

January 16, 2026

VIA PERSONAL DELIVERY

Kimberly Ward
District Elections Official
Public Transit Revenue Measure District
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Re: Submission of Connect Bay Area Transit Initiative for Circulation

Dear Ms. Ward:


We are the proponents of the Connect Bay Area Transit Initiative, a regional measure that we seek to qualify for the November 3, 2026 election. Pursuant to Elections Code section 9304, please find attached the following documents:

- A copy of the notice of intention to circulate the initiative;
- A copy of the notice of intention as published together with the affidavit of publication by a representative of The Chronicle, the newspaper in which the notice was published on January 15, 2026; and
- The full text of the measure.

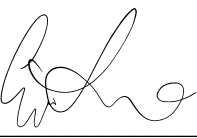
Accordingly and pursuant to Elections Code section 9305, we intend to begin circulation of the measure among the voters of the district for signatures.

If you have any questions about the foregoing, please do not hesitate to call or email Tom Willis (twillis@olsonremcho.com) or Peter Leoni (pleoni@olsonremcho.com), phone 916-442-2952.

Respectfully,



Lian Chang



Emily Loper

DECLARATION OF PUBLICATION OF

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San Francisco Chronicle | **SFGATE**

Lori Gomez

Newspaper Representative

Declares that:

The annexed, or attached, advertisement has been regularly published in the

San Francisco Chronicle

Which is and was at all times herein mentioned established as newspaper of general circulation in the City and County of San Francisco, State of California, as the term is defined by Section 6000 of the Government Code.

San Francisco Chronicle
901 Mission Street
San Francisco, CA 94103

As published in the issue(s) of

1/15/2026

I declare under penalty of perjury that the foregoing is
true and correct.

Executed on 1/15/2026

At San Francisco, California

Lori Gomez

Signature

Campaign: 11093979

AFFIDAVIT DELIVERY INFORMATION

Affidavit Delivery Contact:

Lori Gomez

Affidavit Delivery Address:

Louisiana seeks abortion-pill extradition

By Raheem Hosseini
STAFF WRITER

Ramping up a red-state/blue-state war over access to abortion medication, Louisiana Attorney General Liz Murrill on Tuesday said her office had indicted a Bay Area doctor who allegedly mailed abortion medication into the state.

The criminal warrant against Dr. Remy Coeytaux of Sonoma County came with an extradition request that, if signed by Louisiana Gov. Jeff Landry, would be a direct test to California's abortion-shield laws, intended to protect health care providers from criminal or civil penalties outside of California if the services they provided were legal in California.

Landry previously signed Murrill's February 2025 request to extradite a New York doctor.

Murrill's announcement and extradition filing, as well as a subsequent post on X, do not spell out the allegations against Coeytaux. But a federal lawsuit that Murrill filed in September 2025 challenging the Food and Drug Administration's approval of mifepristone references a California doctor widely reported to be Coeytaux.

That lawsuit — which specifically seeks to elim-

inate the FDA's 2023 guidance removing an in-person requirement to pharmacies dispensing mifepristone — has as a co-plaintiff a Louisiana woman who claims her then-boyfriend pressured her into taking abortion medication he procured from the unnamed California doctor.

Murrill issued an arrest warrant for that doctor in September 2025. A Murrill spokesperson declined to provide the name of the doctor to the Chronicle in November 2025.

Echoing a common tactic of the anti-abortion movement, Murrill compared the mailing of abortion medication, which health studies have found to be safer than Tylenol and Viagra, to narcotics trafficking.

"This is not healthcare; it's drug dealing," she said in a statement Tuesday. "Individuals who flagrantly and intentionally violate our laws by sending illegal abortion pills into our state placing women in danger. We've seen the proof of that, with women showing up in emergency rooms after taking these pills and being coerced into abortions."

According to the medical journal BMJ, Louisiana's already-high maternal death rate worsened



Hilary Scheinuk/Associated Press

Louisiana Attorney General Liz Murrill, seen in 2024, announced that she is seeking to extradite a Bay Area doctor for allegedly mailing abortion pills.

after the state instituted an abortion ban following the Supreme Court's June 2022 ruling in *Dobbs v. Jackson Women's Health Organization*.

Louisiana led the nation in maternal death rates in 2023, according to the Commonwealth Fund, with the risk of dying from pregnancy-related causes more than four times higher than it was for people giving birth in California.

Coeytaux is being sued in Texas for allegedly prescribing abortion medication to a Texas man's girlfriend. The federal law-

suit is one of two potential test cases for abortion shield laws that reproductive health groups like the Guttmacher Institute believe are a backdoor attempt to ban abortion nationwide.

The Center for Reproductive Rights is representing Coeytaux in the Texas lawsuit.

