

Resolution No. 24-03

RESOLUTION SUPPLEMENTING THE
REQUEST FOR THE COUNTY TO CALL
THE ELECTION AND EXTEND THE TERM
OF THE AUTHORITY AND
CONDITIONALLY REQUESTING
WITHDRAWAL OF THE MEASURE T
RENEWAL FROM THE BALLOT UPON
CERTAIN SPECIFIED CONDITIONS

BEFORE
THE MADERA COUNTY 2006
TRANSPORTATION AUTHORITY

In the Matter of)
SPECIAL ELECTION ON RETAIL)
TRANSACTIONS AND USE TAX)
ORDINANCE-MEASURE T RENEWAL)
_____)

WHEREAS, since 1990, transportation improvements in Madera County have been supported by a ½ cent sales tax, currently known as Measure T, which has funded many important transportation improvements that have been completed or are in progress in communities throughout Madera County; and

WHEREAS, the Madera County Board of Supervisors created the Madera County 2006 Transportation Authority (the “Authority”) to enact, implement and administer the Measure T ½ cent sales tax; and

WHEREAS, Measure T has funded highway and interchange upgrades, road repair and improvements, public transit, bike and pedestrian safety and other programs to relieve traffic congestion and provide safe and affordable transportation options for all residents throughout Madera County; and

WHEREAS, Measure T provides approximately \$16 million per year in locally controlled funding for local transportation projects and has allowed the County to leverage

over \$226 million in State and Federal matching funds to make priority repairs and transportation improvements to meet Madera County's transportation needs; and

WHEREAS, Measure T provides local control by directly funding transportation improvements in the City of Chowchilla, City of Madera, and communities throughout unincorporated Madera County; and

WHEREAS, keeping roads and highways in good condition and enhancing mobility helps protect public safety by allowing police, firefighters, and ambulances to respond quickly to emergencies and ensuring first responders are not stuck in traffic or slowed-down by failing infrastructure; and

WHEREAS, public transit is a lifeline for senior citizens and people with disabilities that depend on affordable buses, paratransit and dial-a-ride services to get to doctor's appointments, the grocery store, and to remain independent when they cannot drive; and

WHEREAS, Madera County's transportation system is the backbone of our regional economy, allowing local farmers and businesses to move produce and products to market, creating good jobs for local residents; and

WHEREAS, since it was approved by voters, Measure T has required a clear system of accountability, including a Citizen's Oversight Committee and annual independent audits to ensure that the money from the measure has been spent appropriately and in accordance with the voter-approved expenditure plan; and

WHEREAS, in the past 30 years, Madera County's population has nearly doubled, and experts forecast that it will continue to grow at a fast rate requiring continued investment in the maintenance of local streets and roads, interchanges, major streets, enhanced transit, active transportation, and clean air and new technology to keep up with this growth. These investments will provide enhanced mobility, and protect local quality of life; and

WHEREAS, Measure T was approved with a 20-year expiration date and this funding will soon expire unless renewed by voters; and

WHEREAS, if Measure T funding expires, the City of Chowchilla, City of Madera, and Madera County will lose a major source of funding for fixing potholes, paving and maintaining streets and roads, reducing enhancing mobility, improving highway interchanges, retrofitting older bridges and overpasses, improving highway safety, providing students with safe routes to schools, keeping public transit affordable and improving bicycle and pedestrian safety; and

WHEREAS, if Measure T funding expires, Madera County will not have the local matching funds needed to compete for an estimated \$600 million in State and Federal transportation funding and those funds would go to other communities like Los Angeles and San Francisco; and

WHEREAS, California Public Utilities Code Section 180201 provides that a transaction and use tax may be imposed and/or extended if the tax ordinance is approved by a two-thirds vote of the Authority members and by a two-third majority vote of the electors at a special election; and

