 831-454-2060

 Visit our website: [www.votescount.com](http://www.votescount.com)

 Visit the California Secretary of State's website:  
[www.sos.ca.gov/elections/primary-elections-california/](http://www.sos.ca.gov/elections/primary-elections-california/)

# 3 formas de votar



## Votar por correo

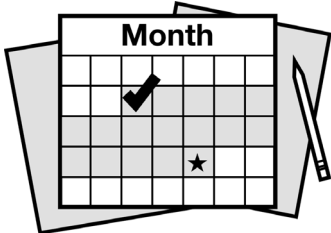
Solicite una boleta de voto por correo no mas tardar del **1 de noviembre**.

Devuelva la boleta por correo, entréguela a la oficina del Registro Electoral, o entréguela a cualquier lugar de votación el día de la elección.

La boleta de voto por correo debe tener el sello postal o entregarse a una lugar de votación hasta el **8 de noviembre**.

Para más detalles, [vea la página 9](#)

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## Vote temprano en persona

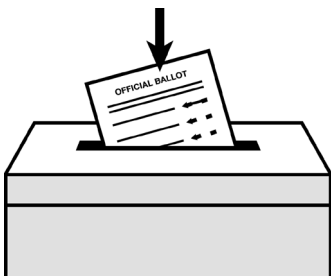
Puede votar temprano en dos localidades **10 de octubre – 8 de noviembre**

Santa Cruz County Clerk/Elections  
701 Ocean St., Room 210  
lunes– viernes, 8am a 5pm

Watsonville City Clerk’s Office  
275 Main St., 4o piso (6o piso desde el estacionamiento)  
lunes– viernes, 8am a 5pm

Las dos localidades también estarán abiertas  
sábado y domingo, noviembre 5 & 6, 9am a 5pm

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## Vote en persona en el lugar de votación

Las mesas electorales están abiertas el día de la elección:

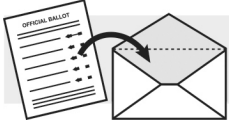
**8 de noviembre**, de 7am a 8pm

La dirección de su lugar de votación está localizada en la contraportada de este guía.

O, puede buscar su lugar de votación:

- en la web: [www.votescount.com](http://www.votescount.com)
- llamar a la oficina del registro de electores al 831-454-2060

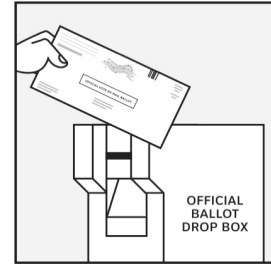
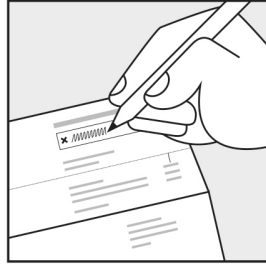
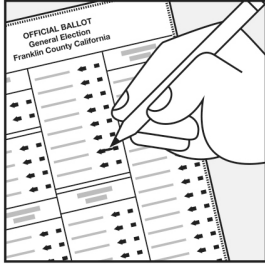
Para más detalles, [vea las páginas 10 y 11.](#)



## Cómo votar por correo

### Usted puede votar por correo antes del día de la elección




Para votar por correo, tiene que solicitar una boleta. Después de completar su boleta la puede enviar por correo o entregarla a cualquier lugar de votación. Usted puede votar por correo para esta elección solamente, o para todas las elecciones futuras.



### Cómo obtener su boleta de voto por correo

Usted debe solicitar una boleta de voto por correo antes del 1 de noviembre.

Usted puede:





-  Solicitar una boleta en [www.votescount.com](http://www.votescount.com)
-  Utilice la aplicación en la parte posterior de esta guía, y envíela por correo o mándela por fax al 831-454-2445
-  Teléfono 831-454-2060

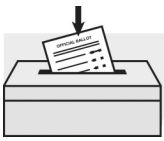
Después de solicitar su boleta para votar por correo, usted la recibirá su boleta dentro de la semana.

Votantes que residen en el extranjero, el personal militar y sus dependientes pueden obtener una boleta para votar por correo al preguntarle a su oficial del mando, o vaya a: [www.votescount.com](http://www.votescount.com)

### Cómo devolver su boleta de voto por correo

Marque su boleta. Después de completar su boleta, siga las instrucciones en el sobre oficial para firmar y sellar su boleta. Usted puede:

-  Envíe su boleta por correo, para que tenga el sello postal con la fecha hasta el día de la elección el 8 de noviembre.
-  Entregue su boleta personalmente al Santa Cruz County Elections Department o a la oficina del secretario municipal de la Ciudad de Capitola, Santa Cruz, Scotts Valley o Watsonville.
-  Deposite en una de las cajas de la gota 24/7 ubicadas en:
  - 701 Ocean Street, Santa Cruz, frente al edificio del condado.
  - 212 Church Street, Santa Cruz, estacionamiento público
  - 1 Civic Center Drive, Scotts Valley City Hall estacionamiento
  - 420 Capitola Avenue, Capitola City Hall estacionamiento
  - 316 Rodriguez Street, Watsonville estacionamiento público 14
-  Entregue su boleta el día de la elección a cualquier lugar de votación en el condado de Santa Cruz.



# Cómo votar por boleta electoral de papel

En la lugar de votación, usted puede elegir votar usando una boleta de papel o la unidad de pantalla táctil para votar.

## Marque su boleta

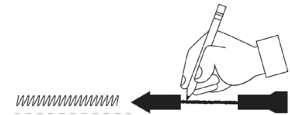
Use una sola línea que conecte la cabeza y la cola de la flecha que señale su selección.

Use un bolígrafo con tinta azul o negra. No utilice bolígrafo de tinta roja, Sharpies, marcadores o ningún otro tipo de bolígrafo.



No firme su nombre en su boleta, no escriba sus iniciales, no escriba otras palabras o hacer algún otro tipo de marca en la boleta que ha completado.

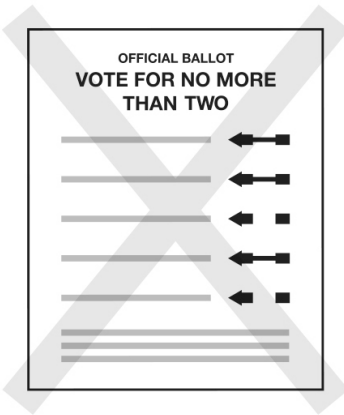
Para votar por un candidato que no esté en la lista, escriba el nombre del candidato en la línea en blanco al lado de la última flecha. Luego, conecte las dos partes de esa flecha.



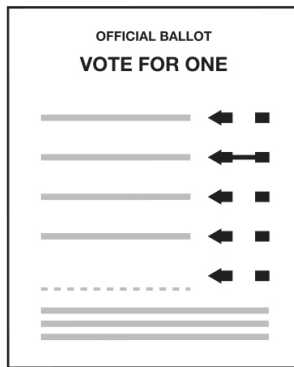
Una lista de candidatos que no están en la lista, pero que están calificados, estará disponible en la lugar de votación el día de la elección. La lista está disponible en nuestra página de internet en [www.votescount.com](http://www.votescount.com) 13 días antes del día de la elección.

## Revise su boleta cuidadosamente

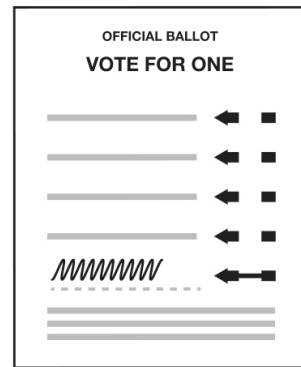
Si comete un error, pídale una boleta nueva a un trabajador electoral o siga las instrucciones en el paquete de su boleta.



No vote por demasiados.



Vote por el número permitido.

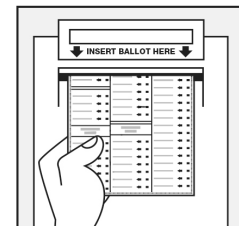


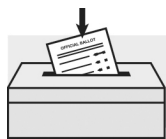
Siempre conecte la flecha, incluso en un "voto escrito".

## Ingrese su boleta al lector optico

Después de votar, lleve su boleta al lector óptico e ingrese su boleta.

Si cometió un error, como haber votado por demasiados candidatos, el lector óptico le devolverá su boleta para que la pueda corregir.





## Cómo votar por boleta electrónica

**En la lugar de votación, usted puede elegir usar una unidad de pantalla táctil para votar o una boleta de papel.**

Con la votación electrónica, todos los votantes – incluyendo los que tengan discapacidades – pueden votar en forma privada e independiente.

1. Dígale al trabajador electoral que quiere usar una unidad de pantalla táctil para votar

- El trabajador electoral le entregará un boleto.
- Llévelo a la zona de votación electrónica.
- Cuando sea su turno, el trabajador electoral activará la pantalla para que usted pueda votar.



2. Marcar su boleta

- Toque el casillero correspondiente al candidato que prefiera. Aparecerá una marca verde de verificación.
- Para cambiar su voto, vuelva a tocar esa opción. La marca verde de verificación desaparecerá.
- Para votar por un candidato que no esté en la lista, toque el casillero que dice WRITE-IN. Aparecerá un teclado. Escriba el nombre del candidato por quien desea votar, y luego toque OK.

NONPARTISAN	
COUNTY	
Sheriff-Coroner	
THOMAS ONE Retired Sheriff's Lieutenant	<input checked="" type="checkbox"/>
JILL TWO Retired Sheriff's Lieutenant	<input type="checkbox"/>
CARLOS THREE Chief Deputy Sheriff	<input type="checkbox"/>
WRITE-IN	

3. Revise sus votos

- Toque la pantalla para imprimir y repasar un comprobante en papel de su boleta.
- Si desea hacer cambios, puede empezar de nuevo.

**Toque aquí para imprimir  
y repasar un comprobante  
en papel de su boleta.**

4. Emita su voto

- Toque la pantalla para emitir su voto.
- ¡Proteja su voto! No se vaya hasta que vea la pantalla verde de agradecimiento, que indica que su voto ha sido registrado.

**Su voto se ha  
registrado. Gracias.**



## Como votar por voto accesible

### En la lugar de votación



Para verificar la accesibilidad del lugar de votación, busque el símbolo de la silla de ruedas en la contraportada de este guía.

En algunas mesas electorales, umbrales temporales, rampas, señales, conos, y sostenes para las puertas, se utilizan para mejorar el acceso a las instalaciones.

### Votar en la acera

Si su lugar de votación no es accesible, usted puede votar por boleta de papel o electrónica desde un lugar cercano y accesible, incluyendo de un vehículo. Un trabajador electoral lo calificara para votar y entregara su boleta completa a la lugar de votación.

Para solicitar asistencia para votar en la acera, usted puede:

- llamar por adelantado para coordinar la hora y el lugar.
- pedir a un asistente que haga la solicitud dentro del lugar de votación.

### Equipo accesible para votar

Cada centro de lugar de votación en este condado tiene una unidad de pantalla táctil para votar con:

- una opción de audio que lee la boleta para usted
- un enchufe universal para dispositivos de asistencia personal
- letra grande (24 puntos)
- la opción de inglés o español

### Transporte a su lugar de votación

Podemos hacer arreglos para enviar una camioneta con accesibilidad para recogerle a usted y llevarle al centro de lugar de votación para votar. Por favor llame antes del día de la elección para hacer una cita.

### Entrega de boleta a su domicilio

Podemos entregar la boleta a su domicilio y regresarla al departamento de elecciones. Por favor llame antes del día de la elección para asegurar que haya suficiente tiempo para proveerle asistencia.

### Información para votar

Versiones de audio de la información sobre las medidas locales y la información impresa en la guía de estado para el votante están disponibles bajo petición. Las grabaciones están disponibles aproximadamente cuatro semanas antes de la elección.

### Como solicitar asistencia

Para solicitar una de estas opciones de asistencia de voto accesible:



Teléfono: 831-454-2060

Disability Rights California operará una línea del día de las elecciones en todo el estado

7am a 8pm el día de elecciones: 8 de noviembre del 2016

1-888-569-7955





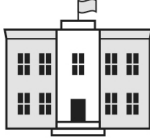
TDD: 711



## ¿Quién está en la boleta para esta elección?

En la elección general de noviembre, todos los votantes reciben la misma boleta, no importa con cual partido político está registrado, o si usted no tiene ninguna preferencia por un partido. La dirección en la que está registrado para votar determina qué concursos aparecen en su boleta.

En las elecciones primarias de junio todos los californianos pudieron votar para decidir qué candidatos para las oficinas federales y estatales pasarían a la elección general de noviembre. Los candidatos de las oficinas locales del condado en Junio recibieron los votos necesarios para ser elegidos, sin tener que estar en unas selecciones de vuelta en noviembre.

 <b>Presidencial Nominado por el partido</b>	 <b>Primaria de los Dos Principales de California Nominado por los electores</b>	 <b>Cargos Locales No Partidista</b>
<ul style="list-style-type: none"> <li>• Presidente y vice presidente</li> </ul>	<ul style="list-style-type: none"> <li>• Senador de EE. UU.</li> <li>• Miembro del Congreso de EE. UU.</li> <li>• Senador Estatal</li> <li>• Miembro de la Asamblea del Estado</li> </ul>	<ul style="list-style-type: none"> <li>• Oficinas del distrito escolar</li> <li>• Oficinas de distritos especiales</li> <li>• Oficinas de las ciudades</li> </ul>
<p><b>Los candidatos propuestos por cada partido político están en la boleta.</b></p>	<p><b>Los primeros dos candidatos - los que tienen la mayor cantidad de votos en junio - están en su boleta.</b></p>	<p>Los candidatos de las oficinas del condado en la boleta de junio recibieron al menos un 50 % más 1 voto en la primaria. Por lo tanto, han sido elegidos y no están en la boleta de la Elección General.</p>
<p>Se puede escribir en un candidato para presidente y vice presidente.</p>	<p>No se puede agregar otro candidato para estas oficinas.</p>	<p>Usted puede agregar otro candidato para estas oficinas.</p>
<p>El partido que esta nominando al candidato aparece junto al nombre del candidato. Los candidatos pueden ser nominados por más de un partido.</p>	<p>La preferencia de partido de los candidatos (o "Ninguna") aparece en la lista con su nombre. Ambos candidatos en la papeleta pueden tener la misma preferencia de partido.</p>	<p>Los candidatos para cargos no partidarios no tienen una preferencia de partido que aparece en la boleta.</p>

Para más información usted puede:



Llame al departamento de elecciones: 831-454-2060



Visite nuestro sitio web: [www.votescount.com](http://www.votescount.com)



Visite el California Secretary of State's sitio web:  
[www.sos.ca.gov/elections/primary-elections-california/](http://www.sos.ca.gov/elections/primary-elections-california/)

# What's on the ballot for this election?

## Presidential General Election - November 8, 2016

You will receive two voter information guides for this election.



