



## Citizens Watchdog Committee Meeting Agenda

**Monday, June 11, 2012, 6:30 to 8:30 p.m.**  
**1333 Broadway, Suite 300, Oakland, CA 94612**

### Meeting Outcomes:

- Elect officers for fiscal year 2012-2013 (FY 12-13) and approve the CWC Bylaws
- Approve the draft CWC Annual Report and discuss publication methods and costs
- Review the final Alameda CTC Strategic Plan
- Receive an update on the revised sales tax projection for FY 11-12
- Review the proposed budget for FY 12-13
- Receive an update on the Countywide Transportation Plan (CWTP) and Transportation Expenditure Plan (TEP)
- Receive an update on Commission actions

6:30 – 6:35 p.m.	<b>1. Welcome and Introductions</b>	
6:35 – 6:40 p.m.	<b>2. Public Comment</b>	I
6:40 – 6:45 p.m.	<b>3. Approval of January 9, 2012 and March 22, 2012 Minutes</b> <i><u>03 CWC Meeting Minutes 031212.pdf – Page 1</u></i> <i><u>03A CWC Meeting Minutes 010912.pdf – Page 5</u></i>	A
6:45 – 6:55 p.m.	<b>4. Election of Officers for FY 12-13 and Approval of CWC Bylaws</b> <i><u>04 Memo CWC Bylaws.pdf – Page 35</u></i> <i><u>04A CWC Bylaws.pdf – Page 37</u></i>	A
6:55 – 7:20 p.m.	<b>5. Approval of Draft CWC Annual Report and Discussion of Publication Methods and Costs</b> <i><u>05 Draft CWC Annual Report Content.pdf – Page 45</u></i> <i><u>05A Draft CWC Annual Report.pdf – Handout at meeting</u></i> <i><u>05B Publication Methods Costs.pdf – Page 61</u></i>	A
7:20 – 7:35 p.m.	<b>6. CWC Member Reports/Issues Identification</b> <i><u>06 CWC Issues Identification Process and Form.pdf – Page 63</u></i> <i><u>06A CWC Ad-Hoc Committee Meeting Minutes 030712.pdf – Page 67</u></i>	I
7:35 – 7:50 p.m.	<b>7. Final Strategic Plan Review</b> <i><u>07 Strategic Plan FY12-13.pdf – Page 77</u></i>	

8:00 – 8:30 p.m.     **8. Staff Reports/Board Actions** I**A. Revised Sales Tax Projection Update for FY 11-12**

08A AlamedaCTC Revised Sales Tax Projection for FY11-12.pdf – Page 87

**B. Update on Proposed Budget for FY 12-13**

08B AlamedaCTC Proposed Budget for FY12-13.pdf – Page 89

**C. Countywide Transportation Plan and Transportation Expenditure Plan Update**

08C Memo Final TEP.pdf –Page 99

Note: Final TEP available online at

[http://www.alamedactc.org/files/managed/Document/6898/ALAMEDA\\_TEP\\_Final.pdf](http://www.alamedactc.org/files/managed/Document/6898/ALAMEDA_TEP_Final.pdf)

08C1 Memo Final CWTP.pdf –Page 113

Note: Draft CWTP available online at

[http://www.alamedactc.org/app\\_pages/view/3070](http://www.alamedactc.org/app_pages/view/3070)

**D. General Items**

08D Alameda CTC Board Action Items.pdf – Page 117

08D1 CWC Calendar.pdf – Page 129

08D2 CWC Roster.pdf – Page 131

8:30 p.m.     **9. Adjournment**

Key: A – Action Item; I – Information/Discussion Item; full packet available at [www.alamedactc.org](http://www.alamedactc.org)

**Next Meeting:**

Date: July 9, 2012

Time: 6:30 to 8:30 p.m.

Location: Alameda CTC Offices, 1333 Broadway, Suite 300, Oakland, CA 94612

**Staff Liaisons**

Tess Lengyel, Deputy Director of Policy, Public Affairs and Legislation, (510) 208-7428, [tlengyel@alamedactc.org](mailto:tlengyel@alamedactc.org)

Patricia Reavey, Director of Finance, (510) 208-7422, [preavey@alamedactc.org](mailto:preavey@alamedactc.org)

Angie Ayers, Public Meeting Coordinator, (510) 208-7450, [aayers@alamedactc.org](mailto:aayers@alamedactc.org)

**Location Information:** Alameda CTC is located in Downtown Oakland at the intersection of 14<sup>th</sup> Street and Broadway. The office is just a few steps away from the City Center/12<sup>th</sup> Street BART station. Bicycle parking is available inside the building, and in electronic lockers at 14<sup>th</sup> and Broadway near Frank Ogawa Plaza (requires purchase of key card from [bikelink.org](http://bikelink.org)). There is garage parking for autos and bicycles in the City Center Garage (enter on 14<sup>th</sup> Street between Broadway and Clay). Visit the Alameda CTC website for more information on how to get to the Alameda CTC: <http://www.alamedactc.com/directions.html>.

**Public Comment:** Members of the public may address the committee regarding any item, including an item not on the agenda. All items on the agenda are subject to action and/or change by the committee. The chair may change the order of items.

**Accommodations/Accessibility:** Meetings are wheelchair accessible. Please do not wear scented products so that individuals with environmental sensitivities may attend. Call (510) 893-3347 (Voice) or (510) 834-6754 (TTD) five days in advance to request a sign-language interpreter.

**Alameda CTC Citizens Watchdog Committee Meeting Minutes**  
**Monday, March 12, 2012, 6:30 p.m., 1333 Broadway, Suite 220, Oakland**

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Attendance Key (A = Absent, P = Present)

**Members:**

<u>P</u> James Paxson, Chair	<u>A</u> Roger Chavarin	<u>A</u> Jo Ann Lew
<u>P</u> Harriette Saunders, Vice Chair	<u>P</u> Mike Dubinsky	<u>P</u> Hale Zukas
<u>A</u> Pamela Belchamber	<u>A</u> Arthur Geen	
<u>A</u> Petra Brady	<u>A</u> James Haussener	
	<u>A</u> Erik Jensen	

**Staff:**

<u>P</u> Arthur L. Dao, Executive Director	<u>P</u> Patricia Reavey, Director of Finance
<u>P</u> Tess Lengyel, Deputy Director of Policy Public Affairs and Legislation	<u>P</u> Angie Ayers, Acumen Building Enterprise, Inc.

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**1. Welcome and Introductions**

James Paxson, CWC Chair, called the regular meeting to order at 6:35 p.m.

**2. Public Comment**

There were no public comments.

**3. Approval of January 9, 2012 Minutes**

*Due to a lack of a quorum, the CWC postponed approval of the January 9, 2012 minutes for the next meeting.*

**4. Compliance Summary Report to CWC**

Art Dao and Tess Lengyel explained to the committee that responsibilities, such as compliance reporting, shifted after the merger of Alameda County Transportation Improvement Authority and the Alameda County Congestion Management Agency. They informed the committee that Matt Todd, Manager of Programming, and John Hemiup, Senior Transportation Engineer, are now responsible for the Measure B Pass-through Fund Compliance Report and Audit Summary process.

Matt Todd explained that comments received from staff and the CWC were consolidated and listed in Attachment 04A. Matt said that all jurisdictions submitted responses to questions raised on compliance earlier this year. Staff noted that they did not request the jurisdictions to amend their audit reports at this time. Staff will have more input going forward on the audit process for the jurisdictions. Matt reviewed the draft Pass-through Fund Compliance Summary Report in detail.

The CWC will receive the final Compliance Summary Report in June, and some of the information will be used in the CWC's annual report to the public.

*Questions/feedback from the members:*

The CWC agreed that it's important for the new Master Programs Funding Agreements with the agencies and jurisdictions to call out that the agencies must expeditiously use Measure B funds going forward or risk losing the funds. The funds collected over the last 10 years are not in jeopardy.

- On page 4, is there a way to show the actual funds that agencies use Measure B to leverage? Staff stated that the current forms do not specify the other funding sources.
- Math errors are on page 5. Discrepancies regarding the reported amount of pass-through funds received and expended versus the amount Alameda CTC distributed deserve more explanation.
- The cashflow stabilization deserves more explanation. Staff stated that this is for the paratransit programs to help jurisdictions maintain a funding level so they don't have to cut services.
- Do you have a way of showing a 10-year summary of the pass-through fund? Staff stated that in the beginning, the process was not very sophisticated. Over time, staff created Table 1 to allow for better reporting and accountability of expenditures. Alameda CTC does not have all information to provide a summary over a 10-year period.
- Will there be a discussion on the reserves in the compliance report? Staff stated that we will add/develop a paragraph about reserves and how agencies plan to spend them. Discussion took place on what the Commission expects from the agencies and jurisdictions in terms of their reserves. The action of the Commission on the Master Programs Funding Agreement is to ensure that the jurisdictions use Measure B funds for their intended purpose and expeditiously. If an agency has unspent money, the agency must provide information on how it will spend the money. Alameda CTC will modify the compliance report and will track reserves.
- Is there any possibility of using something other than road miles in the formula? Staff stated that if the transportation sales tax measure passes in November, Alameda CTC will revisit all formulas in the next five years for all funding sources, starting with local streets and roads to make sure we have geographic equity.