The center's president said that she couldn't comment on Louisiana's allegations, but contended that the politicization of the abortion medication, which decades of research show to be largely safe, is imperiling people's lives.

"While we can't comment on this matter itself, one thing is clear — the state of Louisiana is going after doctors for allegedly harming women, yet they are enforcing an abortion ban that puts women's lives at risk every day," Nancy Northrup said in a statement. "Thousands of women seek abortion pills every year because abortion is banned in their state, and that will not change until abortion is legal everywhere."

California's shield laws insulate providers of reproductive and gender-

affirming care from outside investigations and prosecutions, civil liability and professional discipline.

Similar to California's sanctuary protections for undocumented immigrants, state agencies and employees cannot cooperate with outside investigations into legally protected health care. And its courts and law enforcement agencies are expressly prohibited from honoring warrants or extradition requests or enforcing civil liabilities against medical providers if the actions they committed were legal under state law. The state's voters overwhelmingly adopted a constitutional right to abortion and contraception in November 2022.

California Attorney General Rob Bonta said he expects his office will succeed in preventing Louisiana from extraditing Coeytaux.

"I think they are unfortunately involved in petty politics," he said of Louisiana's attorney general and other officials involved in this case. "California is proudly a safe haven. We are not going to allow attacks, and will do everything in our power to defend access to abortion."

Bob Egelko contributed to this report.

Surfer injured by shark off coast of Mendocino County

By Brooke Park
STAFF WRITER

A shark attacked a male surfer along the Mendocino County coast Tuesday morning, leaving him with "puncture wounds" deemed as minor injuries, the local fire chief said.

First responders arrived around 8:45 a.m. north of the Gualala River for a possible shark attack and found a male surfer who had gotten out of the water with half a surfboard and suffered some "puncture wounds," South Coast Fire Chief Jason Warner said.

The man took himself to an area hospital for sutures, Warner said.

The surfer had been in the water for less than 10 minutes nearly 150 feet off shore when a friend saw him get hit and thrown in the air. The friend told of-



The surfer's injuries were deemed minor, and he transported himself to an area hospital.

South Coast Fire Protection District

officials that he witnessed a large shark take half of his companion's surfboard and thrash it in the water.

Tuesday's attack follows a succession of encounters along the Northern California coast last month. Triathlete and open-water swimmer Erica Fox was killed in a

shark attack on Dec. 21 in Monterey Bay. The next day, a suspected great white shark bumped into the bottom of a surfer's board.

Earlier that month, a shark bit a surfer's hand in the waters of a North Bay beach, sending the surfer to the hospital.

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NOTICE OF INTENTION TO CIRCULATE INITIATIVE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate a petition within the Public Transit Revenue Measure District for the purpose of placing on the November 3, 2026, general election ballot a measure to prevent catastrophic service cuts to Bay Area public transit systems and to provide for road repairs, thereby preserving critical transportation systems that residents depend on every day to get to and from work, school, doctor's appointments, grocery shopping, and social activities.

A statement of the reasons for the proposed action as contemplated in the petition is as follows:

The Bay Area's public transit network is the backbone of the region's economy and communities, connecting residents and visitors to job sites, businesses, schools and universities, health care, recreation, and various other services and life activities. However, public transit systems are experiencing severe financial pressures as federal and state funding is expiring. Without new sources of funding, transit agencies will be required to significantly reduce services including elimination of entire lines, closure of stations, reductions in service frequency, contraction of service hours and elimination of service on weekends.

In order to prevent such devastating cuts, this measure will impose a temporary sales and use tax of 0.5% in the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara, and 1% in the City and County of San Francisco, which is expected to generate approximately \$980 million annually that will support BART, San Francisco Muni, Caltrain, AC Transit, VTA, Golden Gate Transit, San Francisco Bay Ferry, road repair and repaving, Clipper START and other reduced-fare programs, and improved disability access programs, all in the five Bay Area counties.

Funds generated by this measure will be subject to strict oversight and accountability requirements, including financial efficiency reviews and oversight by an independent committee to ensure all revenues are spent on their intended purposes. Funds may be withheld from specified transit agencies that do not meet certain standards of safety, cleanliness, service, and other standards.

/s/ Emily Loper /s/ Lian Chang
Proponents of the Initiative

FRONTIER provides basic residential services for rates of \$25.00 for flat rate service. Frontier also provides basic business services for rates from \$43.25-\$58.25. Other taxes, fees, and surcharges may apply. Frontier offers single party service, touch tone, toll blocking, access to long distance, emergency services, operator assistance, and directory assistance. Use of these services may result in additional charges. Budget or economy services also may be available.

