

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Councilmember Bien Doan

SUBJECT: SEE BELOW

DATE: 3/14/2023

Approved



Date 3/14/2023

**SUBJECT: STATUS REPORT ON THE NOVEMBER 2018 BALLOT MEASURE T –
THE DISASTER PREPAREDNESS, PUBLIC SAFETY, AND
INFRASTRUCTURE GENERAL OBLIGATION BOND.**

RECOMMENDATION

1. Accept the staff memorandum to ensure Measure T funds are used only for Disaster Preparedness, Public Safety, and Infrastructure projects.
2. Direct staff to return to council with bi-monthly updates on land acquisition for Fire Station 23.
3. Direct staff to prioritize the restoration of Lake Cunningham for recreational use by pursuing other funding opportunities at the state and Federal levels, along with public-private partnerships, and updating the scope of the work involved, with a report date to council of fall 2023.
4. Commit to building Fire Station 23 with other funding sources before 2028.

BACKGROUND

The 2018 Measure T was the largest bond measure in San Jose history. The funds were to be used on public safety projects, clean drinking water, repaving streets, preventing flooding, and repairing critical infrastructure. The exact language read:

Measure T: Disaster Preparedness, Public Safety, and Infrastructure Bond

“To:

- *Upgrade 911 communications, police, fire and paramedics facilities to improve emergency and disaster response;*
- *Repair deteriorating bridges vulnerable to earthquakes;*
- *Repave streets and potholes in the worst condition;*
- *Prevent flooding and water quality contamination;*
- *Repair critical infrastructure;*

March 14, 2023

**Subject: STATUS REPORT ON THE NOVEMBER 2018 BALLOT MEASURE T – THE
DISASTER PREPAREDNESS, PUBLIC SAFETY, AND
INFRASTRUCTURE GENERAL OBLIGATION BOND.**

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Shall San José issue \$650,000,000 in general obligation bonds with an average levy of 11 cents per \$1,000 of assessed value, averaging \$34,208,000 annually until repaid, requiring community oversight and annual audits?”

Two months before the November 2018 election, the city council clearly identified disaster preparation projects, public safety projects, clean drinking water projects, flood mitigation projects, and road paving projects which would be pursued with Measure T.

Staff has done an incredible job from concept to implementation in all areas of this funding using the funds to improve emergency and disaster response times, road pavement, fill potholes, protect Coyote Valley, improve our drinking water supply, mitigate flood risks, and more.

This council is to decide what a more appropriate use of Measure T funds is: public safety projects or public recreational projects? Measure T was approved by the voters to fund much needed public safety projects like fire and police stations, not recreational projects like boating and swimming.

Lake Cunningham Needs to be Restored, but was Not on the Original 2018 Measure T Project List, is Not a Source of Drinkable Water and Does Not Meet Bond Requirements

Our environment is incredibly important and we should do all we can to protect it, enhance it, and create more green space. Lake Cunningham is an artificially created lake designed for recreational activities. It is an amazing asset to San Jose and it needs to be restored with non-Measure T funds.

Lake Cunningham was not on the original 2018 project list approved by the council, is not a source of potable water, and is not in need of flood prevention projects.

To use Measure T “Disaster Preparedness, Public Safety, and Infrastructure” Bond funding for it, it must meet one of the categories listed in the ballot language above, however it does not. Allocating \$3.2 Million of Measure T funds to Lake Cunningham is a misuse of those funds and would be a violation of the trust the voters placed in the City Council to use their tax dollars correctly.

The signer(s) of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member’s staff, concerning any action discussed in the memorandum, and that each signer’s staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.