## **5. CWC 10<sup>th</sup> Annual Report to the Public**

### **A. Approval of Draft CWC Annual Report Outline**

Tess Lengyel mentioned that staff provided a draft outline for the CWC to begin the CWC Annual Report. James Paxson suggested that the CWC move the Annual Report outline review and approval to the CWC Annual Report Subcommittee. Note that due to a lack of a quorum, the committee was unable to vote on the motion.

**B. Establishment of CWC Annual Report Subcommittee**

Due to a lack of a quorum, James Paxson agreed that a CWC Annual Report Subcommittee will consist of the four members present at the meeting. He stated that he will review the bylaws to confirm that this is an acceptable action.

The following four CWC members volunteered for the subcommittee:

- Mike Dubinsky
- James Paxson
- Harriette Saunders
- Hale Zukas

**6. CWC Member Reports/Issues Identification**

James Paxson mentioned that at the next CWC meeting, the committee will determine if it calls in the City of Union City to discuss its reserves.

James Paxson gave a report on the March 7, 2012, Ad-hoc Committee that met with the Alameda County Public Works Agency (ACPWA). James stated that the Ad-hoc Committee came to the conclusion that there didn't appear to be any inappropriate uses of the Measure B funds, and the CWC would like to see more detail in future compliance reporting submissions that clearly define fund uses and planned fund uses. The CWC will continue to watch the ACPWA's fund reserve balance.

Mike Dubinsky submitted a written report along with JoAnn Lew to comment on the ACPWA Ad-hoc Committee meeting. The comments are included in the CWC Ad-hoc Committee meeting minutes.

A member suggested changing the Issues/Identification process outline summary paragraph to read "... address issues regarding Measure B expenditures of concern to the CWC." The member also requested to include a statement that the CWC does not perform oversight on other funding sources.

**7. Staff Reports/Board Actions****A. Mid-Year Budget Update**

Patricia Reavey gave an update on the Alameda CTC mid-year budget for fiscal year 2011-2012. She mentioned that the Finance and Administration Committee approved the mid-year budget for fiscal year 2011-2012.

**B. Update on Auditor Services Selection Expenditure Plan Update**

Patricia Reavey gave an update on the Commission's auditor services selection process. She stated that the following five firms submitted proposals to the Alameda CTC request for proposals.

- Caporicci & Larson, Inc.
- Macias Gini & O'Connell LLP

- Maze & Associates
- R.J. Ricciardi, Inc.
- Vavrinek, Trine, Day & Company, LLP

Three of the five firms advanced forward in the interview process, and Alameda CTC awarded the contract to the top-ranked firm, Vavrinek, Trine, Day & Company LLP, a certified Local Business firm with an office in Pleasanton.

**C. Countywide Transportation Plan and Transportation Expenditure Plan Update**

Tess Lengyel gave an update on the Countywide Transportation Plan and Transportation Expenditure Plan (CWTP-TEP) development. She mentioned that the Commission approved the Final TEP on January 26, 2012, and staff is in the process of receiving endorsements from the city councils and Board of Supervisors on the TEP. Staff will present a draft CWTP to the Commission later this month for approval.

**D. Projects and Programs Update**

James Paxson requested members check the list of projects and programs on pages 125 and 126 and submit any applicable updates to Angie Ayers.

Art Dao stated that for programs, staff is working with the jurisdictions and agencies on updating the funding agreements to provide better accountability to the Alameda CTC on the expenditure of Measure B funds. He stated that many of the ACTIA projects are in construction or going into construction, and there isn't much to discuss. Art gave an update on the Bond Capital program.

Art gave an update on the following capital projects:

- The Isabel 580 Interchange Project was recently completed and work is in progress for a ribbon cutting; the Route 84/Expressway in Livermore is going through the contract award process and work is in progress for a ground breaking ceremony.
- The AC Transit Bus Rapid Transit project has gone through eight public meetings and must complete its public process before the Federal Transit Administration can certify the Environmental Impact Report document. The project sponsors asked for a one-year extension on the EIR. The Alameda CTC Planning, Policy and Legislation Committee approved the extension on March 12.

**E. General Items**

Staff stated the official 10<sup>th</sup> birthday for Measure B revenue collection is April 1, 2012. The agency annual report will talk about 10 years worth of investments.

**8. Adjournment/Next Meeting**

The meeting adjourned at 8:15 p.m. The next meeting is June 11, 2012 at the Alameda CTC offices.



**Alameda CTC Citizens Watchdog Committee Meeting Minutes**  
**Monday, January 9, 2012, 5:30 p.m., 1333 Broadway, Suite 220, Oakland**

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Attendance Key (A = Absent, P = Present)

**Members:**

<u>P</u> James Paxson, Chair	<u>P</u> Roger Chavarin	<u>P</u> Jo Ann Lew
<u>P</u> Harriette Saunders, Vice Chair	<u>P</u> Mike Dubinsky	<u>P</u> Hale Zukas
<u>A</u> Pamela Belchamber	<u>A</u> Arthur Geen	
<u>P</u> Petra Brady	<u>P</u> James Haussener	
	<u>A</u> Erik Jensen	

**Staff:**

<u>P</u> Arthur L. Dao, Executive Director	<u>P</u> Patricia Reavey, Director of Finance
<u>P</u> Tess Lengyel, Deputy Director of Policy Public Affairs and Legislation	<u>P</u> Angie Ayers, Acumen Building Enterprise, Inc.

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**1. CWC Compliance Report Review Process Orientation**

The CWC members received an orientation on the compliance report review process from staff from 5:30 to 6 p.m. Members requested and submitted revisions to the CWC compliance review guidance process document. Staff stated that the members will receive an updated version of the process document before the next meeting.

**2. Audit and Compliance Report Review**

The CWC members reviewed the Alameda CTC annual program year-end audit and compliance reports from 6 to 6:30 p.m. Members will review the audits and reports in further detail on their own and submit comments to Alameda CTC via e-mail by January 27, 2012. Staff explained that Alameda CTC will submit comments to the cities by early February. If the city is out of compliance, a notification process is in place, and the city has 45 days to respond. The resultant reports will inform the CWC's Annual Report to the Public in August 2012.

Members requested to review the Alameda County Public Works Agency (ACPWA) large fund reserve. Per item 8 on the agenda, the CWC members will form an Ad-Hoc Subcommittee and meet in March to address the ACPWA's fund reserve.

**3. Welcome and Introductions**

James Paxson, CWC Chair, called the regular meeting to order at 6:35 p.m.

#### **4. Public Comment**

Kent Lewandowski with the Sierra Club's local chapter stated that he has known about this committee for a few years and is interested in seeing what the CWC does. Kent requested an explanation of the Table 1 Attachment. James explained that Table 1 contains the agency expenditures during the year being audited. He also stated that all of the reports from the agencies are posted on the Alameda CTC website, where the public can find additional information on each agency's Measure B expenditures.

#### **5. Approval of December 1, 2011, Minutes**

CWC members requested that staff distribute the minutes three weeks prior to the next meeting to allow the committee to submit agenda items to the chair and vice chair. Members also requested that item number 7 on page 43 of the packet, regarding the request for proposal process for selecting the Alameda CTC auditor, appear on the next agenda for discussion. Staff stated that Alameda CTC will report back to the CWC with more detail on the selection of the auditor. Staff mentioned that an Audit Committee was established at the December 1, 2011, Board meeting and is tasked with making the selection of the Alameda CTC auditors and making a recommendation to the Commission for approval.

*James Haussener moved to approve the minutes. Mike Dubinsky seconded the motion. The motion carried with one abstention, JoAnn Lew (7-1).*

#### **6. ACTIA Independent Audit Presentation**

Mark Wong from the independent auditing firm of Maze and Associates, LLP, presented ACTIA's audit report for fiscal year 2010-2011 (FY 10-11). The auditors reviewed basic financial statements, internal controls and required communications, and the limitations worksheet. The Expenditure Plan requires limitation ratios such that the total cost for salaries and benefits for administrative employees does not exceed 1 percent of net revenues, sales tax and expenditures for administration do not exceed 4.5 percent of net sales tax revenues.