### **Santa Cruz County (this guide)**

Mailed to all registered voters in the county. Local and county races and local measures are on the following pages in this guide.

#### **Offices - depending on where you live in Santa Cruz County**

United States Representative  
State Senate  
State Assembly  
City  
School/Special District

#### **Local Measures - depending on where you live in Santa Cruz County**

- A. Santa Cruz City High School District bond
- B. Santa Cruz City Elementary School District bond
- C. Soquel Union Elementary School District bond
- D. Santa Cruz County transportation sales tax
- E. Santa Cruz County cannabis business tax
- F. City of Capitola sales tax extension
- G. City of Santa Cruz timing of seating Mayor
- H. City of Santa Cruz water system
- I. City of Santa Cruz cannabis business tax
- J. City of Watsonville transient occupancy tax
- K. City of Watsonville utility users' tax
- L. City of Watsonville cannabis business tax
- M. City of Watsonville cannabis advisory measure
- N. Boulder Creek Fire Protection District parcel tax
- O. Zayante Fire Protection District parcel tax
- S. Aromas Tri-County Fire District parcel tax



### **California State Guide**

Mailed to each household in the State. U.S. national races, statewide races, and state propositions are in the guide from the State.

#### **Offices**

President and Vice President  
United States Senate

#### **State Propositions**

- 51. K-12 School Bonds.
- 52. State Fees on Hospitals.
- 53. Revenue Bonds.
- 54. Legislation and Proceedings.
- 55. Tax Extension to Fund Education/Healthcare.
- 56. Cigarette Tax.
- 57. Criminal Sentences.
- 58. English language education.
- 59. Campaign finance: voter instruction.
- 60. Adult Films. Condoms.
- 61. State Prescription Drug Purchases.
- 62. Death Penalty.
- 63. Firearms. Ammunition Sales.
- 64. Marijuana Legalization.
- 65. Carry-Out Bags. Charges.
- 66. Death Penalty. Procedures.
- 67. Referendum to Overturn Ban on Plastic Bags.



## Party Endorsements

Parties have the option of submitting candidate endorsements for voter-nominated offices only for printing in this guide. Not all parties participate and parties may endorse a candidate from another party.

The American Independent, Green, Libertarian, and Peace and Freedom parties did not submit endorsements of candidates to be printed in this guide.

The candidate's party preference on the ballot does not necessarily mean that they have that political party's support.

Los partidos tienen la opción de presentar endosos de los candidatos para la oficinas de nominados por los votantes para la impresión en esta guía. No todos los partidos participan y los partidos pueden apoyar a un candidato de otro partido.

Los partidos de Independiente Americano, Verde, Libertario y Paz y Libertad no sometieron endosos de los candidatos para ser imprimidos en esta guía.

La preferencia de partido del candidato en la boleta no necesariamente significa que tengan el apoyo de ese partido político.

<b>Office Oficina</b>	<b>Democratic Demócrata</b>	<b>Republican Republicano</b>
US Senate Senado E.U.	Kamala D. Harris	none - ninguno
18th Congress 18o Congreso	Anna Eshoo	Richard B. Fox
20th Congress 20o Congreso	Jimmy Panetta	Casey Lucius
17th State Senate 17o Senado	Bill Monning	Palmer Kain
29th Assembly 29o Asamblea	Mark Stone	Sierra Roberts
30th Assembly 30o Asamblea	Karina Cervantez Alejo	none - ninguno

## U.S. Presidential candidates - Los candidatos presidenciales EE.UU.

To learn more about the candidates who have been nominated by their parties to run for U.S. President, go to [voterguide.sos.ca.gov](http://voterguide.sos.ca.gov) or [votersedge.org/ca](http://votersedge.org/ca)

Whichever presidential candidate gets the most popular votes in California wins all of the Electors. California has 55 Electors.

The candidate with the most electoral votes – 270 or more – (over one half of the total vote of 538) is declared President.

Para obtener más información sobre los candidatos que han sido nominados por sus partidos para funcionar para el presidente EE.UU. , vaya a [voterguide.sos.ca.gov](http://voterguide.sos.ca.gov) o [votersedge.org/ca](http://votersedge.org/ca)

Cualquiera que sea el candidato obtiene la mayoría del voto popular en California ha recibido todos los electores. California tiene 55 electores.

El candidato con más votos electorales - 270 o más - (más de la mitad del total de votos de 538) es declarado presidente.



## About the candidates

### Who is running for office?

Refer to the Sample Ballot in this guide for a complete list of candidates. Some have paid for a candidate statement in this guide, but not all. You can also find candidate information and campaign disclosure statements online:

- ☑ Local candidates: [www.votescount.com](http://www.votescount.com)
- ☑ All candidates: [votersedge.org/ca](http://votersedge.org/ca)
- ☑ Statewide candidates: [www.sos.ca.gov](http://www.sos.ca.gov)

### Expenditure Limitations: State Legislative Candidates

Voters passed Proposition 34 in November 2000. This law says we must tell voters the names of candidates who agree to campaign spending limits. This law only applies to candidates for State Legislative offices like State Senate and State Assembly.

Candidates who agree are allowed to pay for and publish a candidate's statement of qualifications. Those statements are printed in this guide.

The following State Legislative candidates have accepted the voluntary campaign spending limits:

<b>17th State Senate</b> <b>17o Senado</b>	Bill Monning, DEM Palmer Kain, REP
<b>29th Assembly</b> <b>29o Asamblea</b>	Sierra Roberts, REP Mark Stone, DEM
<b>30th Assembly</b> <b>30o Asamblea</b>	Karina Cervantez Alejo, DEM Anna Caballero, DEM

### ¿Quién está corriendo para una oficina?

Consulte la muestra de boleta en esta guía para obtener una lista completa de los candidatos. Algunos han pagado por una declaración del candidato en esta guía, pero no todos. También puede encontrar información de los candidatos y declaraciones de campaña en nuestra página web:

- ☑ Candidatos locales: [www.votescount.com](http://www.votescount.com)
- ☑ Todos los Candidatos: [votersedge.org/ca](http://votersedge.org/ca)
- ☑ Candidatos estatales: [www.sos.ca.gov](http://www.sos.ca.gov)

### Límites de desembolsos: Candidatos para la legislatura estatal

Los votantes aprobaron la Proposición 34 en noviembre de 2000. Esta ley establece que tenemos que decir a los votantes los nombres de los candidatos que están de acuerdo con los límites de gastos de campaña. Esta ley sólo se aplica a los candidatos para cargos legislativos del Estado como el Senado Estatal y la Asamblea Estatal.

Los candidatos que estén de acuerdo pueden pagar y publicar una declaración de cualificaciones de candidato. Esas declaraciones están impresas en esta guía.

Los siguientes candidatos para la Legislatura Estatal han aceptado los límites de desembolsos voluntariamente:



## Paid candidate statements: U.S. Representative, 18th

Candidates have the option to prepare and pay for a statement to be printed in this guide. A complete list of candidates may be found on the Sample Ballot in this guide. Statements are printed in the random alpha order conducted by the elections officials.

### **Anna G. Eshoo**

**For U.S. Representative, 18th District**

**Party Preference: Democratic**

**Occupation: United States Representative**

Incivility, ideological polarization and the partisan divide between Congress and the White House make progress difficult in Washington. As your Congresswoman, I find ways around gridlock to advance our values, solve problems and take care of people.

American ingenuity is a treasured asset that knows no bounds. When it comes to expanding our economy and the middle class, I support policies that foster competition, encourage innovation and produce skilled, high wage jobs. Investment in education; basic scientific research; and in roads, bridges and transit systems ensures our ability to lead and compete in the global economy.

Families should not fear ruin from illness. That's why I worked to include language in the Affordable Care Act that requires coverage of those with pre-existing conditions and that eliminates the lifetime cap in health insurance policies.

To ensure an open, free and accessible Internet for all, I led the charge in Congress for the most democratic rules possible to preserve Net Neutrality, and we won. But this debate could resurface and we must be vigilant.

Unlimited spending is undermining our elections. Citizens United is wrong. Money does not equal speech. Short of overturning the decision, transparency is our best antidote. I've called for the Federal Communications Commission to require disclosure of the true source of funding for political broadcast ads and proposed that the President require government contractors to publicly report all political contributions.

My constituents are a source of strength and inspiration to me and I'd be honored to have your support.

### **Richard B. Fox**

**For U.S. Representative, 18th District**

**Party Preference: Republican**

**Occupation: Physician/Attorney**

Dr. Fox: Fiscal Conservative, Social Moderate, Pro-Choice, Libertarian-Republican, Physician, Attorney.

-Grow the Economy By Balancing the Federal Budget, End Crony Capitalism, Grow Jobs and Opportunity for All, Especially the Young and Minorities.

-Promote Inclusiveness, Civility, Respect: America Is For All Ages, Incomes, Races, Ethnicities, Faiths, Genders, and Orientations.

Deficit spending and borrowing (Keynesian Economic Stimulus) aren't working. The federal debt has nearly doubled in the last eight years and the Federal Reserve's balance sheet, measuring money printing, has more than doubled in the last eight years. Obviously, this is unsustainable and our children and grandchildren will not, should not, forgive us for leaving this to them.

Furthermore, the unsustainable government spending and debt are killing the economy. The recovery from the 2008 recession is the worst since WWII (2.1% annual growth). Labor force participation is at record lows. Home ownership and affordability are the lowest in fifty years despite record low mortgage rates. Half of adults under 35 still live with parents. This economy only works for the 1%, the stock markets, and the well-connected crony capitalists. We are heading toward a permanently stagnant economy saddled with unemployment, welfarism, undignified dependency, failing schools and families, and unsustainable government pensions and debt. Think Detroit, Chicago, California, Greece, Venezuela.

For a healthy, growing economy for everyone, we need to control wasteful spending and borrowing with a Balanced Budget Amendment whereby the President and Congress don't get paid unless the budget balances.

Visit [DrFoxFor2016.com](http://DrFoxFor2016.com).

Richard B. Fox, M.D., J.D., B.A. (Economics)



## Paid candidate statements: State Senate, 17th

Candidates have the option to prepare and pay for a statement to be printed in this guide. A complete list of candidates may be found on the Sample Ballot in this guide. Statements are printed in the random alpha order conducted by the elections officials.

### Bill Monning

**For State Senate, 17th District**

**Party Preference: Democratic**

**Occupation: California State Senator**

**Age: 65**

Eight years ago, you sent me to Sacramento to make a difference, and I am proud of what we have been able to accomplish together.

Since joining the State Legislature, I've authored over 80 bills signed into law by the Governor, including the ground-breaking End of Life Options Act to give terminally ill patients a compassionate way to take control of their own lives – subject to strict guidelines.

After years of hard work with many key partners, the new California Central Coast Veterans Cemetery is scheduled to open this fall. My legislation in Sacramento and ability to secure funding helped break the logjam to honor those who served our nation with a final resting place, fulfilling a promise made over two decades ago.

In Sacramento, we've passed balanced, on-time budgets six years in a row and put the State's fiscal house in order. We've made great strides toward tackling our State's pension obligations while restoring critical funding to education, healthcare, and public safety.

I've earned the highest ratings from the California Labor Federation, the California League of Conservation Voters, the Sierra Club, and the Consumer Federation of California.

While our economy has recovered since the Great Recession, we must continue to focus on creating jobs by strengthening the backbones of our local economy: agriculture, tourism, and our educational institutions.

That's why I'm asking you to send me to the State Senate for another term.

Please visit [www.billmonning.org](http://www.billmonning.org). I'd be honored by your vote on November 8th. Thank you.

### Bill Monning

**Para Senado Estatal, Distrito 17**

**Preferencia de Partido: Demócrata**

**Ocupación: Senador Estatal de California**

**Edad: 65**

Hace ocho años, me envió a Sacramento para hacer una diferencia y estoy orgulloso de lo que hemos logrado juntos.

Desde que me uní a la Legislatura Estatal, fui autor de más de 80 proyectos de ley que el Gobernador convirtió en leyes, e incluso la Ley de Opciones de Final de Vida, que fue muy innovadora, para dar a los pacientes con enfermedades terminales una manera compasiva de tomar el control de sus propias vidas – sujeta a pautas estrictas.

Después de años de trabajo duro con muchos socios clave, está programada la inauguración del nuevo Cementerio de Veteranos de la Costa Central de California este otoño. Mi legislación en Sacramento y mi capacidad para garantizar fondos ayudaron a desbloquear la situación para honrar a aquellos que sirvieron a nuestra nación con un lugar de descanso eterno y así cumplir una promesa realizada hace más de dos décadas.

En Sacramento, hemos aprobado presupuestos equilibrados y oportunos durante seis años seguidos y ordenamos las cuentas fiscales del Estado. Hemos hecho grandes avances para ocuparnos de las obligaciones de jubilaciones del Estado mientras restauramos los importantes fondos para educación, atención médica y seguridad pública.

Obtuve los puntajes más altos de la Federación Laboral de California, la Liga de Votantes Conservadores de California, el Club Sierra y la Federación de Consumidores de California.