WHEREAS, on June 19, 2024, pursuant to Resolution No. 2024-02 (“Request Resolution”), the Authority requested the Madera County Board of Supervisors to call and order a special election to be held and consolidated with the statewide general election on Tuesday, November 5, 2024, for the purpose of submitting to the voters of the County of Madera the ordinance attached thereto, which Request Resolution, including the ordinance is attached as Exhibit “A” and by this reference incorporated herein (the “Measure”); and

WHEREAS, the Measure was to renew Measure T for 20 years, starting in 2027 (“Measure T Renewal”); and

WHEREAS, pursuant to the Request Resolution, the County of Madera is proposing to take action to call the election for the Measure T renewal on July 16, 2024; and

WHEREAS, on June 12, 2024 pursuant to Resolution No. 2024-01 the Authority requested that the County extend the term of the Authority for at least 20 years; and

WHEREAS, subsequently on July 2, 2024, the County Board of Supervisors reviewed a presentation by the County Clerk-Recorder & Registrar of Voters (“County Clerk”) regarding an Initiative Measure to renew an existing Sales Tax of One-Half Cent for Local Transportation Funding for twenty years (the “Initiative Measure”); and

WHEREAS, during the presentation, the County Clerk indicated that she had certified the number of signatures on the initiative petition as being above the threshold 10% of the registered voters voting in the last gubernatorial election; and

WHEREAS, the text of the initiative is similar to the Measure T renewal as it also creates a ½ cent sales tax for transportation purposes with a similar expenditure plan; and

WHEREAS, the Board of Directors of the Authority (the “Board”) is concerned about voter confusion which may arise due to having two similar measures on the ballot; and

WHEREAS, pursuant to Elections Code Section 9118.5, the proponent of an initiative may withdraw the initiative at any time before August 9, 2024 (88 days prior to the election) whether or not the petition has already been found sufficient by the elections official; and

WHEREAS, to avoid voter confusion, the Board desires to conditionally withdraw its request pursuant to the Request Resolution for an election by the County on the Measure T Renewal on the condition that the Initiative Measure goes forward on the ballot

for the election and is not withdrawn by the proponents thereof by August 9; and

WHEREAS, the Authority requests that any term extension pursuant to Resolution No. 24-01 requested above, include the term of any initiative administered by the Authority and/or the County, including the Initiative Measure; and

NOW, THEREFORE, BE IT RESOLVED, by the Madera County 2006 Transportation Authority:

1. That the recitals herein are true and correct and incorporated herein by this reference.

2. The Authority hereby supplements its request pursuant to the Request Resolution such that the Madera County Board of Supervisors condition its call of election to place the Measure T Renewal on the ballot pursuant to the Request Resolution on there being no Initiative Measure on the ballot by or on August 9, 2024. If the Initiative Measure is on the ballot and not withdrawn by or on August 9, 2024 by its proponents, the Authority hereby rescinds the Request Resolution, thereby rescinding the Measure on the earlier of (i) August 9, 2024 at 5 p.m. or (ii) at the latest time by law the County Clerk can receive a withdrawal of a measure (the earlier date and time herein known as the "Final Date"). The rescission of the Request Resolution shall be automatic if the Initiative Measure qualifies for the ballot by the Final Date. The Authority will also send a letter to the Elections Official confirming the same prior to the final date.

3. The Authority hereby requests that the County Board of Supervisors extend the term of the Authority for at least 20 years and for any extension contemplated pursuant to Resolution No. 2024-01 ("Extension Resolution") attached hereto as Exhibit B, and that such extension shall be supplemented to apply to the term of the Measure T Renewal and the Initiative Measure.

4. Except as amended and supplemented hereby, the Request Resolution and the Extension Resolution remain in full force and effect.