Frontier offers Lifeline service which is a nontransferable government assistance program that provides a \$7.25 discount on the cost of monthly telephone service or \$9.25 on eligible broadband or bundled voice and broadband products (where available) and is limited to one discount per household. In addition to Basic Lifeline, individuals living on federally recognized Tribal Lands who meet the eligibility criteria may also qualify for additional monthly discounts through Enhanced Lifeline and up to \$100.00 toward installation fees through the Tribal Link-Up program. You may also qualify for an additional state discount where available.

If you have any questions regarding Frontier's rates or services, please call us at 1-800-Frontier for further information or visit us at www.Frontier.com. Frontier, brinda servicios residenciales básicos por tarifa fija de \$25.00. Asimismo, las tarifas de Frontier para los servicios comerciales básicos oscilan entre \$43.25 y \$58.25. Pueden aplicarse otros impuestos, cargos y recargos. Frontier ofrece servicio para usuario único, servicio de marcación por tono, bloqueo de llamadas, acceso a llamadas de larga distancia, servicios de emergencia, asistencia de operador y asistencia de guía telefónica. El uso de estos servicios puede generar cargos adicionales. Frontier también pone a tu disposición servicios económicos y servicios acordes a tu presupuesto.

Frontier ofrece el servicio Lifeline, un programa gubernamental de asistencia no transferible que concede un descuento de \$7.25 en el costo del servicio telefónico mensual o de \$9.25 en productos elegibles de banda ancha o en paquetes de voz y productos de banda ancha (cuando estén disponibles) y descuentos están limitados a solo uno por hogar. Además de Lifeline Básico, los individuos que residen en tierras tribales reconocidas por el gobierno federal y reúnan las condiciones de elegibilidad exigidas también podrán acceder a otros descuentos mensuales a través de Enhanced Lifeline de hasta \$100.00 en los costos de instalación mediante el programa Tribal Link-Up. En ciertos estados, también podrías cualificar para otros descuentos estatales cuando estén disponibles.

Si tienes preguntas sobre los servicios o las tarifas de Frontier o quieres obtener más información, llámanos al 1-800-Frontier o visita en www.Frontier.com. 1/15/26 CNS-4002851#

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Aidin Vaziri/S.F. Chronicle

A \$15 million California Lottery scratcher purchased at a San Jose liquor store was the largest prize among \$26 million in scratcher winnings across the state.

\$15 million lottery scratcher sold at Bay Area liquor store

By Aidin Vaziri
STAFF WRITER

A \$15 million California Lottery scratcher was sold at a San Jose liquor store, marking the largest prize among several multimillion-dollar wins announced statewide this week.

The winning ticket, from the "40 Years of Play!" Scratchers game, was pur-

chased at Mike's Liquor at 6027 Snell Ave., according to a California Lottery news release issued Monday.

The prize was claimed by Nardin Daniloadeh.

The San Jose win was part of a broader slate of payouts totaling \$26 million across California.

A \$5 million Scratchers ticket was sold at a Vallarta Supermarket in North Hollywood, while three addi-

tional players each claimed \$2 million prizes from Instant Prize Crossword Scratchers tickets purchased in Modesto, Pomona (Los Angeles County) and Camarillo (Ventura County).

Lottery officials encourage responsible play. Free and confidential support is available by calling 800-426-2537 or visiting 800gambler.chat.

In re: The Roman Catholic Bishop of Fresno, Case No. 25-12231-B-11

United States Bankruptcy Court for the Eastern District of California

Notice of Deadline for Filing Claims: **February 2, 2026**

YOU MAY HAVE A SEXUAL ABUSE CLAIM OR OTHER CLAIM AGAINST THE ROMAN CATHOLIC BISHOP OF FRESNO

On July 1, 2025, The Roman Catholic Bishop of Fresno aka the Diocese of Fresno filed a chapter 11 bankruptcy petition for protection under title 11 of the United States Code.

If you were sexually abused by any person connected with the Diocese, you must file a claim so as to be received by **February 2, 2026**, or otherwise you will be forever barred, estopped, and enjoined from asserting such claim against the Diocese.

Claims based on acts or omissions of the Diocese that occurred before July 1, 2025, must be filed on or before **February 2, 2026**, even if such claims are not now fixed, liquidated, or certain or did not mature or become fixed, liquidated, or certain before July 1, 2025.



For more information on how to file a claim or about the bankruptcy, please visit: <https://www.bankruptcy.angeiongroup.com/rcbf>, or contact the Debtor's claims and noticing agent, Donlin, Recano & Company, LLC, via email at: rcbfinfo@angeiongroup.com, or by phone at 1-800-813-0529; cxd or visit the Debtor's website at <https://www.dioceseoffresno.org> and follow the links for Chapter 11 filing. You may also file a claim online at the following website: <https://bankruptcy.angeiongroup.com/Clients/rcbf/FileSurvivorClaim>.