Mientras que nuestra economía se ha recuperado desde la Gran Recesión, debemos continuar concentrándonos en crear empleos mediante el fortalecimiento de los pilares de nuestra economía local: agricultura, turismo y nuestras instituciones educativas.

Es por eso que le estoy pidiendo que me envíe al Senado Estatal para otro período.

Por favor visite [www.billmonning.org](http://www.billmonning.org). Sería un honor tener su voto el 8 de noviembre. Gracias.



## Paid candidate statements: State Senate, 17th

Candidates have the option to prepare and pay for a statement to be printed in this guide. A complete list of candidates may be found on the Sample Ballot in this guide. Statements are printed in the random alpha order conducted by the elections officials.

### **Palmer Kain**

**For State Senate, 17th District**

**Party Preference: Republican**

**Occupation: Community Volunteer**

**Age: 37**

During my service in the U.S. Army stationed overseas, I developed a powerful work ethic and was instilled with a deeper commitment to duty, honor and justice. I have built a strong track record as a capable manager of people, resources and logistics while proving myself as a leader who fosters unity and consensus to complete any mission he is chosen to lead. My mission as your next State Senator is to defend the freedom, rights, and quality of life of all citizens of the 17<sup>th</sup> District.

In more than twenty years of experience in local, state, and national politics, I have learned how to create tangible, positive change in a system that often suppresses it. For decades, our district and state have used short-term solutions for long-term problems. The consequences being a rise in crime, homelessness, unemployment, tax rates, public corruption and inequality. We cannot afford to be complacent anymore. Sacramento has no long-term sustainable action plans, I do.

Sacramento has chosen to serve the needs of special interest groups while neglecting the people of California. I will return the power back to the people, to usher in a new era of transparency, accountability, and community engagement in politics. There is a new day dawning in California. Visit [palmerkain.org](http://palmerkain.org) to see my vision and plan. Vote for Palmer Kain on November 8, and I promise to work hard in your best interest as your next State Senator. Let's shatter the status quo and transform California together.



## Paid candidate statements: State Assembly, 29th

Candidates have the option to prepare and pay for a statement to be printed in this guide. A complete list of candidates may be found on the Sample Ballot in this guide. Statements are printed in the random alpha order conducted by the elections officials.

### Mark Stone

**For State Assembly, 29th District**

**Party Preference: Democratic**

**Occupation: Assemblymember**

**Age: 59**

For nearly twenty years, I have fought to improve our quality of life in California as a School Board Member, County Supervisor, Coastal Commissioner and your Assemblymember. You sent me to Sacramento to advocate for the rights of people in the 29th Assembly District and across our state. During my service in the Assembly, I have prioritized protecting the most vulnerable Californians. I authored comprehensive reforms to help foster youth grow up in supportive homes. I jointly wrote the End of Life Options Act to help people facing terminal illness. I led the movement to create a state Earned Income Tax Credit to lift the state's poorest working families out of poverty. I helped improve access to justice in the court system, and I wrote a variety of laws to improve public safety, and to help people released from prison successfully integrate into their communities, and decrease their chances of reoffending.

As a dedicated environmentalist, I have remained steadfast against strong opposition to critical environmental protections. I advocated for landmark climate-change laws, and laws to provide clean drinking water, increase water recycling, and improve groundwater management. I was a key voice for California's 2014 plastic bag law to reduce plastic pollution.

It is an honor to have the support of so many elected officials, respected business leaders, education, and health care professionals and the environmental community. I hope that I have earned your vote.

Learn more at [www.FriendsOfMarkStone.org](http://www.FriendsOfMarkStone.org)

### Mark Stone

**Para Asamblea Estatal, Distrito 29**

**Preferencia de Partido: Demócrata**

**Ocupación: Miembro de la Asamblea**

**Edad: 59**

Por cerca de veinte años, he luchado para mejorar nuestra calidad de vida en California como Miembro de la Junta Escolar, Supervisor del Condado, Comisionado Costero y su Miembro de la Asamblea. Usted me mandó a Sacramento para defender los derechos de la gente en el Distrito de Asamblea 29 y en todo nuestro estado. Durante mi servicio en la Asamblea, he puesto como prioridad la protección de los habitantes de California más vulnerables. Fui autor de reformas integrales para ayudar a promover el crecimiento de los jóvenes de cuidado en hogares que los apoyen. Redacté conjuntamente la Ley de Opciones para el Final de la Vida para ayudar a las personas que se enfrentan a una enfermedad terminal. Dirigí el movimiento para crear un Crédito del Impuesto sobre la Renta de California, para sacar de la pobreza a las familias trabajadoras más pobres del estado. Ayudé a mejorar el acceso a la justicia en el sistema judicial, y redacté diversas leyes para mejorar la seguridad pública, y para ayudar a las personas liberadas de prisión a que se integren satisfactoriamente a sus comunidades, y disminuir las posibilidades de que reincidan.

Como una persona dedicada a la protección del medio ambiente, he luchado firmemente en contra de la oposición a importantes protecciones ambientales. He defendido las leyes relevantes sobre el cambio climático, y las leyes para el suministro de agua potable limpia, el aumento del reciclaje del agua, y la mejora de la gestión de aguas subterráneas. Fui una voz clave para aprobar la ley sobre el uso de bolsas de plástico de California de 2014 para reducir la contaminación por plástico.

Es un honor contar con el respaldo de muchos funcionarios electos, líderes respetados en el ámbito de los negocios, profesionales de la educación, y la atención médica y la comunidad ambiental. Espero haberme ganado su voto.

Obtenga más información en [www.FriendsOfMarkStone.org](http://www.FriendsOfMarkStone.org)



## Local ballot measure: A

# A

## Santa Cruz High School District Bond Measure

### Ballot question

To upgrade local middle and high school classrooms, science labs, career training facilities, and technology infrastructure to support student achievement in math, science, engineering, English, social studies, visual/performing arts, technology, and skilled trades; acquire, renovate, construct/equip classrooms, sites/facilities; and improve school safety, security and disabled access; shall Santa Cruz City High School District issue \$140 million in bonds at legal interest rates, with independent citizen oversight, annual audits, and all funds benefitting local middle and high schools.

### Pregunta de Boleta

Para modernizar aulas, laboratorios de ciencias, instalaciones de capacitación profesional e infraestructura de tecnología de las escuelas medias y secundarias locales a fin de apoyar los logros estudiantiles en matemáticas, ciencias, ingeniería, inglés, ciencias sociales, artes visuales/escénicas, tecnología y oficios especializados; adquirir, renovar, construir/equipar aulas, sitios/establecimientos; y mejorar la seguridad, la protección y el acceso para discapacitados en las escuelas; debe el Distrito de Escuelas Secundarias de la Ciudad de Santa Cruz emitir \$140 millones en bonos a tasas de interés legales, con supervisión ciudadana independiente, auditorías anuales y que todos los fondos beneficien a las escuelas medias y secundarias locales.

### What your vote means

YES	NO
A "Yes" vote is to authorize the bonds to be issued and financed by ad valorem taxes levied on real property in the School District.	A "No" vote is a vote against issuing the proposed bonds.

### For and against Measure A

FOR	AGAINST
<p><b>Pamela Comstock</b> Santa Cruz City Councilmember</p> <p><b>Fred Keeley</b> Former County Treasurer</p> <p><b>George Ow, Jr.</b> Business Leader</p> <p><b>Gail Alaimo</b> Science Teacher, Santa Cruz City Schools</p> <p><b>Geoffrey Dunn</b> Fourth-Generation Resident</p>	<p><b>No argument against Measure A was filed.</b></p>



## Local ballot measure: A

Arguments and replies are the opinions of the authors. We print them exactly as submitted, including errors.

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### Argument for Measure A

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**VOTE YES on Measure A to protect the outstanding quality of education** that Santa Cruz City High School District (SCCHSD) provides to local students preparing for college, careers and successful lives.

**Our local secondary schools - Harbor High, Santa Cruz High, Soquel High, and Branciforte and Mission Hill** middle schools have educated generations of students, but they have grown old – **really old**. Our last bond passed *eighteen years* ago. Today, these schools are in constant use, struggling to keep pace with 21<sup>st</sup> century instruction. Especially now, as academic and college admissions standards are rising, facility upgrades are desperately needed.

Measure A authorizes a prudent, responsible plan to upgrade our secondary schools to keep the best teachers and properly prepare students for college and career success.

#### Measure A will:

- **Repair** deteriorated roofs, plumbing, HVAC, and electrical systems
- **Upgrade** classrooms and educational technology for 21<sup>st</sup> century instruction
- **Modernize** science labs to meet rising college/university admission requirements
- **Renovate** career-training facilities for science, technology, engineering, math and skilled trades
- **Replace** aging portables with modern, permanent classrooms
- **Improve safety** - lighting, fencing, fire/emergency systems, and access for the disabled

#### Taxpayer safeguards are **REQUIRED**:

- **ALL funds STAY LOCAL** for SCCHSD schools ONLY
- The State CANNOT take this funding away
- NO funds are allowed for administrators' salaries or pensions
- Independent Citizens' Oversight and mandatory audits ensure funds are spent properly

**Passing Measure A qualifies SCCHSD to receive millions in State matching funds when they become available, leveraging local tax dollars even further.**

Whether or not you have school-age children, voting to protect quality schools is a wise investment. Good schools help maintain property values and keep our community strong.

**Please!** Join teachers, parents, alumni and education leaders **VOTING YES on Measure A** - at the bottom of the ballot - for safe, modern Santa Cruz area middle and high schools.

[RepairSantaCruzSchools.com](http://RepairSantaCruzSchools.com)

#### **Pamela Comstock**

Santa Cruz City Councilmember

#### **Fred Keeley**

Former County Treasurer

#### **George Ow, Jr.**

Business Leader

#### **Gail Alaimo**

Science Teacher, Santa Cruz City Schools

#### **Geoffrey Dunn**

Fourth-Generation Resident

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**No argument against Measure A was filed.**



## Local ballot measure: A

### Impartial analysis of Measure A

**Dana McRae**, County Counsel

By Jane M. Scott, Assistant County Counsel

If approved by at least fifty-five percent of those voting on the measure, this measure will authorize the Santa Cruz City High School District (the "District") to issue general obligation bonds in an aggregate principal amount not exceeding \$140,000,000. The bonds would constitute an indebtedness of the District.

Payment of interest and principal relating to the bonds would be financed by an ad valorem tax levied on real property within the District. The Tax Rate Statement for Measure A which was provided by the District and is printed in this ballot pamphlet provides information about the estimated amount of that tax.

The money raised through the sale of the bonds may only be used by the District for the purposes stated in the ballot materials and not for any other purpose, such as teacher or administrator salaries or other operating expenses.

To ensure that the bond monies are expended for the approved purposes, the Board of Trustees of the District will cause an annual independent performance audit to be conducted. It will also cause an annual independent financial audit to be conducted, and the appointment of a citizens' oversight committee.

The interest rate paid on the bonds and their terms to maturity are not specified in the Resolution, although the maximum rate and number of years will be limited by State law.

This Measure will have no effect on existing levies.

This measure was placed on the ballot by the District's Board of Trustees.

A "yes" vote on Measure A is a vote to authorize the bonds to be issued and financed by ad valorem taxes levied on real property in the School District.

A "no" vote on Measure A is a vote against issuing the proposed bonds.

### Tax Rate Statement Measure A

**Kris Munro**, Santa Cruz City Schools District Superintendent

An election will be held within the boundaries of Santa Cruz City High School District ("School District") on November 8, 2016 to authorize the sale of up to \$140,000,000 in bonds to finance facilities as described in the proposition. If the bonds are approved, the School District expects to sell the bonds in multiple series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property located within the School District. The following information is provided in compliance with Sections 9400-9404 of the California Elections Code.

1. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.0295 per \$100 (\$29.50 per \$100,000) of assessed valuation in fiscal year 2017-18.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.0295 per \$100 (\$29.50 per \$100,000) of assessed valuation in fiscal year 2023-24.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$.0295 per \$100 (\$29.50 per \$100,000) of assessed valuation in fiscal year 2017-18.
4. The best estimate of the average tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$.0282 per \$100 (\$28.21 per \$100,000) of assessed valuation.
5. The best estimate of total debt service, including principal and interest, which would be required to be repaid if all the bonds are issued and sold is \$233,968,400.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the County of Santa Cruz official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions. Attention of all voters is directed to the fact that the foregoing information is based upon the School District's projections and estimates only, which are not



## Local ballot measure: A

binding upon the School District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the School District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the School District as determined by the County Assessor in the annual assessment and the equalization process.

### Full text of Measure A

By approval of this proposition by at least fifty-five percent (55%) of the registered voters voting thereon, the Santa Cruz City High School District shall be authorized to issue and sell bonds of up to \$140 million in aggregate principal amount to provide financing for the specific school facilities projects listed below in the Bond Project List, subject to all of the accountability safeguards specified herein.

#### STATE MATCHING FUNDS

The following statement is included in this measure pursuant to Education Code Section 15122.5: Approval of this measure does not guarantee that the proposed project or projects that are the subject of bonds under this measure will be funded beyond the local revenues generated by this measure. The District's proposal for the project or projects described below may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

#### KEY FINDINGS

The Santa Cruz City High School District is committed to continuing a strong, high-quality educational program for the students in all of its local public schools.

The Santa Cruz City High School District, in partnership with parents and community, strives to provide a safe and supportive environment where students develop a solid foundation to become productive, responsible citizens, and lifelong learners. To meet these goals, the District must provide students with safe, secure and clean facilities, and provide access to 21<sup>st</sup> century classrooms, technology and school facilities.

Specifically, the Board of Trustees desires, among other projects, to:

- Renovate or convert aging classrooms, buildings and interiors to accommodate 21<sup>st</sup> century learning methods and support high quality instruction in reading, math, science, engineering, arts and technology in middle/high school;
- Provide classrooms and labs for career technical education courses to better prepare students for college and high-demand careers – especially in fields like health sciences, engineering and skilled trades
- Update classrooms, science labs, career-training facilities and technology infrastructure;
- Improve student safety, campus security, and access for disabled students;
- Renovate, construct, acquire and equip classrooms, sites, facilities and equipment;
- Upgrade support facilities that maintain and enhance student learning and educational programs.