Highlights of the presentation include the following:

- Regarding the report of the financial statements, the auditor found no material weaknesses or items of administrative concern, and Maze and Associates issued a "clean" or "unqualified" opinion, meaning that the information stated is accurate in all material respects.
- Regarding the internal controls, Maze and Associates did not identify any material weaknesses or significant deficiencies.
- A single audit was not required for FY 10-11. A single audit is required if transactions involve federal funds of \$500,000 or more. ACTIA's federal expenditures were less than the \$500,000 threshold.
- Mark discussed the limitation worksheet and mentioned that Alameda CTC is responsible for preparing the worksheet, and Maze and Associates is responsible for



testing the numbers. The audit result is an unqualified or clean opinion. He confirmed that staff salaries and benefits were less than 1 percent of the net sales tax revenue, and other administrative costs were less than 4.5 percent of the net sales tax revenue.

*Questions/feedback from the members:*

- What happens to the administrative reserves if staff does not use the full 1 percent on salaries and benefits and 4.5 percent on administrative costs? Staff stated that Alameda CTC may use the administrative reserve for different uses such as to deliver capital projects, rather than borrowing, thereby saving money by not having to pay borrowing costs. Actions on use of the reserves will be brought to the Alameda CTC Board.
- When will the auditors provide a physical signature on the audit reports? Staff stated that the auditors provide the physical signature once the Commission approves the audit.
- CWC member noted that some administrative salaries and costs are charged to other funds besides the general fund. If staff uses only the general fund to calculate the limitation calculation ratios, aren't they missing some administrative costs? All administrative costs are charged to the general fund. Costs allocated to projects and programs are related to direct programs and projects management and implementation. A member expressed disappointment in receiving the audit reports later than the scheduled November timeframe. Staff stated this was due to the process change this year by the Commission to establish an audit committee that reviews the audit prior to the CWC. The merger also impacted the process because the Alameda CTC did audits for ACTIA and the ACCMA. Staff assured the committee that they would try to get the draft audit to the CWC with plenty of time for review before the next CWC meeting in November.
- Why is the total cash investment amount on pages 74 and 75 so high? Staff explained that this money is designated for current Measure B capital projects.

*Public comment:*

Kent Lewandowski with the Sierra Club's local chapter inquired why it is necessary to borrow money to complete projects when money comes in from the sales tax revenue. Staff explained that not all of Measure B funds are for projects; 60 percent of the funds go toward programs and 40 percent go toward projects specified in the Expenditure Plan. Depending on when projects move into the construction phase, Alameda CTC may not have enough money in the bank to pay for the project. Alameda CTC may finance projects against future sales tax revenues to pay for project delivery. The Commission does this through the strategic planning process to identify which projects are ready, the schedule, and the cash flow.

## 7. Update on Projects, Programs, and Contracting Process

### *Programs*

Tess Lengyel reviewed the presentation on the pass-through fund program and grant program (Attachment A). The presentation included the breakdown of the 60 percent of funds allocated to programs and background information on each funding source. Certain grant-funded projects were highlighted to demonstrate the array of services, projects, programs, and plans implemented throughout the county through the bicycle and pedestrian, express bus services, gap services for seniors and people with disabilities, and transit oriented development grant programs.

The program funds breakdown is as follows:

- Local Streets and Roads – 22.34 percent (pass-through funds)
- Mass Transit – 21.92 percent (pass-through funds and grants)
- Paratransit – 10.45 percent (pass-through funds and grants)
- Bicycle and Pedestrian Safety – 5 percent (pass-through funds and grants)
- Transit Center Development – 0.19 percent (pass-through funds and grants)

A CWC member inquired if funds from the vehicle registration fee (VRF) can be used for Measure B programs. Staff stated that VRF funds will begin to flow to jurisdictions this year and may be used in conjunction with Measure B funds.

### *Projects*

Art Dao gave an overview on the status of capital projects (Attachment B). The presentation covered all Alameda CTC capital projects, including both ACTIA and ACCMA capital projects. The current estimated cost is \$4.3 billion for the capital projects. The status of the capital projects is as follows:

- Of the 39 active capital projects, eight are mass transit, one is bicycle and pedestrian, eight are local streets and roads, and 22 are highway projects.
- Six active capital projects that were implemented are Infrastructure Bond-funded projects.
- Eight Measure B-funded projects were implemented.
- Seven non-Infrastructure Bond/non-Measure B-funded projects were implemented.
- Other agencies implemented 18 Measure B-funded projects.

Art provided an update on active projects in each area of Alameda County. He also gave an update on the milestones that occurred since April 2011 for the following projects:

- BART to Warm Springs Extension
- Route 84 Expressway – North Segment
- I-80 Integrated Corridor Mobility Project

These presentations are included as attachments to the minutes.

*Public Comment*

Kent Lewandowski with the Sierra Club's local chapter inquired about the Bus Rapid Transit (BRT) project and why has it been in the design phase for such a long time. Art stated that the BRT project has been in the Environmental Impact Report (EIR) phase for 10 years. The EIR required for the project needed approval from all involved parties and jurisdictions. The project is waiting for the Federal Transit Administration to sign off on the document, which is anticipated within the next few months.

**8. CWC Member Reports/Issues Identification**

*James Haussener made a motion to form an Ad-hoc Committee to work with the Alameda County Public Works Agency (ACPWA) to understand why their reserves are high. JoAnn Lew seconded the motion. The motion carried unanimously (8-0).*

The CWC members formed an Ad-hoc Committee to work with the ACPWA to review the ending Measure B balances/reserves stated in their compliance reports. The following members will serve on the Committee:

- Mike Dubinsky
- James Haussener
- Jo Ann Lew
- James Paxson
- Harriette Saunders

James Haussener submitted an Issues Identification Form (Attachment C), and staff will send it to the ACPWA. The agency will have a representative attend the ad-hoc meeting to address CWC's concerns. Alameda CTC will provide the CWC Ad-hoc Subcommittee with the Program Compliance and Audit Reports for FY 09-10 and FY 10-11 prior to the ad-hoc meeting.

**9. Staff Reports/Board Actions****A. Countywide Transportation Plan and Transportation Expenditure Plan Update**

Tess Lengyel gave an update on the Countywide Transportation Plan (CWTP) and Transportation Expenditure Plan (TEP). She stated that Alameda CTC released the third draft of the TEP on January 6, 2012, which included updates from the Board Retreat held on December 16, 2011. Tess informed the committee that the Steering Committee formed an Ad-hoc Subcommittee that consisted of six Steering Committee members and met with representatives from advocacy groups on three occasions in January to discuss issues and concerns with the draft TEP proposal.

Tess stated that the Steering Committee will make a recommendation on the TEP to the full Commission on January 26, 2012. Staff will take the TEP to the City Councils once the Board approves the TEP.

**B. General Items**

Tess gave an update on the Master Programs Funding Agreement and Implementation Guidelines. The Commission approved the agreements and the guidelines at the December 16, 2011, Board Retreat. Staff will get signatures from the jurisdictions before March 31 when the current agreements expire.

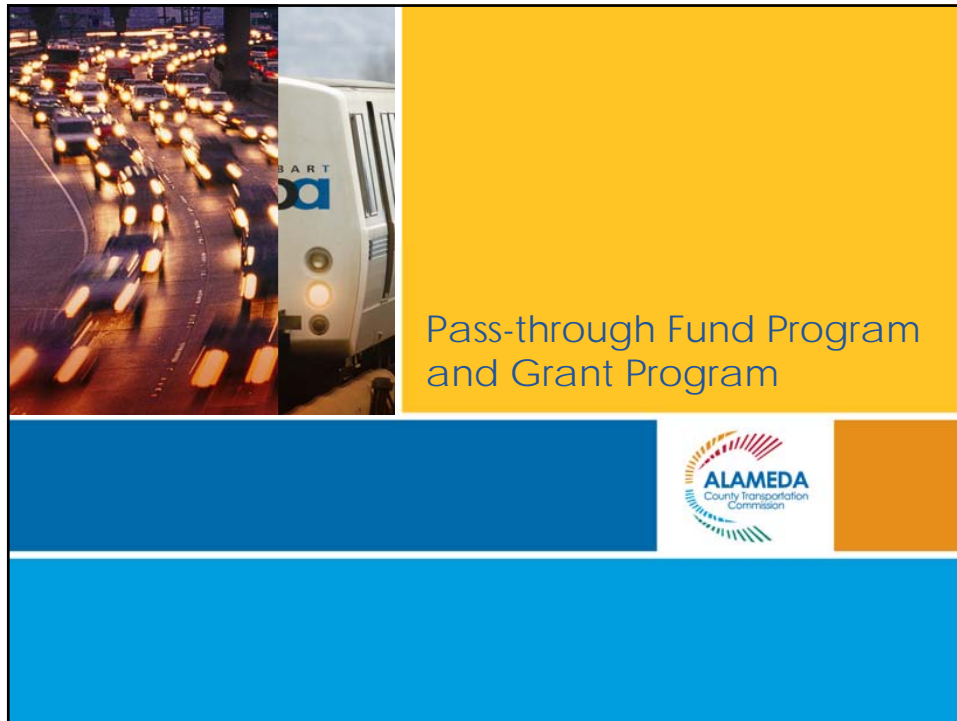
Tess informed the members of the Central County Transportation Forum on January 19, 2012 at Hayward City Hall.

