



# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

## Master Minute Order

**File Number: 21-472**

**Report ID:** 21-472

**Type:** Regular - Finance & Audit

**Status:** Received

**Agenda  
Section:**

**Meeting Body:** Board of Directors -  
Regular Meeting

**Report Created:** 09/23/2021

**Final Action:** 12/08/2021

**ded Action:** Consider receiving report regarding the District's authority to levy taxes and options for revenue generating ballot measures. [Requested by Director Peeples - 12/9/20]

Moved to 11/10 per Jill (LN)  
Moved to 12/8 per Jill (JH)

**Sponsors:**

**Enactment Date:**

**Attachments:** STAFF REPORT

**Enactment Number:**

**Hearing Date:**

**Effective Date:**

### History of Legislative File

Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
Board of Directors - Regular Meeting	12/08/2021	Received				Pass
<b>Action Text:</b> MOTION: PEEPLES/ORTIZ to receive report on the District's authority to levy taxes and options for revenue generating ballot measures. The motion carried by the following vote:						
<b>Notes:</b> General Counsel Jill Sprague presented the staff report.						
<b>Public Comment:</b>						
<p><b>Katy Scott-Smith</b>, PTA-EBDSA, thanked General Counsel for its report and commented that the East Bay Democratic Socialists of America is researching a voter-initiated ballot measure for 2024, citing the need for more funding for the District. Scott-Smith noted that an AC Transit tax initiative should focus on taxing higher earners if possible and/or rideshare companies. Scott-Smith noted it would be prudent to open dialogue with city council members as soon as possible.</p>						
<b>Board Discussion:</b>						
<p>Director Peeples asked if the issue of citizen-initiated measures was currently pending in the California Supreme Court. Ms. Sprague reported that there were a number of appellate court decisions that hold that citizen-initiated measures only require a majority vote. She added that she will conduct more research and will</p>						

report back. Director Peeples added that EBDSA needed to know about this.

President Ortiz asked if AC Transit could impose personal income taxes to which Ms. Sprague advised that sales and use taxes have to be applied equally and cannot be levied based on income. President Ortiz further inquired about the public comment regarding an Uber/Lyft tax. Ms. Sprague confirmed that this type of tax would require AC Transit to seek a legislative change. Director Peeples pointed out that the City of Berkeley has an Uber/Lyft tax and has chosen not to give anything to AC Transit.

Ayes: 7 President Ortiz, Vice President Young, Director Walsh, Director Beckles,  
Director Williams, Director Shaw, Director Peeples

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