

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF  
SPECIAL MAILED BALLOT ELECTION MEASURE  
COMMUNITY FACILITIES DISTRICT NO. 8 (COMMUNICATIONS HILL)  
ALTERATION 1A


This measure ("Alteration 1A") was placed on the ballot by the City Council, and if approved by two-thirds of the voters in Community Facilities District No. 8 (Communications Hill) ("CFD 8"), would allow the City to spend special tax funds on supplemental police protection services. Concurrently with Alteration 1A, the City Council has placed a separate measure on the ballot to add planning and design work for a potential future vineyard project ("Alteration 1B") to the list of authorized services of CFD 8. Voters may vote separately for each measure.

The supplemental police protection services proposed by Alteration 1A would be provided by private security personnel, community service officers, park rangers and/or off-duty police officers on designated parkland or common area property within CFD 8.

CFD 8 will incur additional costs if either or both of Alteration 1A and 1B is approved by the voters. Therefore, the annual amount of the special tax levy would increase to cover these additional costs. Alteration 1A and 1B propose using the same special tax funds to pay for these additional costs. This measure, however, will not increase the maximum special tax established when CFD 8 was initially formed. If there are insufficient funds available to pay for all authorized services and work after levying the maximum special tax previously established, the City would provide the services and work in CFD 8 only to the extent of the revenue received from the maximum special tax.

A "Yes" vote is a vote to allow the City to use CFD 8 special tax funds to pay for supplemental police protection services on parkland and common areas within CFD 8.

A "No" vote is a vote to reject the City's use of CFD 8 special tax funds to pay for supplemental police protection services on parkland and common areas within CFD 8.

  
RICHARD DOYLE, CITY ATTORNEY  
CITY OF SAN JOSE

The above statement is an impartial analysis of Alteration 1A.

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF  
SPECIAL MAILED BALLOT ELECTION MEASURE  
COMMUNITY FACILITIES DISTRICT NO. 8 (COMMUNICATIONS HILL)  
ALTERATION 1B

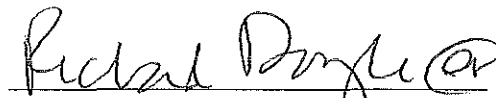
This measure ("Alteration 1B") was placed on the ballot by the City Council, and if approved by two-thirds of the voters in Community Facilities District No. 8 (Communications Hill) ("CFD 8"), would allow the City to spend special tax funds on planning and design work for a potential future project to install a vineyard on public open space lands within CFD 8 ("Vineyard Project"). Concurrently with Alteration 1B, the City Council has placed a separate measure on the ballot to add supplemental police protection services to the list of authorized services of CFD 8 ("Alteration 1A"). Voters may vote separately for each measure.

Planning and design work proposed by Alteration 1B for the Vineyard Project may include design development; environmental clearance, including defense of challenges to environmental determinations; design and engineering services; cost estimating; City staff costs; services of third party subject matter experts, including legal services; and other work related to the purchase, construction, improvement, installation, operation, and maintenance of the potential vineyard. This measure only allows the City to use CFD 8 funds for planning and design work. The actual installation of the Vineyard Project would need to be approved by the CFD 8 voters in a future election.

CFD 8 will incur additional costs if either or both of Alteration 1A and 1B is approved by the voters. Therefore, the annual amount of the special tax levy would increase to cover these additional costs. Alteration 1A and 1B propose using the same special tax funds to pay for these additional costs. This measure, however, will not increase the maximum special tax established when CFD 8 was initially formed. If there are insufficient funds available to pay for all authorized services and work after levying the maximum special tax previously established, the City would provide the services and work in CFD 8 only to the extent of the revenue received from the maximum special tax.

A "Yes" vote is a vote to allow the City to use CFD 8 special tax funds to pay for the planning and design of the Vineyard Project.

A "No" vote is a vote to reject the City's use of CFD 8 special tax funds to pay for the planning and design of the Vineyard Project.

  
RICHARD DOYLE, CITY ATTORNEY  
CITY OF SAN JOSE

The above statement is an impartial analysis of Alteration 1B.