5. This Resolution shall be effective immediately upon passage and adoption.

The foregoing Resolution was adopted this 12th day of July, 2024, by the following vote:

Commissioner Gonzalez	_____
Commissioner Gallegos	_____
Commissioner Ahmed	_____
Commissioner Poythress	_____
Commissioner Rodriguez	_____
Commissioner Rogers	_____

Chair, Madera County 2006 Transportation Authority

Executive Director, Madera County Transportation Commission

EXHIBIT A

Request Resolution (Including Ordinance)

**BEFORE
THE MADERA COUNTY 2006
TRANSPORTATION AUTHORITY
COUNTY OF MADERA, STATE OF CALIFORNIA**

In the matter of
**RESOLUTION REQUESTING A CALL FOR A
SPECIAL ELECTION BY THE BOARD OF
SUPERVISORS ON A RETAIL TRANSACTIONS
AND USE TAX ORDINANCE, CONSOLIDATION
OF THE ELECTION WITH THE STATEWIDE
GENERAL ELECTION TO BE HELD ON
NOVEMBER 5, 2024, AND CERTAIN RELATED
MATTERS**

Resolution No.: **24-02**

WHEREAS, since 1990, transportation improvements in Madera County have been supported by a ½ cent sales tax, currently known as Measure T, which has funded many important transportation improvements that have been completed or are in progress in communities throughout Madera County; and

WHEREAS, the Madera County Board of Supervisors created the Madera County 2006 Transportation Authority (the “Authority”) to enact, implement and administer the Measure T ½ cent sales tax; and

WHEREAS, Measure T has funded highway and interchange upgrades, road repair and improvements, public transit, bike and pedestrian safety and other programs to relieve traffic congestion and provide safe and affordable transportation options for all residents throughout Madera County; and

WHEREAS, Measure T provides approximately \$16 million per year in locally controlled funding for local transportation projects and has allowed the County to leverage over \$320 million in State and Federal matching funds to make priority repairs and transportation improvements to meet Madera County’s transportation needs; and

WHEREAS, Measure T provides local control by directly funding transportation improvements in the City of Chowchilla, City of Madera, and communities throughout unincorporated Madera County; and

WHEREAS, keeping roads and highways in good condition and enhancing mobility helps protect public safety by allowing police, firefighters, and ambulances to respond quickly to emergencies and ensuring first responders are not stuck in traffic or slowed-down by failing infrastructure; and

WHEREAS, public transit is a lifeline for senior citizens and people with disabilities that depend on affordable buses, paratransit and dial-a-ride services to get to doctor's appointments, the grocery store, and to remain independent when they cannot drive; and

WHEREAS, Madera County's transportation system is the backbone of our regional economy, allowing local farmers and businesses to move produce and products to market, creating good jobs for local residents; and

WHEREAS, since it was approved by voters, Measure T has required a clear system of accountability, including a Citizen's Oversight Committee and annual independent audits to ensure that the money from the measure has been spent appropriately and in accordance with the voter-approved expenditure plan; and

WHEREAS, in the past 30 years, Madera County's population has nearly doubled, and experts forecast that it will continue to grow at a fast rate requiring continued investment in the maintenance of local streets and roads, interchanges, major streets, enhanced transit, active transportation, and clean air and new technology to keep up with this growth. These investments will provide enhanced mobility, and protect local quality of life; and

WHEREAS, Measure T was approved with a 20-year expiration date and this funding will soon expire unless renewed by voters; and

WHEREAS, if Measure T funding expires, the City of Chowchilla, City of Madera, and Madera County will lose a major source of funding for fixing potholes, paving and maintaining streets and roads, reducing enhancing mobility, improving highway interchanges, retrofitting older bridges and overpasses, improving highway safety, providing students with safe routes to schools, keeping public transit affordable and improving bicycle and pedestrian safety; and

WHEREAS, if Measure T funding expires, Madera County will not have the local matching funds needed to compete for State and Federal transportation funding and those funds would go to other communities like Los Angeles and San Francisco; and

WHEREAS, California Public Utilities Code Section 180201 provides that a transaction and use tax may be imposed and/or extended if the tax ordinance is approved by a two-thirds vote of the Authority members and by a two-third majority vote of the electors at a special election; and