#### ACCOUNTABILITY MEASURES

The provisions in this section are included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Section 15264 *et seq.* of the California Education Code).

**Evaluation of Needs.** The Board of Trustees has evaluated the facilities needs of the District, and has identified projects to finance from a local bond measure at this time. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

**Independent Citizens' Oversight Committee.** The Board of Trustees shall establish an independent Citizens' Oversight Committee in accordance with Education Code sections 15278-15282 and applicable Board policy, to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within sixty (60) days of the date when the Board of Trustees enters the results of the election in its official minutes.



## Local ballot measure: A

**Annual Performance Audit.** The Board of Trustees shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

**Annual Financial Audit.** The Board of Trustees shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List.

**Annual Report to Board.** Upon approval of this measure and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board of Trustees no later than January 1 of each year, commencing on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, or other appropriate routine report to the Board.

### **BOND PROJECT LIST**

This Bond Project List, which is an integral part of this proposition, describes the specific projects the District proposes to finance with proceeds of the bonds.

Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

In order to meet all identified facilities needs, the District intends to complete projects using a combination of funding sources. These sources may include joint-use funds, development impact fees, state funds (if available), and other available funds. The District will pursue state matching funds if and when they become available, and if received, they will be used for and mainly applied to projects on the Bond Project List or other high priority capital outlay expenditures as permitted in Education Code section 17070.63(c). No project is dependent on the receipt of state funding for implementation.

Projects listed below may be completed at any and all schools, sites and facilities, including support facilities and other District-owned properties, where such project is determined necessary, including without limitation:

- Harbor High School
- Santa Cruz High School
- Soquel High School
- Branciforte Middle School
- Mission Hill Middle School
- LaFonda Campus
- 313 Swift Street Site

Specific projects to be funded by the bond measure include, without limitation, the following:

### **I. REPAIR & RENOVATION PROJECTS TO KEEP MIDDLE & HIGH SCHOOL EDUCATIONAL FACILITIES SAFE, CLEAN AND IN GOOD CONDITION**

- Repair and renovate aging, outdated classrooms, labs, libraries and school facilities to keep them in good working condition;
- Repair or replace old, outdated, and inefficient electrical, plumbing, heating, lighting and ventilation systems;
- Repair, renovate and/or add restrooms;
- Repair or replace deteriorating roofs, doors and windows and replace exterior and interior finishes;
- Replace aging portable classrooms with new permanent classrooms.
- Repair, renovate or add visual and performing arts spaces, including improvements to multi-purpose rooms;
- Repair, upgrade, or install campus safety and security systems;
- Improve traffic circulation/flow and vehicle/pedestrian safety on and around school campuses, including upgrading or providing additional school drop-off areas and parking lots;
- Address ADA-compliant access and paths of travel to ensure safe access for disabled students;
- Update, equip, and/or acquire facilities that support student learning;
- Repair, improve or replace physical education spaces to enhance student education, community and co-curricular events.



## Local ballot measure: A

- Add shade canopies and water efficient landscaping to create student outdoor spaces;
- Refresh or replace landscaping and irrigation systems; improve campus quads, athletic facilities and fields to enhance campus curb appeal;
- Install energy efficiency improvements and equipment;
- Install new district wide phone system.

### II. TECHNOLOGY INFRASTRUCTURE AND MODERNIZATION PROJECTS FOR 21ST CENTURY TEACHING & LEARNING IN MIDDLE & HIGH SCHOOLS

- Upgrade District technology infrastructure to enhance student learning;
- Upgrade and equip classrooms, science labs, computer labs, libraries and buildings to support 21<sup>st</sup> Century teaching and learning;
- Renovate, replace, upgrade, acquire, install and integrate electrical (including wiring and related infrastructure for modern technology) and data systems, equipment, power sources and supplies and related technology infrastructure.
- Renovate, reconfigure and/or upgrade school facilities as needed to install or accommodate new technology and equipment.
- Equip classrooms with new 21<sup>st</sup> Century flexible furniture;

### III. EDUCATIONAL FACILITY IMPROVEMENT PROJECTS TO SUPPORT COLLEGE AND CAREER READINESS

- Renovate classrooms, labs and equipment for advanced math, science, engineering, arts and technology instruction to meet rising college/university admission requirements.
- Repair, renovate and upgrade classrooms and labs for career technical education courses to better prepare students for college and high-demand careers – especially in fields like health sciences, engineering and skilled trades.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as feasible, and the listing of projects does not imply a particular prioritization among such improvements. Listed projects may be completed at any and all District schools, sites and education buildings where such project is determined necessary, and not all projects will be completed at every site. Decisions regarding the scope, timing, prioritization or other facets of project implementation will be made solely by the Board of Trustees by subsequent action. Where terms such as “renovate,” “update,” and “improve” are used in the Bond Project List, the Board of Trustees shall determine the best method for accomplishing the project’s objective. For any listed project involving renovation or modernization of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation, considering the building’s age, condition, expected remaining life, comparative cost, and other relevant factors. In addition, where feasible, projects may be completed in partnership with other agencies on a joint use basis using bond proceeds.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, and similar planning costs, construction management, bond project staff and consultants, staff development and training expenses associated with learning construction techniques and approaches, new bond-funded equipment and systems, and a customary contingency for unforeseen design and construction costs. In addition to the projects listed above, the Bond Project List also includes payment of the costs of preparation of all facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees, and housing construction and relocation costs for dislocated programs or activities caused or necessitated by construction projects.

The final cost of each project will be determined as plans are finalized and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Necessary site preparation/grading/restoration may occur in connection with new construction, modernization, renovation or remodeling, including ingress and egress, removing, replacing or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, leases, licenses, or rights of way to the property.

#### ADDITIONAL SPECIFICATIONS

**No Administrator Salaries.** Proceeds from the sale of Bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.



## Local ballot measure: A

**Single Purpose.** All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds and proceeds of the bonds shall be spent only for such purpose.

**Other Terms of the Bonds.** The bonds may be issued and sold in several series, and in accordance with a financing plan determined by the Board of Trustees pursuant to requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the weighted average maturity of bonds sold will not exceed one hundred twenty percent (120%) of the average useful life of the projects being financed or as otherwise provided by state or federal tax law. Bond funds may be used to reimburse the District for Bond Project list expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.



## Local ballot measure: D

# D Safety, Pothole Repair, Traffic Relief, Transit Improvement Measure

### Ballot question

**Safety, Pothole Repair, Traffic Relief, Transit Improvement Measure.** In order to: improve children’s safety around schools; repair potholes; repave streets; improve traffic flow on Highway 1; maintain senior/disabled transit; reduce global warming pollution by providing transportation options like sidewalks, buses, bike lanes, trails; preserve rail options; shall Santa Cruz County voters adopt an ordinance establishing a half-cent sales tax for 30 years, raising approximately \$17 million annually, requiring citizen oversight, independent audits, and funds spent locally?

### Pregunta de Boleta

**Iniciativa de Ley de Seguridad, Reparación de Baches, Alivio del Tráfico, Mejora del Transporte Público.** Para hacer lo siguiente: mejorar la seguridad de los niños en inmediaciones de las escuelas; reparar los baches; repavimentar las calles; mejorar el flujo del tránsito en la Carretera 1; mantener el transporte público para personas mayores y discapacitados; reducir la contaminación por el calentamiento global mediante la provisión de opciones de transporte como aceras, autobuses, carriles para bicicletas, senderos; conservar las opciones de trenes; ¿deben los electores del Condado de Santa Cruz adoptar una ordenanza estableciendo un impuesto sobre ventas de medio centavo durante 30 años y así recaudar \$17 millones anualmente, con el requisito de supervisión ciudadana, auditorías independientes y que los fondos se gasten localmente?

### What your vote means

YES	NO
A "Yes" vote is to adopt the ordinance and approve the increase in the sales tax.	A "No" vote is against the increase in the sales tax.

### For and against Measure D

FOR	AGAINST
<p><b>Bruce McPherson</b> Supervisor, Santa Cruz County, 5th District</p> <p><b>Dr. Nancy A. Bilicich</b> Councilmember, City of Watsonville</p> <p><b>Piet Canin</b> VP, Sustainable Transportation, Ecology Action</p> <p><b>Lynda Francis</b> President, Board of Directors, Seniors Council</p> <p><b>Peggy Dolgenos</b> Past Chair, Santa Cruz County Business Council</p>	<p><b>Rick Longinotti*</b> Chair, The Campaign for Sensible Transportation</p> <p><b>Ernestina Saldaña*</b> Bus Riders Association</p> <p><b>Celia Scott</b> former Mayor, City of Santa Cruz</p> <p><b>Mauricio Rivera</b> Cabrillo Student Senate (2015-2016)</p> <p><b>Gary Milburn</b> Former Board Member, Bike Santa Cruz County</p> <p><small>*Signing on behalf of the organization listed below the name.</small></p>



## Local ballot measure: D

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Argument for Measure D	Reply Rebuttal to argument for Measure D
<p><b>Vote YES on D to Get Santa Cruz County Moving!</b> Whether we travel on foot, by bicycle, car or bus we all agree it should be safer, faster and easier to get where we're going.</p> <p>Many local streets and roads are in poor condition, highways are crowded and public transportation suffers from state and federal budget cuts. Options for safe biking are limited, cut-through traffic threatens neighborhood safety and there aren't enough sidewalks and safe crossings for pedestrians.</p> <p>Our traffic congestion is so bad that critical police, fire and ambulance response time is often lost on crowded local highways. Measure D can improve the outcomes for those in need of 911 emergency services.</p> <p>Cuts in federal and state funding have significantly reduced funding for transportation improvements. Measure D is the only option to address these issues.</p> <p><b>Measure D is the solution to Get Santa Cruz County moving:</b></p> <ul style="list-style-type: none"> <li>• Fix potholes</li> <li>• Ease traffic congestion on Highway 1 and other congested roads</li> <li>• Speed up emergency response</li> <li>• Improve safety for children walking and bicycling near schools</li> <li>• Expand safe bike routes</li> <li>• Maintain senior and disabled transit services</li> <li>• Improve traffic flow on highways and reduce dangerous neighborhood cut-through traffic</li> <li>• Preserve transportation options on the rail corridor</li> <li>• Invest in transportation projects that reduce pollution causing global warming</li> </ul> <p><b>Best of all, Measure D funding can't be taken away by the state or federal government.</b> In fact, without Measure D, Santa Cruz County will continue missing out on millions of available matching funds that will go to neighboring counties.</p> <p>Measure D will fund the most environmentally sustainable local transportation improvement plan in California. It provides more than \$100 million for safer bike routes and protects vital transit services so we can reduce reliance on automobiles.</p> <p>It's time to act. The longer we wait, the more costly these improvements become. <b>Get Santa Cruz County Moving! Vote YES on Measure D!</b></p> <p><a href="http://www.GetSantaCruzCountyMoving.com">www.GetSantaCruzCountyMoving.com</a></p> <p><b>Bruce McPherson</b> Supervisor, Santa Cruz County, 5th District</p> <p><b>Dr. Nancy A. Bilicich</b> Councilmember, City of Watsonville</p> <p><b>Piet Canin</b> VP, Sustainable Transportation, Ecology Action</p> <p><b>Lynda Francis</b> President, Board of Directors, Seniors Council</p> <p><b>Peggy Dolgenos</b> Past Chair, Santa Cruz County Business Council</p>	<p>The proponents of Measure D make multiple unsupported claims:</p> <p><b>Claim 1:</b> Measure D will "ease traffic congestion on Highway 1 and other congested roads". <b>Fact:</b> Widening Highway 1 will <i>not</i> ease traffic congestion on Highway 1 or local streets. Caltrans reports that widening "would not achieve sufficient congestion relief to attract any substantial number of vehicles that had diverted to the local street system back to the freeway." - Caltrans Draft Environmental Impact Report on Highway 1, p2.1.5-16. (More at WideningWontWork.org)</p> <p><b>Claim 2:</b> "Measure D will fund the most environmentally sustainable local transportation improvement plan in California". <b>Fact:</b> San Francisco Bay Area's commuter benefits programs and excellent public transportation systems are already far ahead of Santa Cruz County in terms of environmental sustainability.</p> <p><b>Claim 3:</b> Measure D "will reduce reliance on automobiles". <b>Fact:</b> Spending \$100 million to widen Highway 1 will attract <i>more</i> cars, and divert <i>30 years of public funds</i> from programs that would offer commuters options besides being stuck in traffic on Highway 1.</p> <p><b>Claim 4:</b> Measure D will "protect vital transit services". <b>Fact:</b> Measure D will not restore the recent 12% cut in METRO service let alone provide the funds for expanding needed public transportation choices.</p> <p><b>Claim 5:</b> Measure D will improve safety. <b>Fact:</b> Caltrans reports that after widening Highway 1 collision rates would stay the same <i>and more</i> vehicles would fill the highway. That means a <i>higher overall number of collisions</i>.</p> <p>Please vote NO on Measure D. Let us work together for a better measure—with solutions that work.</p> <p><b>Michael Gasser*</b> Santa Cruz Climate Action Network</p> <p><b>Dana Bagshaw</b> Bus-by-Choice</p> <p><b>Gage Doven</b> former President of the Cabrillo Sustainability Council</p> <p><b>Paul T. Johnston</b>, former Executive Director, Monterey Bay Central Labor Council, AFL-CIO</p> <p>*Signing on behalf of the organization listed below the name.</p>



## Local ballot measure: D

Arguments and replies are the opinions of the authors. We print them exactly as submitted, including errors.