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CONNECT BAY AREA TRANSIT INITIATIVE

The people of the Public Transit Revenue Measure District do ordain as follows:

SECTION 1. Title.

This ordinance shall be known, and may be cited, as the “Connect Bay Area Transit Initiative.”

SEC. 2. Findings and Declarations.

The people of the Public Transit Revenue Measure District find and declare all of the following:

(a) The San Francisco Bay Area needs a world-class, reliable, affordable, efficient, and connected public transportation network that connects residents, businesses, and visitors to jobs, services, universities, recreation, and opportunities.

(b) The Bay Area is served by a large public transit network that safely, reliably, and affordably connects millions of residents and visitors each week. This public transit network supports the region’s economy and local communities, promotes sustainable growth, provides access to opportunity, and reduces the cost of living for Bay Area families.

(c) Since the COVID-19 pandemic, the Bay Area’s largest public transit systems have experienced fiscal pressures and recurring budget shortfalls that threaten the level and quality of service they can provide. These fiscal pressures imperil the region’s transit agencies and threaten to undermine the region’s economy, worsen our air quality and public health, increase carbon emissions, and reduce access to opportunity for all transit riders, particularly low-income communities, seniors, people with disabilities, and youth.

(d) Until now, relief funding from the federal government and the state has forestalled drastic service cuts. However, this relief funding is now exhausted and, despite cost control efforts and steady ridership recovery, the Bay Area’s largest transit operators — BART, Muni, AC Transit, and Caltrain — collectively face operating deficits of more than \$800 million annually starting in the 2027–28 fiscal year.

(e) Agencies have taken significant measures to close their deficits, reduce operating costs, and boost ridership, including freezing hiring, renegotiating contracts, modernizing operations, improving fare enforcement, lowering energy costs, and expanding safety staffing. Crime is down on BART, Muni reliability is at a two-decade high, and Caltrain’s new electric service is more efficient and cost-effective.

(f) Even with these efficiency and accountability measures in place, though, these transportation agencies continue to face severe budget deficits that will require drastic service cuts if new revenue is not identified to support operations.

- (g) BART could be forced to significantly cut service, including potentially reducing weekly trains, closing lines, eliminating weekend service, shutting stations, and ending weekday service earlier in the evening.
- (h) Caltrain could reduce service, potentially running trains on a significantly reduced schedule, ending weekday service earlier in the evening, and eliminating weekend service completely.
- (i) Muni could potentially face drastic cuts to bus and Metro lines, suspension of entire neighborhood routes, and reduction of iconic cable car and historic streetcar service.
- (j) AC Transit could reduce service, leaving operations significantly below pre-pandemic levels and cutting critical connections for East Bay residents.
- (k) Smaller operators, including county bus systems, community shuttles, and rural connectors, face service cuts that threaten lifeline routes for seniors, people with disabilities, students, and essential service workers.
- (l) Agencies would also be forced to cut maintenance, safety personnel, and cleaning services, leading to declining conditions for riders and a service “death spiral” that could take decades to reverse.
- (m) Public transit fiscal needs are particularly severe in the City and County of San Francisco, where the core transit systems of Muni, BART, and Caltrain face significant funding shortfalls.
- (n) The Bay Area’s public transit network is a lifeline for many communities. Low-income residents make up approximately 31% of BART riders, 38% of Muni riders, and 70% of AC Transit riders. Families, students, seniors, people with disabilities, workers, and visitors rely on transit to access jobs, schools, healthcare, and essential services.
- (o) Transportation is the second-largest cost for Bay Area households after housing. For low-income families, owning and operating a car is often impossible. Nearly half of BART riders do not own a car. Reliable transit reduces these costs and keeps the region more affordable.
- (p) Transit is the backbone of the regional economy. Restaurants, hospitals, universities, retail districts, and employers depend on workers who rely on transit. Without transit, employers face higher turnover, workers face longer commutes, and economic productivity declines. Commute times could rise by up to 12 hours per week in key corridors if transit service is cut, imposing significant economic and personal burdens.
- (q) Without transit, Bay Area roads would be paralyzed. If displaced transit riders shift to cars, Bay Bridge traffic would surge and highways like 101, 80, 280, 680, 880, 85, and 87 would become severely congested.
- (r) Public transit is critical to meeting California’s climate goals. Transit reduces greenhouse gas emissions and improves air quality by reducing car trips. Without transit, emissions would spike,

air pollution would worsen, particularly in low-income communities, and climate progress would stall.