WHEREAS, the Authority desires to submit to the voters at the General Election on November 5, 2024, a ballot measure to consider adopting a proposed ordinance to renew Measure T ("Measure T Renewal"); and

WHEREAS, renewing Measure T without increasing the tax rate will continue locally controlled funding for transportation repairs and improvements; and

WHEREAS, renewing Measure T until ended by a vote of the electorate will ensure such funding for as long as voters desire to complete all the projects contemplated by the measure renewal; and

WHEREAS, essential purchases like food and groceries are exempt from the Measure T ½ cent sales tax, helping to ensure the cost is not a burden to those on fixed or limited incomes; and

WHEREAS, the Measure T ½ cent sales tax is paid by both residents and visitors shopping in Madera County, including visitors traveling to and from Yosemite, to ensure all users of local roads and transportation infrastructure contribute; and

WHEREAS, a measure to renew Measure T funding will continue to require strict fiscal accountability protections, including a Citizen's Oversight Committee, annual independent audits, and public disclosure of all spending; and

WHEREAS, if Measure T is renewed, by law, all of the money must stay in Madera County for local transportation improvements only and cannot be taken away by the State or used for other purposes; and

WHEREAS, pursuant to Public Utilities Code Section 180206, the Authority has prepared a county transportation expenditure plan, known as the Measure T 2024 Expenditure Plan ("Expenditure Plan"), to be used in connection with a renewal of Measure T beyond 2027; and

WHEREAS, the Expenditure Plan was prepared with the assistance of a steering committee comprising of stakeholders, community leaders, and representatives of the cities in the County and the County; and

WHEREAS, community surveys, mailers, public opinion polling, and public meetings were held to gain input from the community; and

WHEREAS, pursuant to Public Utilities Code Section 180006, the Expenditure Plan was approved by the City of Madera on June 5, 2024, the City Chowchilla on June 11, 2024, and the County of Madera on June 11, 2024; and

WHEREAS, the Expenditure Plan was approved by the Authority on June 12, 2024, pursuant to Resolution No. 2024-01.

NOW, THEREFORE, BE IT RESOLVED, by the Madera County 2006 Transportation Authority:

1. That the Authority hereby calls and hereby requests the Madera County Board of Supervisors to call and order a special election to be held and consolidated with the statewide general election on Tuesday, November 5, 2024, for the purpose of submitting to the voters of

the County of Madera the ordinance attached hereto as Exhibit "A" and by this reference incorporated herein (the "Ordinance"). Per Elections Code Section 13247, the abbreviated form of the Ordinance is the question to appear on the ballot which is specified in Section 2 of this Resolution.

2. That the Authority hereby requests that the following question be submitted to the voters at the aforementioned election:

To keep local streets, highways, infrastructure in good repair; fix potholes, pave local streets; improve highway safety, evacuation routes/emergency vehicle access; retrofit older bridges/ overpasses; qualify for matching funds; require 80% of funds for local roads, shall an ordinance be adopted continuing Madera County's voter-approved half-cent sales tax without increasing the tax rate, renewing \$22,000,000 annually for 20 years starting in 2027, with citizen oversight, audits, public spending disclosure and all money staying local?"	YES
	NO

3. That the text of the proposed Ordinance that is to be submitted to the voters is attached as Exhibit "A" to this, and the Authority approves its submission to the voters at the November 5, 2024, election. That the Authority hereby approves of the Ordinance.

4. That to become law, the Ordinance shall require a two-thirds majority vote of the electorate.

5. That the ballots to be used at the election shall be in form and content as required by law, and that the election shall be held and conducted in the manner prescribed by law for the conduct of special elections by a county pursuant to California Public Utilities Code Section 180203(b).

6. The consolidated election shall be held and conducted in accordance with the provisions of law regulating county and statewide elections, including, but not limited to, Elections Code Section 10418.