**10. Adjournment/Next Meeting**

The meeting adjourned at 8:50 p.m. The next meeting is March 12, 2012 at the Alameda CTC offices.

**Attachments:**

- A.** Pass-through Fund Program and Grant Program Presentation
- B.** Semi Annual Capital Projects Presentation
- C.** Issues Identification Form for ACPWA



## A Brief History

- Measure B half-cent sales tax approved by voters in 1986
- Alameda County was one of the first California Self-Help Counties
  - Currently one of 19
  - Representing 80 percent of California's population
  - Self-help Counties generate approximately \$4 billion per year for California transportation and mobility
- In 2000: Measure B was reauthorized
- In 2002: Tax collection and program allocations began
- In 2004: Grant allocations began

## Measure B-Funded Programs

### Pass-through Fund Program

- Allocates funds to 19 agencies/jurisdictions
- Funds four types of programs
- Higher than anticipated tax revenues in FY 10-11
- Distributed over \$57 million

### Four Grant Programs

- Funds four types of programs
- 107 grants awarded to date since 2004, totaling more than \$27.1 million
- Measure B funds helped agencies & nonprofits leverage other funds
  - \$81.4 million for total project investments of \$108.5 million

Pass-through Fund Program and Grant Programs



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## Pass-through Funds and Grants Distribution

60% of Annual Measure B Revenues for five programs:

- Local Streets and Roads (22.34%)
- Mass Transit (21.92%)
  - Countywide Local and Feeder Bus Service (16.86%)
  - AC Transit Welfare to Work Program (1.46%)
  - Alameda/Oakland Ferry Service (0.78%)
  - Countywide Express Bus Service (0.70%)
  - Altamont Commuter Express (2.12%)
- Paratransit (10.45%)
- Bicycle and Pedestrian Safety (5%)
  - 25% regional planning and regional projects
  - 75% local jurisdictions
- Transit Center Development (0.19%)
  - Local Match
  - TOD-TAP

Pass-through Fund Program and Grant Programs



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## Measure B Makes a Difference

Total Measure B Pass-through and Grant Funds  
Allocated from April 1, 2002 through June 30, 2011

Over \$537 million

107 Bicycle and Pedestrian,  
Express Bus, Paratransit and  
TOD Grants through  
June 30, 2011

Measure B Grants

\$27.1 million

Total with Other Funding  
Commitments to Grants

\$108.5 million

Pass-through Payments  
Distributed through June 30, 2011

FY 10-11 \$56,693,936

FY 09-10 \$50,808,873

FY 08-09 \$54,501,184

FY 07-08 \$62,543,374

FY 06-07 \$61,176,456

FY 05-06 \$59,357,051

FY 04-05 \$54,404,793

FY 03-04 \$53,086,000

FY 02-03 \$49,455,451

FY 01-02 \$12,006,000

Pass-through Fund Program and Grant Programs



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## Overall Pass-through Fund Distributions by Program

Fiscal Year 10-11 Distributions

- Local Streets and Roads - \$22.4 million
- Mass Transit - \$21.3 million
- Paratransit - \$9 million
- Bicycle and Pedestrian Safety - \$3.7 million



Pass-through Fund Program and Grant Programs



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## Pass-through Fund Compliance Reporting Requirements

- Road miles served (not applicable to transit agencies)
- Population numbers (not applicable to all projects)
- Annual newsletter article
- Website coverage of the project
- Signage about Measure B funding
- End-of-year independent audit due 12/27/11
- End-of-year compliance report due 12/31/11
- Audits and compliance reports available to the Alameda CTC, CWC and PAPCO

Pass-through Fund Program and Grant Programs



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## Grant Program Overview

- Competitive and valuable programs that improve transportation
  - 33 active projects
  - 70 complete projects
- Better transportation access for the diverse population
- Provide improvements that encourage Alameda County residents to walk, bike, take public transportation and live in transit oriented developments



Pass-through Fund Program and Grant Programs



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## Bicycle and Pedestrian CDF Grant Program

- Updates to Countywide Pedestrian and Bicycle Plans
- City and County bicycle and pedestrian plans
- Gap closures
- Education and safety programs
- Capital projects



Pass-through Fund Program and Grant Programs



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## Countywide Bicycle/Pedestrian Plan Update



- Coordinating updates of the countywide bicycle and strategic pedestrian plans to reflect:
  - Current bicycling and walking conditions
  - Needs and priorities
- Release of draft plans in March 2012
- Staff and community advisory committees review draft chapters

Pass-through Fund Program and Grant Programs



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## Express Bus Service Grant Program

- Expansion and enhancement of operations
- Express bus services
  - Dynamic message signage
  - Real-time information systems
  - Accessibility improvements



Pass-through Fund Program and Grant Programs



11

## Paratransit Gap Grant Programs

- Largest paratransit allocation of any Bay Area sales tax measure
- Approximately 1 million rides annually
- Wheelchair and Scooter Breakdown Transportation Service
- Hospital Discharge Services
- One-stop shopping for mobility solutions
- On-going city and Americans with Disabilities Act (ADA) paratransit programs



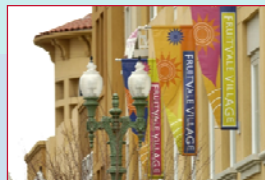
Pass-through Fund Program and Grant Programs



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## Transit Oriented Development Grant Program

- Focus on residential and retail development near transit centers
- Mode shift away from cars to encourage walking, biking and using public transportation
- Accessibility improvements