(s) In 2025, the California Legislature passed Senate Bill 63 (SB 63) — the Connect Bay Area Act — to authorize a 14-year regional transit revenue measure in Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara counties to support transit operations and rider-focused programs. SB 63 establishes a new Public Transit Revenue Measure District to place a revenue measure on the ballot, or alternatively allows placement of a revenue measure on the ballot through a citizens’ initiative. This ordinance constitutes such a citizens’ initiative.

SEC. 3. Statement of Purpose.

It is the purpose of the people of the Public Transit Revenue Measure District in enacting this ordinance to achieve all of the following:

(a) To generate approximately \$980 million annually to prevent catastrophic transit service cuts, preserve essential lifeline routes, maintain safety and cleanliness standards, and support the coordinated, reliable transit riders depend on.

(b) To provide counties with dedicated funding that stays in the county to support local priorities, strengthen community connections, and maintain neighborhood routes that provide critical first-mile/last-mile access to regional systems.

(c) To provide funding throughout the district commensurate with the needs of transit agencies in each county or city and county, including the heightened need for transit funding in the City and County of San Francisco that will be supported with the proceeds from a higher tax rate in that jurisdiction.

(d) To impose strict oversight and transparency requirements to ensure that every dollar is spent efficiently and directly benefits riders.

(e) To require independent efficiency reviews; performance metrics tied to safety, cleanliness, reliability, and ridership; regional coordination mandates to ensure agencies work together and deliver an integrated customer experience; and a citizen oversight committee to monitor spending, publish public reports, and ensure compliance.

(f) To provide dedicated resources to support and expand reforms the transportation agencies have made — such as regional fare coordination, transfer discounts, coordinated signage and wayfinding — and also require ongoing improvements so that new funding produces cleaner, safer, and more reliable service for all who live and work in the Bay Area.

(g) To impose a temporary special 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 which shall be operative for a period of 14 years if a majority of the electors voting on the measure vote to approve the imposition of the tax.

(h) 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 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

(i) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration 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 California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

(j) 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 Part 1.6 (commencing with Section 7251) 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.

SEC. 4. Definitions.

For purposes of this ordinance, the following terms have the following meanings:

(a) “AC Transit” means the Alameda-Contra Costa Transit District.

(b) “Alameda County small bus operators” means the Livermore Amador Valley Transit Authority and Union City Transit.

(c) “BART” means the San Francisco Bay Area Rapid Transit District.

(d) “Caltrain” means the Peninsula Corridor Joint Powers Board.

(e) “Commission” means the Metropolitan Transportation Commission.

(f) “Contra Costa County small bus operators” means the Central Contra Costa Transit Authority, the Western Contra Costa Transit Authority, and the Eastern Contra Costa Transit Authority.

(g) “Department” means the California Department of Tax and Fee Administration.

(h) “District” means the Public Transit Revenue Measure District established by Section 67710 of the Government Code.

(i) “Fund” means the Public Transit Revenue Measure Fund established by Section 11.

(j) “Golden Gate Transit” means the Golden Gate Bridge, Highway and Transportation District.

(k) “Muni” means the San Francisco Municipal Transportation Agency.

(l) “Public transit expenses” means public transit operations expenses, or expenses for public transit capital improvement projects that maintain or improve public transit service, including expenses for public transit-specific components of a multimodal transportation project.

(m) “San Francisco Bay Ferry” means the San Francisco Bay Area Water Emergency Transportation Authority.

SEC. 5. Retail Transactions Tax.

(a) 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 district, levied on the gross receipts of each retailer from the sale of all tangible personal property sold at retail in the district during the period specified in subdivision (c) of Section 15, at the following rates of each retailer’s gross receipts:

(1) 0.5 percent in the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara.

(2) 1 percent in the City and County of San Francisco.

(b) For purposes of the retail transactions tax imposed by this section, all retail transactions are consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or the retailer’s 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 adopted by the department.

SEC. 6. Use Tax.

(a) An excise tax is hereby imposed on the storage, use, or other consumption in the district of tangible personal property purchased from any retailer during the period specified in subdivision (c) of Section 15 for storage, use, or other consumption in the district, at the following rates of the sales price of the property:

(1) 0.5 percent in the Counties of Alameda, Contra Costa, San Mateo, and Santa Clara.

(2) 1 percent in the City and County of San Francisco.

(b) For purposes of the use tax imposed by this section, 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.

SEC. 7. Adoption of Provisions of State Law.

(a) Except as otherwise provided in this ordinance, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, insofar as they relate to sales and use taxes and are not inconsistent with the provisions of Part 1.6 (commencing with Section 7251) 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.

(b) Wherever the State of California is named or referred to as the taxing agency in the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, the name of the district shall be substituted therefor, except as follows:

(1) The substitution shall not be made in the terms “State Controller,” “State Treasurer,” “State Treasury,” and “Constitution of the State of California.”