Argument Against Measure D	Reply Rebuttal to argument against Measure D
<p>Measure D will not provide our County with the effective transportation system we need.</p> <p>Measure D would waste \$100 million to add lanes to Highway 1. A survey of highway studies conducted at UC Davis concludes that adding lanes does not improve traffic flow over the long term. The Caltrans Environmental Impact Report on Highway 1 confirms that there would be negligible congestion relief from the proposed project due to an increase in auto traffic (see our website for details: <a href="https://WideningWontWork.org">https://WideningWontWork.org</a>)</p> <p>Cities and counties in the S.F. Bay Area have been successful using less costly strategies to reduce traffic congestion and pollution. Recently introduced commuter benefits programs offered through employers eliminated 4.2 million solo vehicle trips and their associated emissions in 12 months. No sales tax revenues were needed, and employers and workers received federal tax breaks.</p> <p>Measure D won't even provide sufficient funds to maintain current bus service, let alone create new programs such as bus rapid transit that can accommodate large numbers of riders.</p> <p>If Measure D is defeated, we can pass a better ballot measure in a couple of years—a measure that would offer alternatives for commuters stuck on Highway 1, as well as road repair, safe routes to schools, and a trail along the rail corridor.</p> <p><u>If Measure D passes, we will be stuck with 30 years of bond payments for a strategy that doesn't work.</u></p> <p><b>As County voters have already done in the past, we need to reject highway widening and work for a better measure.</b></p> <p>We need a ballot measure that serves all members of our community without producing increased greenhouse gases that destabilize the climate, without destroying trees and wetlands, and without enabling urban sprawl.</p> <p><b>Santa Cruz County can do better.</b></p> <p>Please vote NO on Measure D. <a href="https://WideningWontWork.org">https://WideningWontWork.org</a></p> <p><b>Rick Longinotti*</b> Chair, The Campaign for Sensible Transportation</p> <p><b>Ernestina Saldaña*</b> Bus Riders Association</p> <p><b>Celia Scott</b> former Mayor, City of Santa Cruz</p> <p><b>Mauricio Rivera</b> Cabrillo Student Senate (2015-2016)</p> <p><b>Gary Milburn</b> Former Board Member, Bike Santa Cruz County</p> <p>*Signing on behalf of the organization listed below the name.</p>	<p>Don't be fooled: Measure D opponents aren't working for sustainable, community-wide transportation solutions. They prefer doing nothing to solve our transportation problems rather than accept modest compromises that address everyone's needs.</p> <p>Twelve years in the making, Measure D is our best chance to upgrade transportation in Santa Cruz County. If Measure D fails our problems will grow worse and become more expensive to fix over the next twelve years – and we'll forfeit millions in state matching funds.</p> <p>Measure D has been carefully vetted through an exhaustive community-wide process. It'll help everyone – whether you travel by car, bike, bus, rail – or on foot.</p> <p>Measure D will relieve congestion on Highway 1 and other clogged corridors using proven methods. The University of California Transportation Center study cited by our opponents actually shows Measure D will help reduce greenhouse gases.</p> <p>Everyone experiences high blood pressure or loses time away from their families while stuck in traffic – particularly people living in Watsonville and South County.</p> <p>Other benefits include:</p> <ul style="list-style-type: none"> <li>• Fixing potholes and repairing roads</li> <li>• Neighborhood relief from cut-through traffic</li> <li>• Speeding up 911 emergency response times</li> <li>• Improving traffic safety near schools</li> <li>• Protecting essential transit services, many for senior citizens and the disabled</li> <li>• Over \$130M to make Santa Cruz County a safer place for people bicycling</li> </ul> <p>Many of us don't love every single aspect of Measure D, but we recognize that we need a balanced, sustainable plan that benefits all of us.</p> <p>Join environmental leaders, commuters, parents, cyclists, bus riders and seniors from across the county in voting Yes on Measure D.</p> <p>It's time for a solution. <a href="http://www.GetSantaCruzCountyMoving.org">www.GetSantaCruzCountyMoving.org</a></p> <p><b>Mark Stone</b> Assemblymember, 29th District</p> <p><b>John Leopold</b> Santa Cruz County Supervisor, 1st District</p> <p><b>Eduardo Montesino</b> President, Bus Drivers Union</p> <p><b>Terry Corwin</b> Environmental Community Leader</p> <p><b>Karen Delaney</b> Chair, Human Care Alliance</p>



## Local ballot measure: D

### Impartial analysis of Measure D

Dana McRae, County Counsel

By Jane M. Scott, Assistant County Counsel

If this measure is approved by at least two-thirds of those voting on it, it will enact ordinance no. 2016-01 of the Santa Cruz County Regional Transportation Commission. The ordinance will cause the retail transactions and use tax rates ("sales tax") imposed within Santa Cruz County to increase by half of one percent for a thirty-year period in order to pay for the transportation projects described in the ordinance and its expenditure plan which are printed in the ballot pamphlet. If approved, it is expected to take effect in or around April 2017.

The ordinance sets out accountability requirements, as well as exemptions and exclusions from the new tax. It also establishes that the constitutional appropriations limit will include the taxes which are collected. The sales tax increment proposed by this measure would apply within the cities as well as the unincorporated areas of the County. Those jurisdictions have differing sales tax rates for the transactions within their boundaries. Currently and prior to this proposed increase, the sales tax rates are: 8.75% within the cities of Capitola, Santa Cruz, and Scotts Valley; 9.0% within the City of Watsonville; and 8.25% in the unincorporated areas of the County. Following this election, the rates would be subject to further change as might be permitted or required by State law.

This election was requested by the Santa Cruz County Regional Transportation Commission, and was called by the Santa Cruz County Board of Supervisors as requested by the Commission.

A "yes" vote is to adopt the ordinance and approve the increase in the sales tax.

A "no" vote is against the increase in the sales tax.

### Full text of Measure D

#### **ORDINANCE NO. 2016-01**

#### **AN ORDINANCE OF THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION ENACTING A RETAIL TRANSACTIONS AND USE TAX, SUBJECT TO ADOPTION BY THE ELECTORATE, TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION**

**WHEREAS**, the multimodal local transportation network is necessary for economic vitality; provides access to homes, schools, healthcare, and businesses; is utilized by drivers, buses, people walking, bicyclists, trains and trucks; and is important to the overall quality of life for all Santa Cruz County residents; and

**WHEREAS**, agencies in Santa Cruz County are working to reduce congestion, reduce greenhouse gas emissions and improve safety, access and mobility; and

**WHEREAS**, the County of Santa Cruz and the Cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville operate, maintain, and make improvements to the local street and road network, which includes over 1,800 lane miles of roads, traffic signals, sidewalks, bicycle paths, and other transportation facilities; and

**WHEREAS**, public transit and paratransit operators provide a lifeline for senior citizens and people with disabilities, who depend on these vital transportation services for independent living; and

**WHEREAS**, over 100,000 people travel each day on Highway 1 to access their homes, jobs, health care, and services; and

**WHEREAS**, the Santa Cruz Branch Rail Line was brought into public ownership in 2012 for the purpose of expanding transportation options along the most heavily traveled corridor in Santa Cruz County; and

**WHEREAS**, the Monterey Bay Sanctuary Scenic Trail Network, including the Rail Trail, is a planned multi-use bicycle and walking path that is separated from vehicular traffic and will span the length of Santa Cruz County connecting homes, schools, jobs, coastal and other key destinations; and

**WHEREAS**, State and Federal funding sources and programs that support transportation have been cut, are unreliable, can be diverted to other uses, and are insufficient to operate and maintain the local road, bicycle, pedestrian, transit, senior and disabled transportation networks in a state of good repair; and

**WHEREAS**, new local revenues that cannot be taken by the state are needed to prevent further deterioration of roads and maintain them in good condition; reduce traffic congestion; maintain public transportation and transportation services for seniors and people with disabilities; reduce collisions and improve traffic flow on local highways; provide safe and accessible crosswalks, ramps, and sidewalks; and create safe bicycle routes; and



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**WHEREAS**, there is strong recognition of need for infrastructure improvements and acknowledgement that the local multi-modal transportation network serves all sectors of our community; and

**WHEREAS**, after receiving feedback from residents throughout Santa Cruz County on their priorities for the multimodal transportation system, the Santa Cruz County Regional Transportation Commission has determined that the community places a high priority on preserving and maintaining existing infrastructure, maintaining public transit and transit service for seniors and people with disabilities, reducing traffic congestion, improving safety, and expanding options for traveling within Santa Cruz County; and

**WHEREAS**, the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. ("Act"), generally authorizes a local transportation authority to place a ballot measure before the voters of the county to authorize a retail transactions and use tax to fund transportation-related projects and programs ("Transportation Tax"), upon the approval of two-thirds of the electors voting upon the measure; and

**WHEREAS**, the Santa Cruz County Regional Transportation Commission is designated by California Government Code section 29532.1 as the transportation planning agency of the County of Santa Cruz; and

**WHEREAS**, Sections 180050 and 180201 of the Act provide that the County may designate a transportation planning agency to act as the local transportation authority for purposes of the Act including imposing a Transportation Tax; and

**WHEREAS**, a one-half cent sales tax established locally would generate approximately seventeen million dollars (\$17 million) per year solely for transportation projects in Santa Cruz County; and

**WHEREAS**, local funding measures for transportation strengthen our local economy by creating jobs and providing mobility and access for all transportation system users; and

**WHEREAS**, the Act states that the additional funds provided by the tax so adopted shall supplement existing local revenues being used for public transportation purposes; and

**WHEREAS**, the Act further provides that a county transportation expenditure plan shall be prepared for the expenditure of the revenues expected to be derived from the Transportation Tax; and

**WHEREAS**, the Santa Cruz County Regional Transportation Commission has conducted a noticed public hearing, as required by state law, on the question of whether or not to request voters to adopt an Ordinance to fund the programs identified in the Expenditure Plan; and

**WHEREAS**, funds generated by the Transportation Tax shall be used only for transportation purposes, including the administration of the Expenditure Plan, construction, acquisition, maintenance and operation of streets, roads, highways, public transit systems, including paratransit services, and related transportation purposes within the County of Santa Cruz,

**NOW, THEREFORE**, the people of the Santa Cruz County Regional Transportation Commission of the County of Santa Cruz do ordain as follows:

**Section 1. TITLE.** This Ordinance shall be known as the "Santa Cruz County Transportation Improvement Plan Measure." The Santa Cruz County Regional Transportation Commission shall be referred to herein as the Local Transportation Authority ("Authority"). This Ordinance shall be applicable in the territory of the Santa Cruz County Regional Transportation Commission, which is all incorporated and unincorporated territory lying within the County of Santa Cruz.

**Section 2. SUMMARY.** This Ordinance provides for the adoption of a transportation Expenditure Plan for Santa Cruz County, the imposition of a Retail Transactions and Use Tax of one-half of one percent (0.5%) for a period of thirty (30) years, the authority to issue limited tax bonds secured by such taxes and the administration of the tax proceeds, with independent citizens oversight and annual audit reports for public review.

**Section 3. OPERATIVE DATE.** Subject to voter approval, this Ordinance shall be operative the first day of the first calendar quarter commencing more than 110 days after the adoption of this Ordinance. The anticipated Operative Date of this Ordinance will be as early as April 1, 2017, if approved by two-thirds of the voters voting on the measure at the November 8, 2016 Election.

**Section 4. DEFINITIONS.** The following definitions shall apply in this Ordinance:

- A. "Authority" means the Santa Cruz County Regional Transportation Commission (SCCRTC), previously created in Government Code 67940 and 67941 and designated as the transportation planning agency for Santa Cruz County in Government Code 29532.1 and designated as the Local Transportation Authority for Santa Cruz County pursuant to Division 19 (commencing with Section 180000) of the California Public Utilities Code, authorized to impose a Retail Transactions and Use Tax, subject to voter approval, in accordance with Chapter 5 (commencing with Section 180200) of Division 19 of the California Public Utilities Code, and with Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code.



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- B. "Board of Supervisors" means the Santa Cruz County Board of Supervisors.
- C. "County" means Santa Cruz County and includes the incorporated and unincorporated territory of the county which makes up the boundaries of the Santa Cruz County Regional Transportation Commission territory.
- D. "State" means the State of California.
- E. "Measure Revenue" or "Transportation Tax Revenue" means the revenue generated by the one-half of one percent (0.5%) increase in the Retail Transactions and Use Tax imposed and as collected pursuant to this Ordinance, including any interest or other earnings thereon.
- F. "Retail Transactions and Use Tax" or "Transportation Tax" is to be identified as specified in Part 1.6 (commencing with section 7251) of Division 2 of the California Revenue and Taxation code.
- G. "Measure" or "Traffic Relief, Road Repair, Safety, Transit Improvement Measure" or "Transportation Improvement Plan (TRIP)" or "Santa Cruz County Transportation Tax Measure" means the Ordinance, including all provisions and Expenditure Plan incorporated herein.
- H. "Expenditure Plan" or "Plan" or "Investment Plan" means the 2016 Santa Cruz County Transportation Improvement Plan - Expenditure Plan attached to this Ordinance as Exhibit A and adopted as part of this Ordinance including any future amendments thereto. This is the plan for the expenditure of revenues expected to be derived from the tax imposed pursuant to this Ordinance, together with other federal, state, and local funds expected to be available for transportation projects and programs, for the period during which the tax is to be imposed.

**Section 5. PURPOSE.** This Ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a Retail Transactions and Use Tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 180000 *et seq.* of the California Public Utilities Code, which authorize the Authority to adopt this Ordinance which shall be operative if a two-thirds (2/3) majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt a Retail Transactions and Use Tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt a Retail Transactions and Use Tax ordinance that imposes a countywide Transportation Tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.
- D. To adopt a Retail Transactions and Use Tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Division 19 (commencing with Section 180000) of the California Public Utilities Code and Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.
- E. Measure Revenue, including any interest or other earnings thereon, may only be used for transportation purposes described in the Ordinance and Expenditure Plan (Exhibit A), including: the implementation and administration of all provisions and requirements of this Ordinance as amended; the construction, acquisition, maintenance, and operation of streets, roads, highways, including local roads, state highways and public transit systems; and for related transportation purposes consistent with the Expenditure Plan, including project management and oversight of the projects to be funded using the Transportation Tax, such as coordination with other responsible agencies as well as project delivery and negotiation of project agreements. These purposes include expenditures for planning, environmental reviews, engineering and design costs, and related right-of-way acquisition. Expenditures may also include, but are not limited to, payments to the County of Santa Cruz for any election costs as set forth in the Ordinance, required payments to the Board of Equalization, costs of program administration and oversight, defense or prosecution of legal actions related thereto, debt service on bonds or other indebtedness, and expenses and reserves in connection with the issuance of the same.