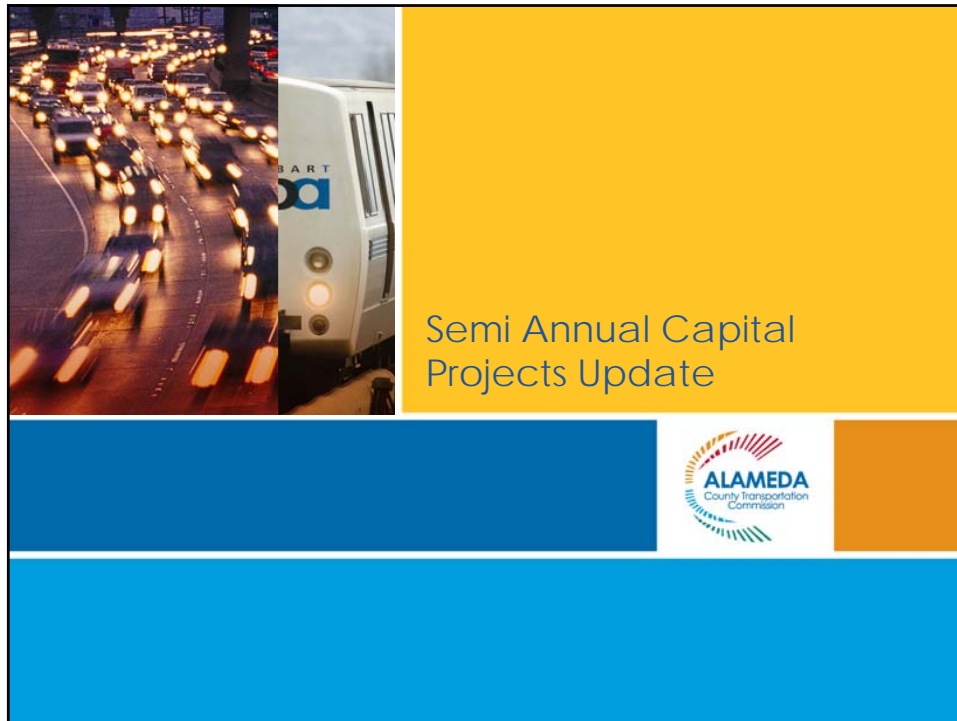


Pass-through Fund Program and Grant Programs



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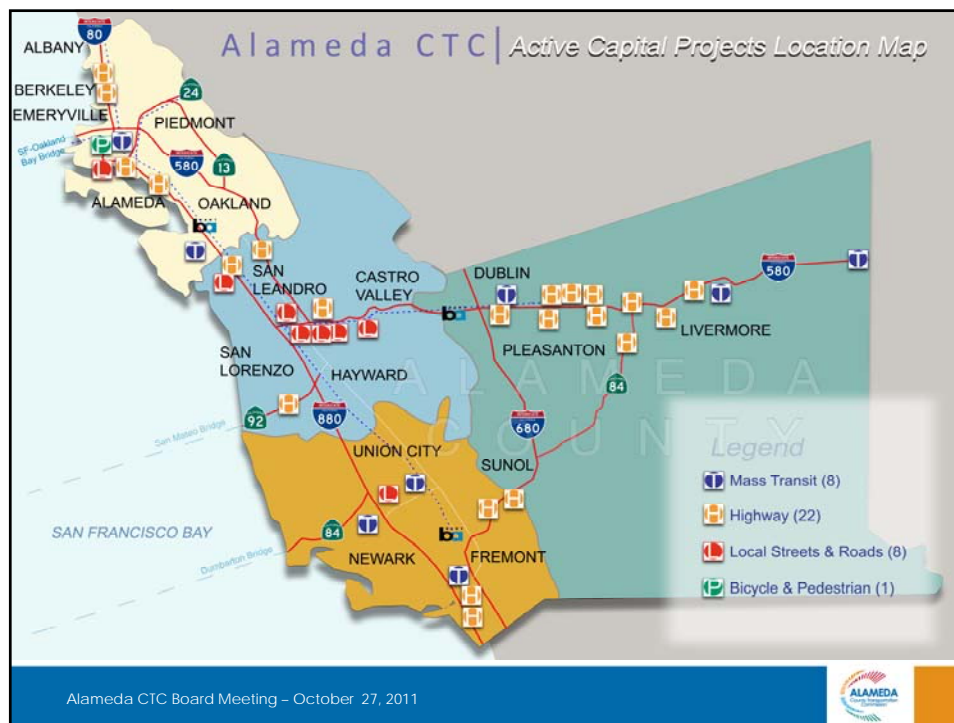
## Semi Annual Capital Projects Update Overview

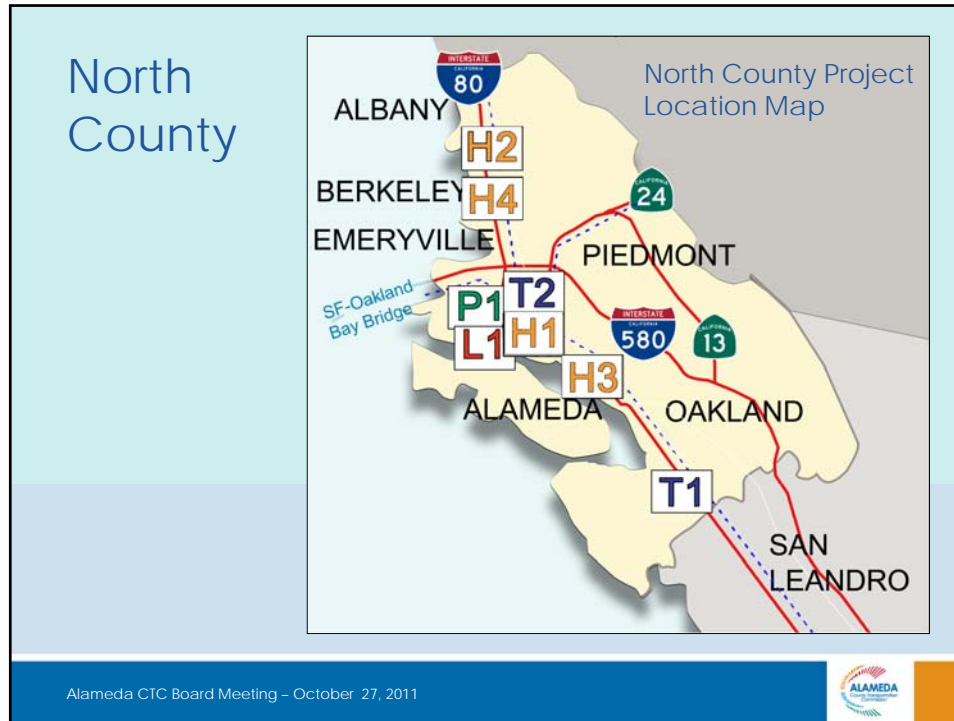
- 39 Active Capital Projects throughout Alameda County with total costs of more than \$4.3 billion
- Active Capital Projects throughout Alameda County by project type:
  - 8 Mass Transit Projects; one "study only"
  - 1 Bicycle and Pedestrian Project
  - 8 Local Streets and Roads Projects
  - 22 Highway Projects; four "study only"

## Active Capital Projects Summary

- Summary of Active Capital Projects:
  - 6 I-Bond Funded Projects – Implemented by Alameda CTC
  - 8 Measure B Funded Projects – Implemented by Alameda CTC
  - 7 Non I-Bond / Non Measure B Funded Projects – Implemented by Alameda CTC
  - 18 Measure B Funded Projects – Implemented by other agencies

Alameda CTC Board Meeting – October 27, 2011





## North County – Active Project Status Update

Map ID	APN#	Project Title	Current Phase	Construction Start	Construction End
T1	603.0	BART Oakland Airport Connector	Construction	September 2010	December 2013
P1	604.0	Downtown Oakland Streetscape Improvement – 4C/4A/4B2	On Hold	September 2007	June 2015
T2	607.0	Telegraph Avenue Corridor Bus Rapid Transit	Design	January 2013	January 2015
H1	610.0	I-880/Broadway-Jackson I/C Improvement (Study Only)	Scoping	N/A	N/A
H2	627.0	I-80 Integrated Corridor Mobility	Construction	May 2011	April 2015
H3	717.0	I-880 North Safety and Operational Improvements	Design / ROW	April 2013	April 2016
L1	740.0	Webster Street SMART Corridors	Design	March 2012	September 2014
H4	765.0	I-80 Gilman (Study Only)	Scoping	N/A	N/A

Alameda CTC Board Meeting – October 27, 2011



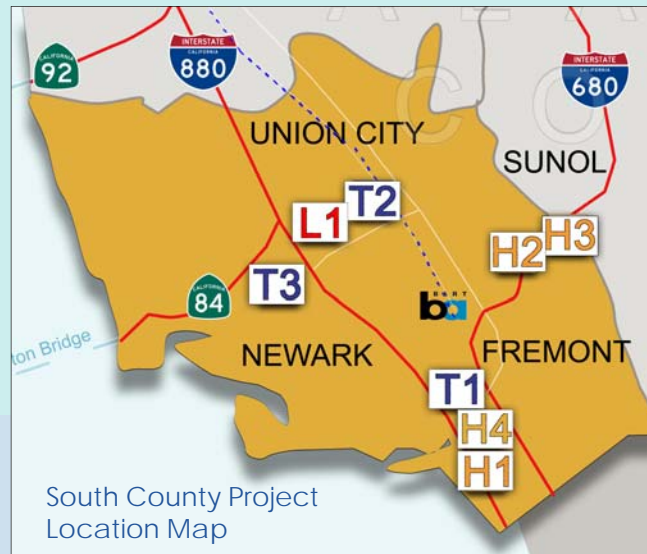
### Central County – Active Project Status Update

Map ID	APN#	Project Title	Current Phase	Construction Start	Construction End
L1	506.0	Route 238/Mission-Foothill-Jackson Corridor Improvement	Construction	April 2010	December 2012
H1	509.0	Central Alameda County Freeway System Operational Analysis (Study Only)	Scoping	N/A	N/A
L2	512.0	Castro Valley Local Area Traffic Circulation Improvement	Scoping	TBD	TBD
L3	613.0	Lewelling/East Lewelling Boulevard Widening	Construction	July 2009	December 2011
H2	615.0	Route 92/Clawiter – Whitesell Interchange and Reliever Route	Design	July 2013	January 2015
L4	617.1	Hesperian Boulevard/Lewelling Boulevard I/C Improvements	Construction	January 2010	December 2011
L5	618.0	Westgate Parkway Extension	Design	July 2012	March 2015
L6	619.0	E 14th St./Hesperian Blvd./150th St. I/C Improvements	Construction	July 2011	December 2013
H3	730.0	I-880 Southbound HOV Lane - North & South Segments	Design	July 2012	March 2015
H4	764.0	I-580 Soundwall - San Leandro Landscape	Design	March 2012	June 2015