(2) The substitution shall not be made if it would require action to be taken by or against the district or any agency, officer, or employee thereof rather than by or against the department in performing the functions incident to the administration or operation of this ordinance.

(3) The substitution shall not be made if the substitution would do either of the following:

(A) Provide a tax exemption with respect to certain sales, storage, use, or other consumption of tangible personal property that would not otherwise be exempt while such sales, storage, use, or other consumption remains subject to tax by the state under the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code.

(B) Impose a tax with respect to certain sales, storage, use, or other consumption of tangible personal property that would not be subject to tax by the state under the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code.

(4) The substitution shall not be made in Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797, or 6828 of the Revenue and Taxation Code.

(c) (1) The name of the district shall be substituted for the word “state” in the phrase “retailer engaged in business in this state,” and in the definition of that phrase, in Section 6203 of the Revenue and Taxation Code.

(2) “A retailer engaged in business in the district” shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the state by the retailer and all persons related to the retailer that exceed five hundred thousand dollars (\$500,000). For purposes of this section, a

person is related to another person if both persons are related to each other pursuant to Section 267(b) of the Internal Revenue Code and the regulations adopted thereunder.

(d) 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.

(e) All amendments to Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code that are enacted subsequent to the effective date of this ordinance and that are not inconsistent with Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code that are enacted subsequent to the effective date of this ordinance, shall automatically become part of this ordinance, provided that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

SEC. 8. Exemptions and Exclusions.

(a) The retail transactions tax imposed by Section 5 shall be subject to the following exemptions and exclusions:

(1) The amount subject to the retail transactions tax shall not include the amount of any sales or use tax imposed by the State of California or by any city, county, or city and county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) or the amount of any state-administered transactions or use tax.

(2) The sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the district in which the sale is made and directly and exclusively in the use of the aircraft as common carriers of persons or property under the authority of the laws of this state, the United States, or any foreign government shall be exempt from the retail transactions tax.

(3) The sales of property which is to be used outside the district and which is shipped to a point outside the district, pursuant to the contract of sale, by delivery to that point by the retailer or the retailer's agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point, are exempt from the retail transactions tax. For purposes of this paragraph, delivery to a point outside the district shall be satisfied as follows:

(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-district address and by a declaration under penalty of perjury, signed by the buyer, stating that the address is, in fact, the buyer's principal place of residence.

(B) With respect to commercial vehicles, by registration to a place of business out-of-district and a declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(4) (A) The sale of tangible personal property shall be exempt from the retail transactions tax 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.

(B) The lease of tangible personal property which is a continuing sale of that property shall be exempt from the retail transactions tax 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.

(C) For purposes of this paragraph (4), 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 that right is exercised.

(b) The use tax imposed by Section 6 shall be subject to the following exemptions and exclusions:

(1) The amount subject to the use tax shall not include the amount of any sales or use tax imposed by the State of California or by any city, county, or city and county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) or the amount of any state-administered transactions or use tax.

(2) In addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code, the storage, use, or other consumption of tangible personal property, other than fuel or petroleum products, purchased by operators of aircraft and used or consumed by the operators directly and exclusively in the use of the 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 shall be exempt from the use tax.

(3) (A) The storage, use, or other consumption in the district of tangible personal property shall be exempt from the use tax 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.

(B) The possession of, or the exercise of any right or power over, tangible personal property under a lease which is a continuing purchase of the property shall be exempt from the use tax for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease entered into prior to the operative date of this ordinance.

(C) For purposes of this paragraph (3), the storage, use, or other consumption of, 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 the right is exercised.

(4) (A) Except as provided in subparagraph (B), a retailer engaged in business in the district shall not be required to collect the use tax from the purchaser of tangible personal property unless the retailer ships or delivers the property into the district or participates within the district 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 district or through any representative, agent, canvasser, solicitor, subsidiary, or person in the district under the authority of the retailer.

(B) "A retailer engaged in business in the district" shall also include any retailer of a vehicle subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, an aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or an undocumented vessel registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. The retailer shall be required to collect the use tax from any purchaser who registers or licenses the vehicle, aircraft, or vessel at an address in the district.

(c) Any person subject to the use tax imposed by Section 6 shall be entitled to credit against that tax any transactions tax, or to reimbursement for a transactions tax, paid to a district imposing, or a retailer liable for, a transactions tax pursuant to Part 1.6 (commencing with Section 7251) 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.

SEC. 9. Contract with the State.

(a) Prior to the operative date of this ordinance, the district shall contract with the department to perform all functions incident to the administration and operation of this ordinance.

