

Date: _____ February 27, 2008

Committee Meeting Date: _____ March 12, 2008

Board Meeting Date: _____ N/A

BOARD MEMORANDUM

ACTION ITEM

TO: 2000 Measure A Citizens Watchdog Committee
Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Michael T. Burns
General Manager

FROM: Jim Lawson
Senior Policy Advisor

SUBJECT: Determine Meeting Schedule and Location for the Citizens Watchdog
Committee 2007 Annual Public Hearing

RECOMMENDATION:

For the 2007 public hearing that the 2000 Measure A Citizens Watchdog Committee is required to hold, approve:

1. Conducting the hearings on the date of its scheduled May meeting (May 7, 2008).
2. Holding the hearing and the Citizens Advisory Committee (CAC) meeting at the County of Santa Clara Government Center (70 West Hedding Street) in Room 157.
3. Having the combined CAC/CWC meeting start at 5:30 PM, with the CWC public hearing commencing at 6:00 PM.

BACKGROUND:

In November 2000, the voters in Santa Clara County approved Measure A, a 30-year half cent sales tax devoted to transit projects. The Measure A ballot mandated that an independent citizens watchdog committee, consisting of VTA's Citizens Advisory Committee (CAC), must:

- Review all 2000 Measure A expenditures.
- Have an audit conducted each fiscal year by an independent auditor to ensure tax dollars are being spent in accordance with the intent of this measure.
- Hold public hearings and issue reports "on at least an annual basis to inform Santa Clara County residents how the funds are being spent."
- Publish the results of the independent audit and the annual report in local newspapers.

The purpose of the public hearing that the Measure A ballot requires the Citizens Watchdog Committee to hold is to provide a forum for the community to give input to the Committee on the

2000 Measure A Program, on the results of the annual independent audit of the 2000 Measure A Program's financial records and statements, and on 2000 Measure A Program reports. It is also the opportunity for the Committee to hear the views, opinions and concerns, if any, of the community. These comments, combined with other information and data supplied to it, are used by the Committee to form its conclusion on whether 2000 Measure A tax dollars are being spent in accordance with the intent of the measure.

DISCUSSION

The CWC is currently scheduled to receive the independent auditor's report for Fiscal Year 2006-07 and the 2000 Measure A Program annual report at its April meeting. If these actions are completed as scheduled and the Committee is comfortable with the information and conclusions presented, it will have received the information necessary to conduct its required annual hearing. Given this, the next opportunity to conduct the public hearing would be the Committee's scheduled May 7th meeting.

If the CWC is able to complete the independent audit process at its April meeting, at the same meeting staff will present for Committee approval the combined notice indicating the results of the audit and announcing the date and location of the CWC's public hearing. The Committee will also be asked to approve the publication strategy for the notice and to authorize staff to publish the notice per the publication strategy.

For the CWC's 2007 public hearing, the Committee had requested that it be held in a more centralized location (such as downtown San José or Civic Center) accessible to mass transit in order to provide more opportunity for the public to attend and provide input. Unfortunately, this request came late in the process and no reasonable meeting location meeting the defined criteria was available. However, staff kept this goal in mind for the 2008 public hearing and has secured for May 7th Room 157 at the County of Santa Clara Government Center (70 West Hedding Street).

Last year, the Committee also requested that public hearing (and the combined CAC/CWC meeting) starting times be made later to allow working members of the public more opportunity to attend. This was accomplished by starting the combined meeting at 5:30 PM (one hour later than the normal Committee meeting start time) and by commencing the public hearing time-specific at 6:00 PM. Staff recommends that this same approach be utilized for the 2008 hearing

Regarding the combined notice, it is anticipated that as was done for the notice for the 2007 public hearing, the public notice will prominently indicate the purpose of the public hearing and where it is being held. It will also briefly describe the 2000 Measure A Program and its history. Further, it will also indicate where the public can access (such as at VTA's website, at specified VTA facilities, public libraries, etc.) detailed information related to the program including the audit results and the 2000 Measure A Program Annual Report.

Prepared by: Stephen Flynn, Sr. Management Analyst