**Section 6. ADMINISTRATION OF PLANS.** The Authority shall impose the Transportation Tax and enter into an agreement with the State Board of Equalization to collect the funds, may at the discretion of the Authority's governing Board enter into agreement with the County Auditor-Controller to allocate revenues derived from the Transportation Tax consistent with the Ordinance and Expenditure Plan, and shall administer the Ordinance and Expenditure Plan



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included in this Ordinance, consistent with the provisions and priorities of the Ordinance and Expenditure Plan, consistent with the authority cited herein.

**Section 7. CREATION OF SPECIAL FUND.** The Authority shall establish a new fund entitled "Transportation Tax Regional Transportation Fund". All Transportation Tax Revenue, plus interest, will be deposited in the special fund. The fund authorized hereunder will be administered by the Authority pursuant to this Ordinance and the provisions of Division 19 (commencing with Section 180000) of the California Public Utilities Code, and Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code.

**Section 8. IMPLEMENTATION.**

- A. Projects and programs funded in the Expenditure Plan will be implemented over the 30-year time horizon of the Transportation Tax. Three types of investments are funded by the Expenditure Plan: investment categories which are allocated a percentage of net revenues, capital investments which are allocated specific dollar amounts, and ongoing direct allocations of a percentage of net revenues to be distributed to cities, the County of Santa Cruz, and transit operators for capital projects and operations. Capital investments will be made based upon clearly defined project descriptions and limits resulting from the outcomes of environmental analyses, as applicable. The Authority shall distribute revenues no less than quarterly to local jurisdictions, the Santa Cruz Metropolitan Transit District, and the Consolidated Transportation Service Agency based on the formulas set forth in the Expenditure Plan, in accordance with the Act and this Ordinance.
- B. The Santa Cruz County Regional Transportation Commission, which currently allocates, administers and oversees the expenditure of federal, state and Transportation Development Act funding for local and regional transportation projects and programs, in its role as the Authority shall allocate, administer and oversee the expenditure of all Measure Revenues which are not directly allocated by formula annually to other agencies, consistent with the Expenditure Plan, as it may be amended in accordance with the Act and this Ordinance through an Implementation Plan, which it will update at least every 5 years, following a public hearing. The purposes of the Implementation Plan are to define the scope, cost, and delivery schedule of each Expenditure Plan project or program, detail the revenue projections and possible financing tools needed to deliver the Expenditure Plan within the 30 years promised to voters, and describe the risks, critical issues and opportunities that the Authority should address to expeditiously deliver the Expenditure Plan. The Implementation Plan may be amended by a majority vote of the Authority, however, amendment of the Implementation Plan shall not serve to amend provisions of the Expenditure Plan.
- C. Agencies implementing the Expenditure Plan projects may accumulate revenue over multiple years so that sufficient funding is available for larger and long-term projects. Any interest income earned on funds allocated pursuant to this ordinance shall be expended only for the purposes for which the funds were allocated.

**Section 9. LEVERAGING FUNDS.** Leveraging or matching of outside funding sources is strongly encouraged. Any additional transportation revenues made available through their replacement by matching funds will be spent based on the principles outlined for fund allocations described in the Ordinance and Expenditure Plan.

**Section 10. BONDING AUTHORITY.** Pay-as-you-go financing is the preferred method of financing transportation improvements and programs under this Ordinance. However, if determined by the board of the Authority to be cost effective and to accelerate implementation of projects, the Authority may decide to use bond financing as an alternative method. Upon voter approval of this Ordinance, the Authority shall have the power to sell or issue, from time to time, on or before the collection of taxes, bonds, or other evidence of indebtedness, in an aggregate principal amount at any one time outstanding not to exceed the estimated proceeds of the Transportation Tax, and to secure such indebtedness solely by way of future collection of the Transportation Tax, for capital outlay expenditures for the purposes set forth in this Ordinance, including, but not limited to, carrying out the transportation projects described in the Expenditure Plan, consistent with the Section 180250 of the Public Utilities Code.

**Section 11. COOPERATIVE FUND AGREEMENTS.** To maximize the effective use of funds, revenues may be transferred or exchanged between or among jurisdictions receiving funds from this measure. Jurisdictions receiving funds may, by annual or multi-year agreement, exchange funds provided that the percentage of funds allocated as provided in the Expenditure Plan is maintained over the duration of the period of time the tax is imposed. Agreements to exchange funds, including fund repayment provisions, must be approved by the Authority and shall be consistent with all rules adopted or approved by the Authority relating to such exchanges. The Authority may exchange revenues for State or federal funds allocated or granted to any public agency within or outside the area or jurisdiction of the Authority to maximize effectiveness in the use of the revenues. Such federal or State funds shall be distributed in the same manner as revenues derived from this ordinance. The Authority shall maintain for public review an accounting of all balances that are subject to cooperative agreements approved pursuant to this section.



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### **Section 12. ADMINISTRATIVE AND IMPLEMENTATION COSTS.**

- A. The Authority shall expend only that amount of the Transportation Tax Revenue for staff support, audit, administrative expenses, and contract services that is necessary and reasonable to carry out its responsibilities pursuant to Division 2 of the Revenue and Taxation Code. Pursuant to Section 180109 of the Public Utilities Code, the Authority shall not expend more than one percent of the funds generated pursuant to Division 19 of the Code for administrative salaries and benefits net of the amount of fees paid to the State Board of Equalization for collection of the transactions and use tax and prior to the distribution of the Transportation Tax Revenue as provided in the Expenditure Plan (Exhibit A).
- B. In order to ensure that the cost of administration, implementation and oversight this Measure are not borne by other programs and sources, such as Transportation Development Act-funded programs, any funds necessary for administrative, implementation and oversight of the Ordinance and Transportation Tax shall be paid by Measure Revenues. These functions include audits, programming processes, reporting, financial management, compiling and publishing an annual report, providing public information concerning the Ordinance, rent, supplies, consulting services, overhead, legal, other responsibilities as may be necessary to administer the Ordinance and Expenditure Plan. Costs of performing or contracting for project-related work shall be paid from the revenues of the Transportation Tax allocated to the appropriate purpose and project.

**Section 13. EXECUTION OF DUTIES.** The Authority may engage, contract with, employ and compensate any public or private agency, party, contractor or professional, in accordance with the Public Contract Code and/or any of the provisions for public employment of profession services for public agencies, for the planning, finance, approval, design, construction, acquisition of right of way, maintenance, operation, control and repair of any road, highway, bus, rail or other transportation facility. However, the Authority shall not be responsible for the maintenance or operation of any State highway facilities following construction contract completion.

**Section 14. ELECTION.** The Authority requests the Board of Supervisors to call an election for voter approval of this Ordinance, which election shall be held on November 8, 2016. The election shall be called and conducted in the same manner as provided by law for the conduct of elections by a county. Pursuant to Section 180203 of the Public Utilities Code, the sample ballot to be mailed to the voters shall be the full proposition as set forth in this Ordinance, and the voter information handbook shall include the Expenditure Plan. Approval of this Ordinance, and imposition of the Transportation Tax, shall require the affirmative vote of a two-thirds (2/3) majority of the electors voting on this measure at the election described in this section. The proposition to be placed on the ballot shall read substantially as follows:

**“Safety, Pothole Repair, Traffic Relief, Transit Improvement Measure.** In order to: improve children’s safety around schools; repair potholes; repave streets; improve traffic flow on Highway 1; maintain senior/disabled transit; reduce global warming pollution by providing transportation options like sidewalks, buses, bike lanes, trails; preserve rail options; shall Santa Cruz County voters adopt an ordinance establishing a half-cent sales tax for 30 years, raising approximately \$17 million annually, requiring citizen oversight, independent audits, and funds spent locally?

YES \_\_\_ NO \_\_\_”

**Section 15. ELECTION COSTS.** The County of Santa Cruz shall be reimbursed for its cost in conducting the election if the measure is approved per Section 180203(a) of the Public Utilities Code. Election costs will be funded from Year 1 Measure Revenues before net proceeds are disbursed to the projects and programs in the Expenditure Plan. Reimbursement of the County of Santa Cruz for the costs of this election shall be deferred until it can be paid from the Measure Revenues collected when the Transportation Tax goes into effect.

**Section 16. CONTRACT WITH STATE.** Prior to the operative date of this Ordinance, the Authority shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the Authority shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

**Section 17. TRANSACTIONS TAX RATE.** For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the County at the rate of one-half of one percent (0.5%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this Ordinance.



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**Section 18. PLACE OF SALE.** For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

**Section 19. USE TAX RATE.** An excise tax is hereby imposed on the storage, use or other consumption in the County of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent (0.5%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

**Section 20. ADOPTION OF PROVISIONS OF STATE LAW.** Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Division 19 (commencing with Section 180000) of the California Public Utilities Code and Part 1.6 of Division 2 (commencing with Section 7251) of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

**Section 21. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.** In adopting the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code:

- A. Wherever the State of California is named or referred to as the taxing agency, the name of this Authority shall be substituted therefor. However, the substitution shall not be made when:
  1. The word "State" is used as a part of the title of the State Controller, State Treasurer, Victim Compensation and Government Claims Board, State Board of Equalization, State Treasury, or the Constitution of the State of California;
  2. The result of that substitution would require action to be taken by or against this Authority or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.
  3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
    - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
    - b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
  4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- B. The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

**Section 22. PERMIT NOT REQUIRED.** If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

**Section 23. EXEMPTIONS AND EXCLUSIONS.**

- A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of transactions tax the gross receipts from:
  1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.



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2. Sales of property to be used outside the County which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the County shall be satisfied:
    - a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-County address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
    - b. With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
  3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
  4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.
  5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this County of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
  2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
  3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
  4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.
  5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
  6. Except as provided in subparagraph (7), a retailer engaged in business in the County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the County or participates within the County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the County under the authority of the retailer.
  7. "A retailer engaged in business in the County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the County.



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- D. Any person subject to the use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a County imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

**Section 24. AMENDMENTS.** All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance. Other amendments to this Ordinance shall require a two-thirds (2/3) vote of the total membership of the Authority.

**Section 25. EXPENDITURE PLAN UPDATES AND AMENDMENTS.**

- A. This Ordinance and Expenditure Plan may be amended to provide for the use of additional federal, state, and local revenues, to account for unexpected revenues, or to take into consideration unforeseen circumstances. Should a project implementing agency determine that a planned project has become undeliverable, infeasible or unfundable due to circumstances unforeseen at the time this Ordinance and Expenditure Plan were created, or should a project not require all funds programmed for that project or have excess funding, funding set forth at project termination will be reallocated to another project or program of the same type or otherwise serving the same objectives.
- B. The Ordinance and Expenditure Plan may only be amended, if required, by the following process set forth in Section 180207 of the Public Utilities Code: (1) Initiation of amendments by the Authority reciting findings of necessity; (2) Provision of notice and a copy of the amendments provided to the Board of Supervisors and the City Councils in Santa Cruz County; (3) The proposed amendments shall become effective 45 days after notice is given. Amendments shall require a two-thirds (2/3) vote of the total membership of the Authority.

**Section 26. MAINTENANCE OF EFFORT.** Pursuant to California Public Utilities Code 180001(e), it is the intent of this Ordinance that funds generated by the Transportation Tax be used to supplement and not replace existing revenues used for transportation purposes. Existing funds, revenues and other resources being used for transportation purposes include but are not limited to federal and state funding, the collection of traffic impact mitigation fees, other local impact fees, and dedications of property. The funds generated by the Transportation Tax shall not be used to replace existing transportation funding or to replace requirements for new development to provide for its own transportation needs. The entities receiving Measure Revenues shall maintain their existing commitment of discretionary local transportation-related expenditures for transportation purposes pursuant to this ordinance, and the Authority shall enforce this Section by appropriate actions, including fiscal audits of the local agencies.

**Section 27. ENJOINING COLLECTION FORBIDDEN.** No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

**Section 28. ANNUAL APPROPRIATIONS LIMIT.** The annual appropriations limit of the Authority pursuant to Section 4 of Article XIII B of the California Constitution and Section 180202 of the Public Utilities Code shall be established at a sum equal to the amount of all proceeds of the Transportation Tax collected annually, and as defined by said Article XIII B. The appropriations limit shall be subject to adjustment as provided by law.

**Section 29. SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid or unenforceable by a court of competent jurisdiction, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby, and the Authority declares that it would have passed each part of this Ordinance irrespective of the validity of any other part.

**Section 30. CAPTIONS.** The titles and headings to the sections set forth in this ordinance are not part of this ordinance and shall have no effect upon the construction or interpretation of any part hereof.

**Section 31. ENVIRONMENTAL.** This Ordinance is not a project as defined in Section 15378 of the California Environmental Quality Act (CEQA) Guidelines and is therefore exempt from CEQA requirements. Approval of this Ordinance and Expenditure Plan does not commit to implementation of any specific project or activity listed herein. Prior to commencement of any specific project or activity identified in the Expenditure Plan, applicable provisions of the California Environmental Quality Act (CEQA) shall be completed.