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## South County



Alameda CTC Board Meeting – October 27, 2011



### South County – Active Project Status Update

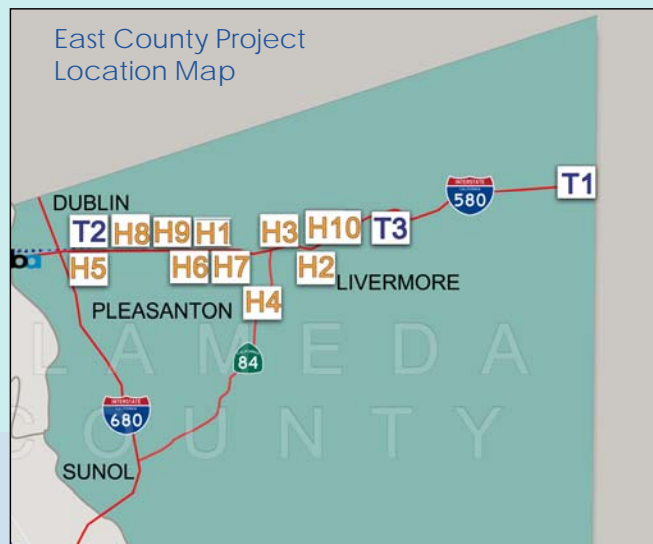
Map ID	APN#	Project Title	Current Phase	Construction Start	Construction End
H1	501.0	I-880/ Mission Boulevard (Route 262) Interchange – Phase 1B/2	Design	May 2012	April 2015
L1	505.0	I-880 to Mission Boulevard East-West Connector	Design	March 2013	April 2015
T1	602.0	BART Warm Springs Extension – Stage 1 & Stage 2	Construction	September 2009	December 2015
T2	606.0	Union City Intermodal Station	Construction	June 2007	October 2011
T3	625.0	Dumbarton Rail Corridor	Environmental	TBD	TBD
H2	710.4A	I-680 Sunol Express Lanes – Southbound	Construction	October 2008	June 2012
H3	710.4B	I-680 Sunol Express Lanes – Northbound	Scoping	TBD	TBD
H4	770.0	I-680/I-880 Cross Connector Studies (Study Only)	Scoping	N/A	N/A

Alameda CTC Board Meeting – October 27, 2011



## EAST County

East County Project  
Location Map



Alameda CTC Board Meeting – October 27, 2011



## East County – Active Project Status Update

Map ID	APN#	Project Title	Current Phase	Construction Start	Construction End
T1	601.0	Altamont Commuter Express Rail	Construction	Various	Various
T2	609.0	Iron Horse Transit Route	Design	TBD	TBD
H1	614.2	I-580 WB Auxiliary Lane (Airway Boulevard to Fallon Road)	Design	June 2012	November 2014
H2	614.3	I-580 EB Auxiliary Lane (El Charro Road to Airway Boulevard)	Construction	January 2009	November 2011
H3	623.0	Isabel Avenue - Route 84/I-580 Interchange	Construction	January 2009	April 2012
H4	624.0	Route 84 Expressway – North & South Segments	Design	November 2011	October 2015

Alameda CTC Board Meeting – October 27, 2011



## East County continued

Map ID	APN#	Project Title	Current Phase	Construction Start	Construction End
T3	626.0	I-580 Corridor/BART to Livermore Studies (Study Only)	Scoping	N/A	N/A
H5	720.3	I-580 Corridor Environmental Mitigation	Various	Various	Various
H6	720.4	I-580 Eastbound (HOT) Express Lane	Design	August 2012	April 2014
H7	720.5	I-580 Eastbound Auxiliary (AUX) Lane	Design	August 2012	April 2014
H8	723.0	I-580 Right of Way (ROW) Preservation	Right-Of-Way	N/A	N/A
H9	724.0	I-580 Westbound HOV Lane - West & East Segments	Design	June 2012	November 2014
H10	724.1	I-580 Westbound Express (HOT) Lane	Design	June 2012	November 2014

Alameda CTC Board Meeting – October 27, 2011



## Milestone Update

The following milestones have occurred since the last Semi Annual Capital Project Status Update in April 2011:

- **BART to Warm Springs Extension Project (APN 602.0)** – BART Stage 2 LTSS contract awarded June 2011
- **Route 84 Expressway – North Segment (APN 624.0)** – CMIA Bond funding was approved by the CTC in June 2011 clearing the way for construction to begin on the north segment
- **I-80 Integrated Corridor Mobility Project (APN 791.0)**
  - *Environmental Document approved July 2011*
  - *Project #3 TOS - Construction contract awarded May 2011; construction began June 2011*
  - *Project #6 TLSP – Construction contract awarded June 2011; construction began September 2011*

Alameda CTC Board Meeting – October 27, 2011



## Milestone Update Continued

- I-680 Sunol Express Lanes – Northbound (APN 710.0B) – Consultant team selected to complete Preliminary Engineering Phase in July 2011
- I-880 North Safety and Operational Improvements at 23<sup>rd</sup>/29<sup>th</sup> Avenues (APN 717.) – 65% PS&E design documents submitted to Caltrans September 2011
- I-880 / Mission Boulevard East – West Connector (APN 505.0) – 95% PS&E design documents submitted to Caltrans September 2011

Alameda CTC Board Meeting – October 27, 2011



## *Capital Projects Highlights*

Alameda CTC Board Meeting – October 27, 2011



# I-80 Integrated Corridor Mobility Project

(APN 791.0)

## PROJECT DETAILS

**Sponsor:** Alameda CTC

**Cost Estimate:** \$94.1 million

**2000 Measure B Commitment:** \$1.8 million

**Other Funding Sources:** I-Bond, Federal, Regional, Local, Other

**Project Status:**

- The Environmental Document was approved in July 2011.
- Contract for Project #3 TOS awarded May 2011; construction start June 2011.
- Contract for Project #6 TLSP awarded June 2011; construction start September 2011.

**Construction:** May 2011 - April 2015

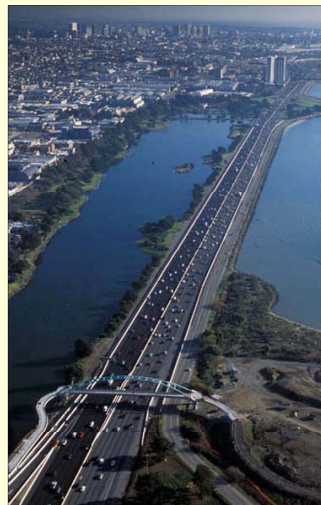
## Project Funding Source:



## PROJECT MAP



Alameda CTC Board Meeting – October 27, 2011



(left) I-80 ICM project corridor; Aerial of I-80 looking South. (top middle) Mainline I-80 and (top right) San Pablo Arterial. (bottom right) Example of overhead lane use signs and variable advisory speed signs on WB I-80 from Cutting St. to Powell St.

Alameda CTC Board Meeting – October 27, 2011



## Project Cost / Funding Table – Parent Project

PROJECT COST ESTIMATE			PROJECT FUNDING		
Cost Estimate by Phase (\$ X 1,000)			Funding by Fund Source (\$ X 1,000)		
Scoping	\$	251	Measure B	\$	1,800
PE/Environmental	\$	6,713	Federal	\$	3,243
Final Design (PS&E)	\$	6,241	State	\$	77,854
Right-Of-Way	\$	0	Regional	\$	1,155
Utility Relocation	\$	150	Local	\$	10,003
Construction	\$	80,700	Other	\$	0
Equipment Purchase	\$	0			
<b>TOTAL Expenditures:</b>	<b>\$</b>	<b>94,055</b>	<b>TOTAL Revenues:</b>	<b>\$</b>	<b>94,055</b>

## Summary Schedule – Parent Project


PROJECT SCHEDULE								
Project Phase	Begin - End MM/YY	2010	2011	2012	2013	2014	2015	2016
Scoping	01/07 - 12/07							
PE/Environmental	07/07 - 07/11							
Final Design (PS&E)	09/09 - 12/11							
Right-Of-Way	10/09 - 10/11							
Construction	05/11 - 04/15							

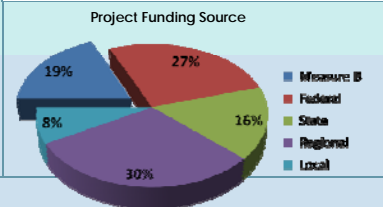
Alameda CTC Board Meeting – October 27, 2011