7. That pursuant to Sections 10402 and 10403 of the Elections Code, the Madera County Board of Supervisors is hereby requested to consent and agree to the consolidation of the submission of the Special Election on the Ordinance at the General Election with the Statewide General Election conducted by Madera County to be held on Tuesday, November 5, 2024.

8. That the Authority requests the County's election official, pursuant to California Public Utilities Code Section 180203(c), to print in the sample ballot, immediately below the full

proposition, and in the voter information guide, in no less than 10-point bold type, text substantially as follows: "The adopted county transportation expenditure plan may be viewed electronically at <https://www.maderactc.org/measure>. If you desire a printed copy of the adopted county transportation expenditure plan, please call the county elections office at 559-675-7720 and one will be mailed to you at no cost" and further requests that the county elections official provide a printed copy of the entire adopted county transportation expenditure plan by mail to each person requesting a copy."

9. That the Authority recognizes that additional costs will be incurred by Madera County by reason of this election and consolidation and agrees to reimburse Madera County for any costs. The Executive Director of the Authority is authorized and directed to pay for the expenses incurred after receiving a statement from the County of Madera.

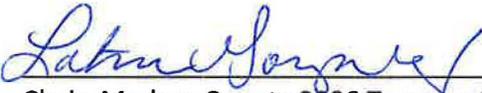
10. The Secretary and the Authority's counsel are authorized to make any typographical, clerical, non-substantive corrections to this resolution as may be deemed necessary by the Madera County Registrar of Voters or election official.

11. That the Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

12. This Resolution shall be effective immediately upon passage and adoption.

The foregoing Resolution was adopted this 19th day of June 2024, by the following vote:

Commissioner Gonzalez	yes
Commissioner Gallegos	yes
Commissioner Ahmed	yes
Commissioner Poythress	yes
Commissioner Rodriguez	yes
Commissioner Rogers	yes



Chair, Madera County 2006 Transportation Authority



Executive Director, Madera County Transportation Commission

EXHIBIT B

Extension Resolution

**BEFORE
THE MADERA COUNTY 2006
TRANSPORTATION AUTHORITY
COUNTY OF MADERA, STATE OF CALIFORNIA**

In the matter of
**MEASURE T 2024 RENEWAL EXPENDITURE
PLAN, AND REQUESTING THE EXTENSION OF
THE AUTHORITY'S TERM AND CERTAIN
RELATED MATTERS**

Resolution No.: **24-01**

WHEREAS, since 1990, transportation improvements in Madera County have been supported by a ½ cent sales tax, currently known as Measure T, which has funded many important transportation improvements that have been completed or are in progress in communities throughout Madera County; and

WHEREAS, the Madera County Board of Supervisors created the Madera County 2006 Transportation Authority (the "Authority") to enact, implement and administer the Measure T ½ cent sales tax; and

WHEREAS, Measure T has funded highway and interchange upgrades, road repair and improvements, public transit, bike and pedestrian safety and other programs to relieve traffic congestion and provide safe and affordable transportation options for all residents throughout Madera County; and

WHEREAS, Measure T provides approximately \$16 million per year in locally controlled funding for local transportation projects and has allowed the County to leverage over \$320 million in State and Federal matching funds to make priority repairs and transportation improvements to meet Madera County's transportation needs; and

WHEREAS, Measure T provides local control by directly funding transportation improvements in the City of Chowchilla, City of Madera, and communities throughout unincorporated Madera County; and

WHEREAS, keeping roads and highways in good condition and enhancing mobility helps protect public safety by allowing police, firefighters, and ambulances to respond quickly to emergencies and ensuring first responders are not stuck in traffic or slowed down by failing infrastructure; and

WHEREAS, public transit is a lifeline for senior citizens and people with disabilities that depend on affordable buses, paratransit and dial-a-ride services to get to doctor's appointments, the grocery store, and to remain independent when they cannot drive; and