**Section 32. TAXPAYER SAFEGUARDS, AUDITS, AND ACCOUNTABILITY.** Accountability is of utmost importance in delivering public investments with public dollars. In order to ensure accountability, transparency and public oversight of all funds collected and allocated under this Measure and to comply with state law, all of the following shall apply:



## Local ballot measure: D

- A. Annual Report.** Each agency receiving Measure Revenue shall annually adopt, after holding a public hearing, an annual report which includes 1) a five-year program of projects including information about each of the projects to be funded with Measure Revenues allocated according to the Expenditure Plan. Local and regional agencies shall submit their program of projects to the Authority in a format that can be easily understood by members of the public. 2) Description of expenditures of Measure Revenues from the most recently completed fiscal year. The purpose of requiring the most recently completed fiscal year expenditures is to allow the Authority to prepare a comprehensive report to the public on the expenditure of funds generated by this Ordinance.
- B. Annual Audit.** No less than annually, an independent annual audit shall be conducted of the expenditure of all funds generated by the transportation tax. The audit, which shall be made available to the public, shall report on evidence that the expenditure of funds is in accordance with this Plan as adopted by the voters in approving the Ordinance on November 8, 2016. The Authority will also prepare a publicly available annual report on past and upcoming activities and publish an annual financial statement.
- C. Independent Oversight Committee.** An Independent Oversight Committee shall be formed by the Board of Directors of the Authority to review the annual independent fiscal audit of the expenditure of the Transportation Tax funds and issue an annual report on its findings regarding compliance with the requirements of the Expenditure Plan and the Ordinance to the Authority Board of Directors. The total membership of the Independent Oversight Committee shall not exceed five (5) members and any vacancy which may occur from time to time shall be filled by the Board of Directors of the Authority as soon as reasonably possible.
- Members of the Independent Oversight Committee shall be residents of Santa Cruz County who are neither elected officials of any government, nor employees from any agency or organization that either oversees or implements projects funded from the proceeds of the sales tax. Members will fairly represent the geographical, social, cultural, and economic diversity of Santa Cruz County to ensure maximum benefit for transportation users. The Committee shall include at least one person with an accounting or fiscal management background.
- Independent Oversight Committee meetings will be announced in advance and will be open to the general public. The Independent Oversight Committee shall meet at least once but no more than four times per year.
- The responsibilities of this Committee include:
- Reviewing Expenditure Plan expenditures on an annual basis to ensure they conform to the Ordinance.
  - Reviewing the annual audit and report prepared by an independent auditor, describing how funds were spent.
  - Produce a publicly available Annual Report of Oversight Activities.
- D.** Decisions regarding implementation of this Ordinance will be made by the Authority in public meetings, subject to the Brown Act.

**Section 33. EFFECTIVE DATE.** This Ordinance relates to the levying and collecting of the retail transactions and use tax and shall take effect immediately, subject only to the Operative Date set forth in this Ordinance.

**Section 34. TERMINATION DATE.** The authority to levy the tax imposed by this Ordinance shall expire thirty (30) years from the Operative Date of this ordinance (with the last operative date anticipated to be March 31, 2047).

The foregoing Ordinance was PASSED AND ADOPTED by the Santa Cruz County Regional Transportation Commission (SCRTC), on June 16, 2016, by the following vote:

AYES: Don Lane, John Leopold, Ryan Coonerty, Ed Bottorff, Karina Cervantez, Cynthia Chase, Jimmy Dutra, Dennis Norton, Bruce McPherson

NOES: Randy Johnson, Greg Caput                      ABSENT: Zach Friend



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### Exhibit A:

#### Santa Cruz County 2016 Transportation Improvement Plan - Expenditure Plan

##### Overview

The 2016 Transportation Improvement Plan (TRIP) - Expenditure Plan for Santa Cruz County provides a balanced vision to improve, operate and maintain Santa Cruz County's transportation network. The plan will provide safer routes to schools for local students; maintain mobility and independence for seniors and those with disabilities; invest in bicycle and pedestrian pathways and bridges on an unprecedented scale; repave roadways, repair potholes and improve safety on local streets; ease congestion on major roadways; and invest in transportation projects that reduce the pollution that causes global warming.

<b>SUMMARY OF TRANSPORTATION INVESTMENTS</b>	<b>% of Funds</b>
<b>Neighborhood Projects</b>	<b>30%</b>
<b>Direct Allocation to Cities and County</b>	
Local roadway pavement repair and operational improvements, school and neighborhood traffic safety projects, bicycle and pedestrian projects	
<b>San Lorenzo Valley Hwy 9 Corridor Improvements - \$10 million</b> <b>Highway 17 Wildlife Crossing - \$5 million</b>	
<b>Highway Corridors</b>	<b>25%</b>
<b>Highway 1 Corridor</b>	
Auxiliary lanes that separate entering and exiting traffic from through lanes to improve traffic flow and safety: 41st Ave-Soquel Dr; Bay/Porter-Park; State Park-Park	
Bicycle and pedestrian over-crossings	
<b>Traveler Information and Transportation Demand Management</b>	
<i>Example Programs: Cruz511, Carpool/Vanpool Programs</i>	
<b>Highway Safety and Congestion Reduction Programs</b>	<b>20%</b>
<i>Example Programs: Freeway Service Patrol and Safe on 17 Enforcement</i>	
<b>Transit for Seniors and People with Disabilities</b>	<b>17%</b>
<b>Direct Allocation to Service Providers</b>	
Santa Cruz METRO (16%) Community Bridges Lift Line Paratransit Service (4%)	
<b>Active Transportation</b>	<b>8%</b>
<b>Monterey Bay Sanctuary Scenic Trail (Coastal Rail Trail)</b>	
Bike and pedestrian trail construction; maintenance, management and drainage of rail and trail corridor; install conduit for internet and electrical services	<b>100%</b>
<b>Rail Corridor</b>	
<b>Infrastructure Preservation and Analysis of Options</b>	<b>8%</b>
<i>Example Projects: Analysis (including environmental analysis) of both rail transit and non-rail options for the corridor; rail line maintenance and repairs</i>	
<b>Total</b>	<b>100%</b>

##### DESCRIPTION OF PROJECTS AND PROGRAMS TO BE FUNDED

The Expenditure Plan identifies transportation projects to be funded from a new one-half of one percent transactions and use tax, to be collected for thirty (30) years, if two-thirds of voters approve the ballot measure in 2016. The Expenditure Plan is presented to the voters of Santa Cruz County as a means to address insufficient funding to meet current and projected transportation needs in Santa Cruz County. Given current sales tax receipts, one-half of one percent transaction and use tax is expected to generate \$17 million a year in 2016 dollars, totaling approximately \$500 million for transportation investments. These local funds can be used to leverage state and federal transportation funds



## Local ballot measure: D

that would otherwise be unavailable. The investments described in the Expenditure Plan reflect the best efforts to achieve consensus among varied transportation needs of Santa Cruz County residents.

Three types of investments are funded in the Expenditure Plan: investment categories which are allocated a percentage of net revenues, capital investments which are allocated specific dollar amounts, and ongoing direct allocations of a percentage of net revenues to cities, the County of Santa Cruz, and transit operators for capital projects and operations. The following describes the investments funded by the Santa Cruz County 2016 Transportation Improvement Plan - Expenditure Plan.

### **Neighborhood Projects – 30% per year**

#### **Direct Allocation to Cities and County**

The existing local street and road, bicycle, and pedestrian systems are critical to the everyday movement of people within the county. Much of the local roadway system is aging, has potholes, and is in need of major repair. Continued deferred maintenance will result in an exponential increase in the cost of maintaining the roadway system. Additionally, many sections of the county currently have inadequate facilities for bicyclists and pedestrians to travel safely. Current resources, without generation of new revenues for transportation, cannot provide adequate funding to maintain the local roadway system at the level necessary to adequately serve the public or expand the bicycle and pedestrian system to encourage more users.

Approximately \$135 million (\$4.5 million per year) in Measure Revenues will be allocated to the cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville and the County of Santa Cruz for transportation projects. Projects to be funded with Measure Revenues may include: fixing potholes, local roadway repairs, rehabilitation, reconstruction and intersection improvements; new and improved sidewalks, crosswalks and bicycle lanes and paths, especially near schools; and other transportation projects as necessary for the benefit of residents in those jurisdictions. The County of Santa Cruz and the cities of Capitola, Santa Cruz, Scotts Valley and Watsonville, who are best able to determine their local transportation needs, shall each prepare an annual report through a public process to identify how they plan to spend their share of measure funds and how measure funds were spent in the prior year.

Funds will be distributed at least quarterly to cities and the County of Santa Cruz based on each jurisdiction's proportional share of the countywide population (29%), lane miles of roadway (39%) and site where the Measure Revenue from the transaction and use tax is generated (32%). Population, road mile, and tax site generation figures will be updated each year based on the latest available data.

#### **San Lorenzo Valley Highway 9 Corridor**

Ten (\$10) million in Measure Revenues is designated for transportation projects improving travel for residents of San Lorenzo Valley. Example projects may include:

- Safety projects for people walking, biking or driving in the Highway 9 corridor through San Lorenzo Valley
- Projects that provide safe access to schools along or near Highway 9
- Intersection and signal improvements
- Bicycle lanes, paths and/or signage
- Accessible pedestrian crosswalks and sidewalks, including lighting and flashing pedestrian beacons that increase visibility
- Improved access to bus stops and bus service

#### **Highway 17 Wildlife Crossing**

Highway 17 is a major connection between the Monterey Bay Region and San Francisco Bay Area. The dense traffic, concrete median barriers, and lack of drainage culverts and/or bridge undercrossings makes Highway 17 a major barrier for wildlife moving through the Santa Cruz Mountains. Mountain lions, bobcats and deer have all been hit trying to cross Highway 17 which also makes it dangerous for the motorists. Five (\$5) million in Measure Revenues will be allocated for construction of a safe passage for wildlife to cross under Highway 17. This project will improve safety for both drivers and wildlife.

#### **Highway Corridors – 25%**

Aging highway systems continue to operate under high traffic volumes as population, and thus demand for moving people and goods increases. State highways provide essential mobility for Santa Cruz County residents, businesses, and visitors. The highway corridors are the region's main thoroughfares with Highway 1 carrying over 100,000 people daily. Measure Revenues are needed to improve traffic flow and safety as state and federal formula funds do not fund most highway improvements in Santa Cruz County. Measure Revenues (25% or approximately \$125 million total) will be allocated to Highway 1 and Highway 17 corridor projects to increase the safety and efficiency of these corridors in Santa Cruz County.



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### **Highway 1 Corridor**

Highway investments included in the Expenditure Plan, improve traffic flow and safety on Highway 1, especially for South County and Mid-County commuters, small businesses, bus riders and first responders (law enforcement, fire, medical) by adding auxiliary lanes between three interchanges: 41st Ave-Soquel Dr; Bay Ave/Porter St-Park Ave; and State Park Dr-Park Ave. Auxiliary lanes are lower cost highway projects that can improve flow by separating entering or exiting traffic from the through lanes. Approximately 10% of all of the injuries and fatalities in Santa Cruz County in 2013 occurred between Soquel Dr and Park Ave on Highway 1. Auxiliary lanes can help to improve safety on this high traffic volume corridor.

### **New bridges for cyclists and pedestrians**

Highways can separate neighborhoods and make it harder to ride a bike or walk to access locations of interest. In order to improve bicycle and pedestrian movement between neighborhoods, employment, retail, medical, and recreation sites on either side of Highway 1, Measure Revenues can be used to construct bicycle/pedestrian bridges crossing over Highway 1 including crossings in Live Oak near Chanticleer Avenue and in Aptos/Seacliff near Mar Vista Elementary School. Measure Revenues can also improve bicycle and pedestrian facilities on existing crossings.

### **Traveler Information and Transportation Demand Management**

The efficiency of the existing transportation system can be increased by promoting use of transit, carpooling, vanpooling, as well as bicycling and walking. Transportation demand management strategies can reduce the number of vehicles on our roadways especially during peak periods. Examples of transportation demand management programs that could be funded by this measure include "Cruz511", the traveler information service for Santa Cruz County, and carpool/vanpool programs.

### **Highway Safety and Congestion Reduction Programs**

Improving safety is a primary goal of this measure. Programs that reduce fatal and injury collisions on highways and reduce congestion are also funded by Measure Revenues. Examples of programs that improve safety and reduce congestion are the Safe on 17 Task Force and the Freeway Service Patrol (roving tow trucks that remove stalled or disabled vehicles, debris, and other obstructions that may cause backups).

### **Transportation for Seniors and People with Disabilities – 20% per year**

#### **Direct Allocation to Service Providers**

Seniors and disabled persons make up an increasing percentage of Santa Cruz County's population. For seniors and persons with disabilities, access to healthcare, social services, shopping, and recreation is key to quality of life. A number of specialized transportation programs have been implemented which meet specialized needs for transportation to medical services, social service programs, shopping and other purposes that cannot be met by conventional bus transit. An aging population will require maintenance and expansion of transit and paratransit services for elderly and disabled residents into the future.

Measure Revenues (16% or approximately \$2.75 million per year) will be distributed to Santa Cruz Metropolitan Transit District (METRO) to provide transit and paratransit service for seniors and people with disabilities. Measure Revenues (4% or approximately \$680,000 per year) will be allocated to the Consolidated Transportation Services Agency for Santa Cruz County (Community Bridges-Lift Line) for paratransit service. Paratransit works with social service agencies to increase transportation options for seniors, individuals with disabilities, and persons with low incomes. Funds will be distributed at least quarterly.

#### **Active Transportation – 17%**

##### **Monterey Bay Sanctuary Scenic Trail (Coastal Rail Trail)**

Measure Revenues (17% or approximately \$85 million total) will be allocated for the Monterey Bay Sanctuary Scenic Trail Network, otherwise known as the Coastal Rail Trail, for people walking and bicycling along the coast in Santa Cruz County. The coastal rail and trail corridor connects Watsonville, Aptos, Capitola, Live Oak, Santa Cruz, and Davenport and links to trails in Monterey County. The trail offers spectacular views of the Monterey Bay, historic trestles, and a flat surface free of automobile traffic. This trail will provide kids, commuters and recreational bicyclists and walkers a safe and enjoyable way to travel. Funds will be used for trail construction, maintenance, operation, management and drainage of the rail and trail corridor and will leverage other state and federal grants for completion of the trail network.