(b) In the event the district does not contract with the department prior to the operative date of this ordinance, the district shall nevertheless so contract and, in that case, the operative date of this ordinance shall be the first day of the first calendar quarter following the execution of the contract.

SEC. 10. Prohibition on Enjoining Collection.

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 district, or against any officer of the state or the district, to prevent or enjoin the collection under this ordinance, or Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SEC. 11. Public Transit Revenue Measure Fund.

(a) There is hereby established in the treasury of the district the Public Transit Revenue Measure Fund.

(b) The proceeds of the retail transactions and use taxes imposed by this ordinance shall be deposited into the fund and shall be expended in accordance with Section 12.

SEC. 12. Expenditure of Tax Proceeds.

Revenues in the fund shall be expended as follows:

(a) The district shall pay the administrative costs associated with the collection of the revenues incurred by the department, and the amounts necessary for the costs incurred by the district or commission to perform the duties required under this ordinance, including, but not limited to, election cost reimbursements specified in Section 67740 of the Government Code, costs incurred for the financial efficiency review described in Section 67762 of the Government Code, costs incurred for any required legal defense, and other one-time costs associated with administering this ordinance.

(b) After the amounts paid in subdivision (a), the district shall transfer the remaining revenues, with no discretion to withhold, reduce, delay, modify, specify the use of, or condition those revenues, as follows:

(1) (A) The revenues described in subparagraph (B) to the commission for the ongoing costs associated with administering this ordinance. If the amount transferred pursuant to this paragraph exceeds that which is necessary for administrative costs in a given year, the commission may use those excess funds for the purposes identified in paragraphs (10) to (12), inclusive.

(B) All of the following revenues shall be transferred to the commission pursuant to this paragraph:

(i) 0.25 percent of all revenues generated within the territory of the County of Alameda.

(ii) 0.25 percent of all revenues generated within the territory of the County of Contra Costa.

(iii) 0.13 percent of all revenues generated within the territory of the City and County of San Francisco.

(iv) 0.25 percent of all revenues generated within the territory of the County of San Mateo.

(v) 0.25 percent of all revenues generated within the territory of the County of Santa Clara.

(2) The following revenues to the commission for allocation to BART for transit operations expenses:

(A) 64.70 percent of all revenues generated within the territory of the County of Alameda.

(B) 58.59 percent of all revenues generated within the territory of the County of Contra Costa.

(C) 29.14 percent of all revenues generated within the territory of the City and County of San Francisco.

(D) 26.64 percent of all revenues generated within the territory of the County of San Mateo.

(3) The following revenues to the commission for allocation to Muni for transit operations expenses:

(A) 1.09 percent of all revenues generated within the territory of the County of Contra Costa.

(B) 62.87 percent of all revenues generated within the territory of the City and County of San Francisco.

(C) 7.40 percent of all revenues generated within the territory of the County of San Mateo.

(4) The following revenues to the commission for allocation to Caltrain for transit operations expenses:

(A) 3.97 percent of all revenues generated within the territory of the City and County of San Francisco.

(B) 24.07 percent of all revenues generated within the territory of the County of San Mateo.

(C) 10.38 percent of all revenues generated within the territory of the County of Santa Clara.

(5) The following revenues to the commission for allocation to AC Transit for transit operations expenses:

(A) 21.25 percent of all revenues generated within the territory of the County of Alameda.

(B) 3.70 percent of all revenues generated within the territory of the County of Contra Costa.

(6) 2.43 percent of all revenues generated within the territory of the County of Alameda to the commission for allocation to the Alameda County small bus operators, apportioned among each operator in amounts determined by the Alameda County Transportation Commission, for transit operations expenses.

(7) 11.41 percent of all revenues generated within the territory of the County of Contra Costa to the commission for allocation to the Contra Costa County small bus operators, apportioned among each operator in amounts determined by the Contra Costa Transportation Authority, for transit operations expenses.

(8) The following revenues to the commission for allocation to San Francisco Bay Ferry for transit operations expenses:

(A) 1.62 percent of all revenues generated within the territory of the County of Alameda.

(B) 0.76 percent of all revenues generated within the territory of the County of Contra Costa.

(C) 0.97 percent of all revenues generated within the territory of the City and County of San Francisco.

(9) 0.40 percent of all revenues generated within the territory of the City and County of San Francisco to the commission for allocation to Golden Gate Transit for transit operations expenses.

(10) The following revenues to the commission for fare programs, including free and reduced-cost transfers and expanding the Clipper START program:

(A) 2.78 percent of all revenues generated within the territory of the County of Alameda.

(B) 2.78 percent of all revenues generated within the territory of the County of Contra Costa.

(C) 1.40 percent of all revenues generated within the territory of the City and County of San Francisco.

(D) 2.78 percent of all revenues generated within the territory of the County of San Mateo.