## BART Oakland Airport Connector

(APN 603.0)

PROJECT DETAILS		PROJECT MAP/PROJECT FUNDING SOURCE CHART	
Sponsor:	BART		
Cost Estimate:	\$484.1 million		
2000 Measure B Commitment:	\$89.1 million		
Other Funding Sources:	Multiple sources – public-private partnership		
Project Status:	<ul style="list-style-type: none"><li>▪ \$70 million in ARRA funds removed from project as a result of FTA ruling</li><li>▪ New full funding plan presented to BART Board – July 22, 2010</li><li>▪ In September 2010, the BART Board of directors reaffirmed award of the contract for the project to Flatiron/Parsons JV.</li><li>▪ The Notice to Proceed (NTP) was issued to the contractor in November 2010 and contract work is underway.</li></ul>		
Construction:	September 2010 - December 2013		
Issues:	None at this time		




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**Foundation Construction Work Impact Zone**

**Work Area:** BART property


**Lane Closures:** 1-2 lanes on San Leandro Street



(left) Construction Work Impact Zone Aerial Map - Source: September 22, 2011 BART Update. (top right) Rendering of Doppelmayr Cable Car on elevated tracks above Hegenberger Boulevard. (bottom right) Construction work in progress along Hegenberger Road.

Alameda CTC Board Meeting – October 27, 2011



### Cost Estimate / Funding Plan


PROJECT COST ESTIMATE	
Cost Estimate by Phase (\$ X 1,000)	
Scoping	\$ 0
PE/Environmental	\$ 3,800
Final Design (PS&E)	\$ 13,132
Right-Of-Way	\$ 12,297
Utility Relocation	\$ 3,140
Design/Build	\$ 451,742
Equipment Purchase	\$ 0
<b>TOTAL Expenditures:</b>	<b>\$ 484,111</b>

PROJECT FUNDING	
Funding by Fund Source (\$ X 1,000)	
Measure B	\$ 89,052
Federal	\$ 130,725
State	\$ 78,866
Regional	\$ 146,199
Local	\$ 39,269
Other	\$ 0
<b>Total</b>	<b>\$ 484,111</b>

### Summary Schedule

PROJECT SCHEDULE								
Project Phase	Begin - End MM/YY	2010	2011	2012	2013	2014	2015	2016
PE/Environmental	08/98 - 07/02							
Final Design (PS&E)	07/02 - 05/09							
Right-Of-Way	07/02 - 02/10							
Construction (DBOM)	09/10 - 12/13							
Service Testing	01/14 - 06/14							

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## Project Cost / Funding Table

### PROJECT COST ESTIMATE

Cost Estimate by Phase (\$ X 1,000)		
Scoping	\$	0
PE/Environmental	\$	8,710
Final Design (PS&E)	\$	36,070
Right-Of-Way	\$	84,320
Utility Relocation	\$	14,000
Construction	\$	746,900
Equipment Purchase	\$	0
<b>TOTAL Expenditures:</b>	<b>\$</b>	<b>890,000</b>

### PROJECT FUNDING

Funding by Fund Source (\$ X 1,000)		
Measure B	\$	224,404
Federal	\$	0
State	\$	295,433
Regional	\$	321,000
Local	\$	49,163
Other	\$	0
<b>TOTAL Revenues:</b>	<b>\$</b>	<b>890,000</b>

## Summary Schedule

### PROJECT SCHEDULE

Project Phase	Begin - End MM/YY	2010	2011	2012	2013	2014	2015	2016
<b>Central Park Subway Contract (Stage 1)</b>								
Construction	09/09 - 03/13							
<b>LTSS Contract (Stage 2)</b>								
Advertisement/Award	04/10 - 06/11							
Final Design/Construction	10/11 - 12/15							

Alameda CTC Board Meeting – October 27, 2011



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**CITIZENS WATCHDOG COMMITTEE ISSUES FORM****Attachment C***Received  
7/11/2011*

**Alameda County Transportation Improvement Authority**  
**1333 Broadway, Suite 300**  
**Oakland, California 94612**  
**Voice: 510-893-3347 Fax: 510-893-6489**

The CWC is required to review all Measure B expenditures. This form allows formal documentation of potential issues of concern regarding expenditure of Measure B funds. A concern should only be submitted to the CWC if an issue is directly related to the potential misuse of Measure B funds or non-compliance with ACTIA agreements or the Expenditure Plan approved by voters. This form may be used only by acting CWC members.

**Date:** July 11, 2011

**Name:** James M. Haussener

**Email Address:** jhaussener@aol.com

**Governmental Agency of Concern** (Include name of agency and all individuals)  
Alameda County

**Agency's Phone Number:** \_\_\_\_\_

**Agency's Address:** \_\_\_\_\_

**City** Oakland **Zip Code:** \_\_\_\_\_

**Which one of the following ACTIA Measure B expenditures is this concern related to:**  
(Please check one)

☐ Capital Project    ☒ XX Program    ☐ Program Grant    ☐ ACTIA Administration

**Please explain the nature of your concern and how you became aware of it providing as much detail as you can, including the name of the project or program, dates, times, and places where the issues you are raising took place.** (Use additional sheets of paper if necessary)

In reviewing the FY2009/10 audit I noted Alameda County had a ending balance of approximately 4 times its annual revenue.. Alameda County reports that it has various projects under design some of which were authorized by its governing board in 2003.

**PROCESS** - I am interested in getting more information on how Alameda County will normalize the relationship between receipts and expenditures in a given year; what the plan is to reduce the end of year balance; what specific projects (both the bicycle and pedestrian program and the local streets and roads program) are under design; what the time line is for completing those projects under design; what the estimated Measure B expenditures will be for those projects currently under design; and, what fiscal years those expenditures will take place.

**PROTECTION** -

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**Action Taken** - Please list other parties or agencies you have contacted in an attempt to more fully understand this issue and any actions you yourself have taken.

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## MEMORANDUM

**To:** Citizens Watchdog Committee

**From:** Tess Lengyel, Deputy Director of Policy, Public Affairs and Legislation

**Date:** June 1, 2012

**Subject:** Review of CWC Bylaws

### Recommendation

Staff recommends that the Citizens Advisory Committee (CWC) review and approve the CWC Bylaws (Attachment A).

### Summary

Typically the CWC reviews its bylaws at the organizational meeting, usually the last meeting of the fiscal year. This review process is scheduled each year to allow both staff and the CWC to update the bylaws to reflect current practices and conditions, or to improve the committee functioning. This year's review is a standard yearly review.

### Background

The Alameda CTC staff made substantial revisions to the bylaws in 2011, in order to reflect a new Committee structure and the new merged agency, and to make the bylaws consistent between all Alameda CTC committees. The CWC reviewed the bylaws during last year's review process, and requested changes before voting to approve them. The current bylaws (Attachment A) are attached.

Staff is not suggesting any changes to the bylaws for this fiscal year; however, the bylaws for all community advisory committees are being reviewed in their respective committee meetings and the comments received in the organizational meetings will be compared and standardized between the agency's four committees.

### Attachments

- A. Current CWC Bylaws

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## Citizens Watchdog Committee Bylaws

### Article 1: Definitions

**1.1 Alameda County Transportation Commission (Alameda CTC).** Alameda CTC or “Commission” is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency (“ACCMA”) and the Alameda County Transportation Improvement Authority (“ACTIA”). The 22-member Commission is comprised of the following representatives:

**1.1.1** All five Alameda County Supervisors.

**1.1.2** Two City of Oakland representatives.

**1.1.3** One representative from each of the other 13 cities in Alameda County.

**1.1.4** A representative from Alameda-Contra Costa Transit District (“AC Transit”).

**1.1.5** A representative from San Francisco Bay Area Rapid Transit District (“BART”).

**1.2 Alameda County Transportation Improvement Authority (ACTIA).** The governmental agency previously responsible for the implementation of the Measure B half-cent transportation sales tax in Alameda County, as approved by voters in 2000 and implemented in 2002. Alameda CTC has now assumed responsibility for the sales tax.

**1.3 Appointing Party.** A person or group designated to appoint committee members.

**1.4 At-Large Member.** One of the 10 CWC members representing supervisorial districts as described in Section 3.1.1 below.

**1.5 Bicycle and Pedestrian Advisory Committee (BPAC).** The Alameda CTC Committee that reviews all competitive applications submitted to Alameda CTC for the Bicycle and Pedestrian Safety funds, along with the development and updating of the Alameda Countywide Pedestrian and Bicycle Plans. Serving as the countywide BPAC, the Committee also provides input on countywide educational and promotional programs, and other projects of countywide significance.