#### **Rail Corridor – 8%**

##### **Infrastructure Preservation and Analysis of Options**

Eight percent of Measure Revenues (approximately \$40 million total) will be used for preservation of the Rail Corridor infrastructure and analysis of its future potential use to better serve Santa Cruz County residents and visitors. Projects



## Local ballot measure: D

include analysis (including environmental and economic analysis) to answer important community questions about possible future transit and other transportation uses of the corridor through an open, transparent public process; and maintaining and repairing the publicly-owned Santa Cruz Branch Rail Line. The Measure Revenues do not include funding for any new train/rail service. If the Regional Transportation Commission determines that the best use of the corridor is an option other than rail transit, funds may be utilized for other transportation improvements along and near the corridor.

### **Notes**

*(1) Estimated revenues from a ½-cent transaction and use tax are \$17 million per year (in 2016 dollars) for 30 years. The present value (i.e., present day purchasing power) of the Measure Revenues is forecasted to be approximately \$500 Million. The actual revenues to be received over the 30-year life of the tax will be affected by various economic factors, such as inflation and economic growth or decline. The estimated amounts for each category reflect the allocation of approximately \$500 Million. The estimated amounts for each category, divided by \$500 Million, establishes ratios for the allocation among the categories. While total revenues will vary, the net percentages to each investment category will remain constant over the 30-year life of the tax.*

*(2) Percentages are net after costs required for administration, implementation and oversight of the measure -- including annual independent fiscal audits, reports to the public, preparation and implementation of state-mandated reports, oversight committee, and other administration, implementation and oversight responsibilities as may be necessary to administer and implement the Ordinance and the Expenditure Plan. Administrative salaries and benefits shall not exceed 1% of total Measure Revenues.*

*(3) If bonding is used to advance implementation of any of these projects, finance costs will be paid from the percent of funds designated for the associated investment category.*

*(4) It is anticipated that a portion of the total costs of the projects included in the Expenditure Plan will also be funded from federal, state, and local sources, as described in the Regional Transportation Plan (RTP).*

*(5) Outside of the funds to local jurisdictions and transit agencies which will be allocated on an ongoing basis, based on revenues generated, the Santa Cruz County Regional Transportation Commission shall allocate Measure Revenues to all other categories of transportation projects and specific capital projects. Capital investments will be made based upon clearly defined project descriptions and limits resulting from the outcomes of environmental analyses, design engineering, and public input, as applicable.*

*(6) In the event that any agency that is designated funds through the Expenditure Plan is dissolved, the redistribution of funds will be based on the same formulas minus the dissolved agency. New or successor entities that come into existence in Santa Cruz County during the life of the Expenditure Plan, such as incorporation of a new city, merging of agencies, or designation of a new agency as the county Consolidated Transportation Services Agency or transit agency, may be considered as eligible recipients of funds through the amendment process as set forth in the Ordinance.*



## Local ballot measure: E

# E

### Santa Cruz County Cannabis Business Tax Amendment

#### Ballot question

Amendment of the Cannabis Business Tax Ordinance. To protect the quality of life in Santa Cruz County and to fund essential County services such as police, fire, emergency response, health services, youth and senior programs, job creation, housing, environmental protection, and animal shelter/adoption, shall Measure K be amended to revise the definition of cannabis to conform to State law and revise the definition of cannabis business or medical marijuana business to include all cannabis businesses with all funds staying local?

#### Pregunta de Boleta

Enmienda de la Ordenanza del Impuesto al Cannabis Comercial. Para proteger la calidad de vida del Condado de Santa Cruz y financiar servicios esenciales del Condado, como policía, bomberos, respuesta de emergencias, servicios de salud, programas para jóvenes y personas mayores, generación de oportunidades laborales, viviendas, protección ambiental y refugios o adopción de animales, ¿debe enmendarse la Iniciativa de Ley K para que se ajuste a la ley estatal y corregir la definición de negocio de cannabis o negocio de marihuana medicinal para que incluya todos los negocios de cannabis y que todos los fondos permanezcan localmente?

#### What your vote means

YES	NO
A "Yes" vote is a vote to adopt the ordinance amending the Santa Cruz County Code.	A "No" vote is a vote against adopting the ordinance.

#### For and against Measure E

FOR	AGAINST
<p><b>Ryan Coonerty</b> Santa Cruz County 3rd District Supervisor</p> <p><b>Rahn Garcia</b> Member, Cannabis Cultivation Choices Committee</p> <p><b>Eric Olsen</b> Cannabis Consultant</p> <p><b>Shebreh Kalantari-Johnson</b> Member, Cannabis Cultivation Choices Committee</p>	<p><b>Mike Boyd</b> Taxpayer</p>



## Local ballot measure: E

Arguments and replies are the opinions of the authors. We print them exactly as submitted, including errors.

Argument for Measure E	Reply Rebuttal to argument for Measure E
<p>VOTE YES ON MEASURE E - THE CANNABIS BUSINESS TAX</p> <p>Santa Cruz County voters overwhelmingly approved the Measure K Cannabis Business Tax in 2014 with 77.54% of the vote. Santa Cruz County has a history of supporting State and local laws for the compassionate and safe use of medicinal cannabis by physician's recommendation. Residents have strongly supported safe access to medical cannabis for patients in need.</p> <p>As a result, Santa Cruz County continues to work successfully with neighborhood groups and local industry representatives to create laws allowing cannabis to be responsibly cultivated, distributed, delivered, dispensed, sold, or given away without creating a public nuisance. These laws respect the needs of medical patient and their caregivers, as well as legitimate medical cannabis businesses. They also protect our neighborhoods and land from illegitimate operators who harm our environment and neighborhoods.</p> <p>With the recent changes in State law by the Medical Marijuana Regulatory and Safety Act (MMRSA), the County is seeking to amend the language of Measure K to conform to the new State law, defining "cannabis," "cannabis business," and "medical marijuana business" to be the same as that in MMRSA.</p> <p>The Cannabis Business Tax currently provides general purpose funding for County services including:</p> <ul style="list-style-type: none"> <li>• public health and safety;</li> <li>• fire services;</li> <li>• environmental protection;</li> <li>• animal shelter and community programs; and</li> <li>• financial accountability.</li> </ul> <p><b>Measure E will not change the current tax rate or the purposes for which the tax is used. All revenue collected will stay local, to protect and maintain our neighborhoods and environment.</b></p> <p><b>Voting yes will not disadvantage low income patients, as there are resources for income restricted patients to receive low or no cost medicine.</b></p> <p>Measure E maintains the business tax only for cannabis businesses, not all businesses.</p> <p>Measure E is supported unanimously by the Board of Supervisors and will help maintain essential services for County residents.</p> <p>Join us in voting YES ON MEASURE E.</p> <p><b>Ryan Coonerty</b> Santa Cruz County 3rd District Supervisor</p> <p><b>Rahn Garcia</b> Member, Cannabis Cultivation Choices Committee</p> <p><b>Eric Olsen</b> Cannabis Consultant</p> <p><b>Shebreh Kalantari-Johnson</b> Member, Cannabis Cultivation Choices Committee</p>	<p>Please Vote No.</p> <p>The Tax amendment now includes patients' and caregivers' cultivation. The previous elections had support by patient dispensaries and cultivators. They were soon to discover the true meaning of this tax when Sheriff's Deputies showed up at their homes and gardens with machine guns while children and other family members were present to remove crops.</p> <p>My receipts show proof the pro-argument is false, misleading, or inconsistent because of the Federal Judge in my case said I had standing to sue the County because I paid the tax, but my claims weren't federal so she sent it back to state court.</p> <p>The ballot argument for the tax in the County contains false statements.</p> <p>"These laws respect the needs of medical patient and their caregivers, as well as legitimate medical cannabis businesses."</p> <p>"State law, defining 'cannabis,' 'cannabis business,' and 'medical marijuana business' to be the same as that in MMRSA"</p> <p>"Will not change the current tax rate".</p> <p>"Will not disadvantage low income patients".</p> <p>Like measures statewide claiming legalization, as with MMRSA, I am challenging the County of Santa Cruz tax on state constitutional grounds, Article I "A statute or other authority, shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. A statute or other authority adopted after the effective date of this subdivision that limits the right of access shall be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest."</p> <p><b>Mike Boyd</b> Taxpayer</p>



## Local ballot measure: E

Arguments and replies are the opinions of the authors. We print them exactly as submitted, including errors.

<b>Argument against Measure E</b>	<b>Reply Rebuttal to argument against Measure E</b>
<p>Proposition 215 the Compassionate Use Act of 1996 passed with 5,382,915 (55.6%) votes in favor and 4,301,960 (44.4%) against. Like other local and state measures claiming they are for legalization of marijuana, Measure E is a fraud to repeal rather than amending the Compassionate Use Act. The Compassionate Use Act does not include any of the words “Cannabis business” or “tax”.</p> <p>Proposition 215 said “the purposes of the Compassionate Use Act of 1996 are as follows, to ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction. To encourage the federal and state governments to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana. The purposes of this section, ‘primary caregiver’ means the individual designated by the person exempted under this section who has consistently assumed responsibility for the housing, health, or safety of that person.” Classifying “caregivers” as a “Cannabis business” stigmatizes patients’ compassionate use.</p> <p>I’m asking you as a taxpayer, voter, and as a medical marijuana patient who relies on this medicine for pain relief, please vote no on the amendment to the so-called Cannabis business tax because it discriminates against me personally and you too because the law says medical marijuana shouldn’t be taxed just like any other prescription medicine you pick up at your pharmacy has no tax.</p> <p>I filed a lawsuit against the City of Santa Cruz and County of Santa Cruz and the previous election the voters approving the tax means as a medical marijuana patient I’m a member of a political minority group who lacks the political power to overcome unlawful discrimination against me. So even if you hate me because my medicine is marijuana, every vote counts, please vote your conscious, since it helps my lawsuit.</p> <p><b>Mike Boyd</b> Taxpayer</p>	<p>Measure E simply extends the Cannabis Business Tax, which currently only applies to dispensaries, to all cannabis-related businesses, such as cultivators.</p> <p>It also aligns the definition of cannabis to conform to State law. Measure E does not repeal or amend the Compassionate Use Act.</p> <p>It is well settled that cannabis is taxable. The production of cannabis comes with steep local costs such as the regulation of illegitimate operators and environmental damage which must be mitigated. The cost to protect our community and the environment should be borne by all cannabis-related businesses.</p> <p>Measure E is supported unanimously by the Board of Supervisors and will help expand and maintain essential services for County residents.</p> <p><b>Join us in voting YES ON MEASURE E.</b></p> <p><b>Zach Friend</b> Santa Cruz County Supervisor, 2nd District</p> <p><b>Jim Hart</b> Sheriff-Coroner</p> <p><b>Colin L. Disheroon*</b> Director, Santa Cruz Mountain Naturals</p> <p><b>Josephine Roberto*</b> Chairperson, Responsible Cultivation Santa Cruz</p> <p><b>D’Angelo “Cricket” Roberto*</b> Board Member, Responsible Cultivation Santa Cruz</p> <p>*Signing on behalf of the organization listed below the name.</p>



## Local ballot measure: E

### Impartial analysis of Measure E

**Dana McRae**, County Counsel

By Jane M. Scott, Assistant County Counsel

If approved by a majority of those voting, this measure will amend three provisions of the existing Cannabis Business Tax which applies to the unincorporated area of the County of Santa Cruz.

In 2014 the voters approved Measure K which enacted the ordinance entitled Cannabis Business Tax. It is codified as Chapter 4.06 of the Santa Cruz County Code.

This measure would adopt an ordinance to amend the language defining "cannabis," "cannabis business," and "medical marijuana business" for purposes of that tax. It would not change the tax rate nor the purposes for which the tax is used.

This measure was placed on the ballot by the Santa Cruz County Board of Supervisors.

A "yes" vote on Measure E is a vote to adopt the ordinance amending the Santa Cruz County Code.

A "no" vote on Measure E is a vote against adopting the ordinance.

### Fiscal impact statement Measure E

**Edith Driscoll**, Auditor-Controller/Treasurer-Tax Collector

Measure E would authorize the County of Santa Cruz to amend Chapter 4.06 of the County Code and revise the definitions of the terms 1) "cannabis" and 2) "cannabis business" or "medical marijuana business". This change will result in all cannabis businesses such as cannabis cultivators, manufacturers, transporters and distributors in the unincorporated areas of Santa Cruz County being subject to the Santa Cruz County Cannabis Business Tax.

#### Fiscal Effect

This amendment will expand the number of businesses subject to the tax which will result in additional tax revenue being generated.

#### Use of the Funds

This amendment does not change the purposes for which the tax approved in 2014 may be used. These taxes are considered General County Revenues which are deposited into the County General Fund and kept locally. The funds can be spent on general governmental services currently supplied by the County such as public protection, health services, parks and recreation and other county services.

#### Accountability

This amendment does not change the Auditor-Controller/Treasurer-Tax Collector's role as tax administrator with authority to examine the books and records of cannabis businesses to verify the accuracy of their Cannabis Business Tax reporting and to authorize assessments for unpaid taxes.

### Full text of Measure E

#### **ORDINANCE AMENDING THE CANNABIS BUSINESS TAX**

#### **BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF SANTA CRUZ:**

Chapter 4.06.030(F) and 4.06.030(G) of the Santa Cruz County Code are hereby amended to read as follows:

(F) "Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, as defined under the California Medical Marijuana Regulation and Safety Act at Business and Professions Code section 19300.5(f), as may be amended.

(G) "Cannabis business" or "medical marijuana business" means business activity directly involved with, related to, or concerning cannabis, including, but not limited to, cultivating, dispensing, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, or conducting wholesale and/or retail sales of cannabis and any ancillary products in the unincorporated area of the County, whether or not carried on for gain or profit.