(E) 2.78 percent of all revenues generated within the territory of the County of Santa Clara.

(11) The following revenues to the commission for accessibility programs and projects:

(A) 1.11 percent of all revenues generated within the territory of the County of Alameda.

(B) 1.11 percent of all revenues generated within the territory of the County of Contra Costa.

(C) 0.56 percent of all revenues generated within the territory of the City and County of San Francisco.

(D) 1.11 percent of all revenues generated within the territory of the County of San Mateo.

(E) 1.11 percent of all revenues generated within the territory of the County of Santa Clara.

(12) The following revenues to the commission for mapping and wayfinding and transit priority projects and programs:

(A) 1.11 percent of all revenues generated within the territory of the County of Alameda.

(B) 1.11 percent of all revenues generated within the territory of the County of Contra Costa.

(C) 0.56 percent of all revenues generated within the territory of the City and County of San Francisco.

(D) 1.11 percent of all revenues generated within the territory of the County of San Mateo.

(E) 1.11 percent of all revenues generated within the territory of the County of Santa Clara.

(13) 4.75 percent of all revenues generated within the territory of the County of Alameda to the Alameda County Transportation Commission for public transit expenses and roadway repavement projects on roads served by fixed-route transit.

(14) 19.20 percent of all revenues generated within the territory of the County of Contra Costa to the Contra Costa Transportation Authority for public transit expenses and roadway repavement projects on roads served by fixed-route transit.

(15) 36.64 percent of all revenues generated within the territory of the County of San Mateo to the San Mateo County Transit District for public transit expenses and roadway repavement projects on roads served by fixed-route transit.

(16) 84.37 percent of all revenues generated within the territory of the County of Santa Clara to the Santa Clara Valley Transportation Authority for public transit expenses and roadway repavement projects on roads served by fixed-route transit.

(c) The allocation of revenues by the commission pursuant to subdivision (b) shall be subject to Sections 67766, 67770, 67786, and 67788 of the Government Code, or any subsequent amendments of those provisions.

SEC. 13. Independent Oversight Committee.

As required by Section 67754 of the Government Code, within six months of the effective date of this ordinance the district shall establish an independent oversight committee to ensure that any revenues generated pursuant to this ordinance are distributed and transferred by the district consistent with the applicable requirements of this ordinance. The committee may be consolidated with the oversight committee established pursuant to subdivision (h) of Section 30923 of the Streets and Highways Code. The committee shall consist of either one or two representatives from each county included within the jurisdiction of the district, appointed by the applicable county board of supervisors. The oversight committee may request any documents from the district to assist the committee in performing its functions.

SEC. 14. Annual Appropriations Limit.

Pursuant to Article XIII B of the California Constitution and other applicable laws, the appropriations limit for the district shall be adjusted periodically, as permitted by the California Constitution, by the aggregate sum of taxes collected under this ordinance.

SEC. 15. Effective and Operative Dates.

- (a) This ordinance shall be considered adopted on the date the vote is declared by the district's governing board and shall go into effect 10 days after that date.
- (b) Except as provided in subdivision (b) of Section 9, this ordinance shall become operative on the first day of the calendar quarter commencing more than 110 days after the election at which this ordinance appeared on the ballot.
- (c) The retail transactions and use taxes enacted by this ordinance shall be imposed beginning on the operative date of this ordinance for a period of 14 years from that date.

SEC. 16. Severability.

It is the intent of the people that the provisions of this ordinance are severable and that if any provision of this ordinance, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect any other provision or application of this ordinance that can be given effect without the invalid provision or application.

SEC. 17. Amendment.

Except for amendments that would increase the amount of the taxes enacted by this ordinance or extend the period during which those taxes may be imposed, the district's governing board may amend this ordinance without submitting the amendment to the voters for approval, provided that the amendment furthers the purposes of this ordinance as enacted by the voters.

SEC. 18. Conflicting Measures.

- (a) This ordinance is intended to be comprehensive. In the event that this ordinance appears on the same ballot as another measure relating to retail transactions and use taxes for the benefit of the Public Transit Revenue Measure District, the provisions of the other measure shall be deemed to be in conflict with this ordinance. If this ordinance receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this ordinance shall prevail in their entirety, and the provisions of the other measure shall be null and void.

(b) If this ordinance is approved by the voters but is superseded by another conflicting measure approved by the voters at the same election, and the conflicting measure is later held invalid, this ordinance shall be self-executing and given full force and effect.

SEC. 19. Liberal Construction.

This ordinance is an exercise of the initiative power of the people of the Public Transit Revenue Measure District to impose special taxes for the purposes set forth in this ordinance, and it shall be liberally construed to effectuate those purposes.