WHEREAS, Madera County’s transportation system is the backbone of our regional economy, allowing local farmers and businesses to move produce and products to market, creating good jobs for local residents; and

WHEREAS, since it was approved by voters, Measure T has required a clear system of accountability, including a Citizen’s Oversight Committee and annual independent audits to ensure that the money from the measure has been spent appropriately and in accordance with the voter-approved expenditure plan; and

WHEREAS, in the past 30 years, Madera County’s population has nearly doubled, and experts forecast that it will continue to grow at a fast rate requiring continued investment in the maintenance of local streets and roads, interchanges, major streets, enhanced transit, active transportation, and clean air and new technology to keep up with this growth. These investments will provide enhanced mobility, and protect local quality of life; and

WHEREAS, Measure T was approved with a 20-year expiration date and this funding will soon expire unless renewed by voters; and

WHEREAS, if Measure T funding expires, the City of Chowchilla, City of Madera, and Madera County will lose a major source of funding for fixing potholes, paving and maintaining streets and roads, reducing enhancing mobility, improving highway interchanges, retrofitting older bridges and overpasses, improving highway safety, providing students with safe routes to schools, keeping public transit affordable and improving bicycle and pedestrian safety; and

WHEREAS, if Measure T funding expires, Madera County will not have the local matching funds needed to compete for millions of dollars in State and Federal transportation funding and those funds would go to other communities like Los Angeles and San Francisco; and

WHEREAS, California Public Utilities Code Section 180201 provides that a transaction and use tax may be imposed and/or extended if the tax ordinance is approved by a two-thirds vote of the Authority members and by a two-third majority vote of the electors at a special election; and

WHEREAS, the Authority desires to submit to the voters at the General Election on November 5, 2024, a ballot measure to consider adopting a proposed ordinance to renew Measure T (“Measure T Renewal”); and

WHEREAS, pursuant to Public Utilities Code Section 180206, the Authority has prepared a county transportation expenditure plan, known as the Measure T 2024 Expenditure Plan (“Expenditure Plan”), to be used in connection with a renewal of Measure T beyond 2027; and

WHEREAS, the Expenditure Plan was prepared with the assistance of a steering committee comprising of stakeholders, community leaders, and representatives of the cities in the County and the County; and

WHEREAS, community surveys, mailers, public opinion polling, and public meetings were held to gain input from the community; and

WHEREAS, pursuant to Public Utilities Code Section 180006, the Expenditure Plan was approved by the City of Madera on June 5, 2024, the City of Chowchilla on June 11, 2024, and the County of Madera on June 11, 2024;

WHEREAS, the Expenditure Plan is attached hereto as Exhibit A and by this reference incorporated herein; and

WHEREAS, in connection with the requests herein, the Authority also requests the County approve an extension of the term of the Authority to continue funding transportation projects until all projects desired by the voters are complete.

NOW, THEREFORE, BE IT RESOLVED, by the Madera County 2006 Transportation Authority:

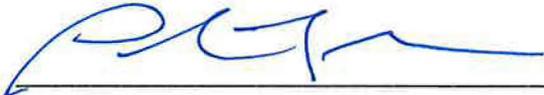
1. That the Expenditure Plan is hereby adopted and approved by the Authority.
2. That the County is requested to extend the term of the Authority for at least another 20 years to include the renewal described herein and subsequent renewals or increases of the transaction and use tax.
3. That the Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.
4. This Resolution shall be effective immediately upon passage and adoption.

The foregoing resolution was adopted this 12th day of June 2024 by the following vote:

Commissioner Gonzalez	Yes
Commissioner Gallegos	Yes
Commissioner Ahmed	Yes
Commissioner Poythress	Yes
Commissioner Rodriguez	Yes
Commissioner Rogers	Absent
Commissioner Wamhoff - alternate	Yes



Chair, Madera County 2006 Transportation Authority



Executive Director, Madera County Transportation Commission