**1.6 Brown Act.** California’s open meeting law, the Ralph M. Brown Act, California Government Code, Sections 54950 *et seq.*

**1.7 Citizens Advisory Committee (CAC).** The Alameda CTC Committee that serves as a liaison group between the Alameda CTC and the members’ respective communities. Appointed by the ACTIA

Board or the Commission, the CAC keeps the Commission informed of the progress of Measure B programs and projects, and discusses and brings local community transportation concerns to the Commission, as well as provides feedback to members' respective communities.

**1.8 Citizens Watchdog Committee (CWC or "Committee").** The Alameda CTC Committee of individuals created by the ACTIA Board, as required by Measure B, with the assistance of the League of Women Voters and other citizens groups, and continued by the Commission. The Committee reports directly to the public and is charged with reviewing all expenditures of the agency. Citizens Watchdog Committee members are private citizens who are not elected officials at any level of government, nor individuals in a position to benefit in any way from the sales tax.

**1.9 Expenditure Plan.** The plan for expending Transportation sales tax (Measure B) funds, presented to the voters in 2000, and implemented in 2002.

**1.10 Executive Director.** The chief executive staff member of Alameda CTC who reports directly to the Commission.

**1.11 Fiscal Year.** July 1 through June 30.

**1.12 Measure B.** The measure approved by the voters authorizing the half-cent sales tax for transportation services now collected and administered by the Alameda CTC and governed by the Expenditure Plan. The sales tax authorized by Measure B began on April 1, 2002 and extends through March 31, 2022.

**1.13 Measure B Program.** Transportation or transportation-related program specified in the Expenditure Plan for funding on a percentage-of-revenues basis or grant allocation.

**1.14 Measure B Project.** Transportation and transportation-related capital projects specified in the Expenditure Plan for funding in the amounts allocated in the Expenditure Plan.

**1.15 Organizational Meeting.** The annual regular meeting of the CWC in preparation for the next fiscal year's activities.

**1.16 Organizational Member.** One of the seven CWC members representing organizations as described in Section 3.1.2 below.

**1.17 Paratransit Advisory and Planning Committee (PAPCO).** The Alameda CTC Committee that meets to address funding, planning, and coordination issues regarding paratransit services in Alameda County. Members must be an Alameda County resident and an eligible user of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a Technical Advisory Committee comprised of Measure B-funded paratransit providers in Alameda County.



**1.18 Planning Area.** Geographic groupings of cities and of Alameda County for planning and funding purposes. North County: Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont; Central County: Hayward, San Leandro, unincorporated county (near Hayward); South County: Fremont, Newark, Union City; East County: Dublin, Livermore, Pleasanton, the unincorporated area of Sunol.

## **Article 2: Purpose and Responsibilities**

**2.1 Committee Purpose.** The Committee is appointed pursuant to Measure B to review all expenditures of the Measure B half-cent transportation sales tax measure and to report directly to the public.

**2.2 Committee Roles and Responsibilities from Expenditure Plan.** As defined by the Measure B Expenditure Plan, the roles and responsibilities of the Committee are to:

**2.2.1** Hold public hearings and issue reports, on at least an annual basis, to inform Alameda County residents how the funds raised by the Measure B Tax are being spent.

**2.2.2** Have full access to the Agency's independent auditor and will have authority to request and review specific information and to comment on the auditor's reports.

**2.2.3** Publish an annual report and any comments concerning the audit report in local newspapers and to make copies of the report available to the public at large.

**2.3 Additional Responsibilities.** Additional CWC member responsibilities are to:

**2.3.1** Communicate from time to time to the Alameda CTC by resolution suggestions and concerns pertinent to the administration and expenditure of Measure B funds.

**2.3.2** Communicate as necessary to recommend that an appointing party appoint a new member when there is a vacancy or upcoming end of term.

## **Article 3: Members**

**3.1 Number of Members.** The CWC will consist of 17 members.

**3.1.1** Ten members shall be at-large, two each representing the five supervisorial districts in Alameda County, one of the two nominated by a member of the Board of Supervisors and one of the two selected by the Alameda County Mayors' Conference.

**3.1.2** Seven of the members shall be nominated by the seven organizations specified in the Expenditure Plan: Alameda County Economic Development Alliance for Business, Alameda County Labor Council, Alameda County Taxpayers' Association, Alameda County Paratransit Advisory and Planning Committee, East Bay Bicycle Coalition, League of Women Voters, and Sierra Club.

**3.2 Appointment.** The Commission will make appointments in the following manner:

**3.2.1** Each member of the Alameda County Board of Supervisors shall select one At-Large Member to represent his or her supervisorial district.

**3.2.2** The Alameda County Mayors' Conference shall select one At-Large Member to represent each of the five supervisorial districts.

**3.2.3** Each organization listed in Section 3.1.2 above shall, subject to approval by the Commission, select one organizational member.

**3.3 Membership Qualification.** Each CWC member shall be an Alameda County resident. A CWC member shall not be an elected official at any level of government; or be a public employee of any agency that oversees or benefits from the proceeds of the Measure B Tax; or have any economic interest in any project or program.

**3.4 Membership Term.** Appointments shall be for two-year terms. There is no maximum number of terms a member may serve. Members shall serve until the Commission appoints their successors.

**3.5 Attendance.** Members will actively support committee activities and regularly attend meetings. Accordingly, more than three absences during a fiscal year may be cause for removal from the Committee. However, a member removed from the Committee may be reappointed by an appointing party.

**3.6 Termination.** A member's term shall terminate on the occurrence of any of the following:

**3.6.1** The member voluntarily resigns by written notice to the chair or Alameda CTC staff.

**3.6.2** The member fails to continue to meet the qualifications for membership, including attendance requirements.

**3.6.3** The member passes away or otherwise becomes incapable of continuing to serve.

**3.6.4** The member appointment is terminated by the Commission.

**3.7 Vacancies.** An appointing party shall have the right to appoint (subject to approval by the Commission) a person to fill the vacant member position. Alameda CTC shall be responsible for notifying an appointing party of such vacancy and for urging expeditious appointment of a new member, as appropriate.

## **Article 4: Officers**

**4.1 Officers.** The CWC shall annually elect a chair and vice chair. Each officer must be a duly appointed member of the CWC.

**4.1.1 Duties.** The chair shall preside at all meetings and will represent the CWC before the Commission to report on CWC activities. The chair shall serve as an ex-officio member of all subcommittees except a nominating subcommittee (when the CWC discusses the chair position). The vice chair shall assume all duties of the chair in the absence of, or on the request of the chair.

**4.2 Office Elections.** Officers shall be elected by the members annually at the Organizational Meeting or as necessary to fill a vacancy. An individual receiving a majority of votes by a quorum shall be deemed to have been elected and will assume office at the meeting following the election. In the event of multiple nominations, the vote shall be by ballot. Officers shall be eligible for re-election indefinitely.

## **Article 5: Meetings**

**5.1 Open and Public Meetings.** All CWC meetings shall be open and public and governed by the Brown Act. Public comment shall be allowed at all CWC meetings. The time allotted for comments by a member of the public in the general public comment period or on any agenda item shall be at the discretion of the chair.

**5.2 Regular Meetings.** The CWC shall have a regular meeting at least once per quarter. Prior to each Organizational Meeting, the outgoing chair shall cause all members to be canvassed as to their available meeting times and shall recommend the day and time that best accommodates the schedules of all members, giving due regard to accommodating the schedule of any continuing member who has missed meetings due to a conflict in the prior year. Annually, at the Organizational Meeting, CWC shall establish the schedule of regular meetings for the ensuing year. Meeting dates and times may be changed and additional regular meetings scheduled during the year by action of CWC.

**5.3 Quorum.** For purposes of decision making, a quorum shall consist of at least half (50 percent) plus one of the total number of members appointed at the time a decision is made. Members will not take actions at meetings with less than 50 percent plus one member present. Items may be discussed and information may be distributed on any item even if a quorum is not present.

**5.4 Special Meetings.** Special meetings may be called by the chair or by a majority of the members requesting the same in writing given to the chair, with copies to the vice chair and the Executive Director, specifying the matters to be considered at the special meeting. The chair or vice chair shall cause notice of a special meeting stating the matters to be considered to be given to all CWC members and posted and published in accordance with the Brown Act.

**5.5 Public Hearing.** At least annually, prior to publication of CWC's annual report, CWC shall conduct a public hearing on a draft of the CWC annual report. Each public hearing shall be conducted as part of a regular meeting.

**5.6 Agenda.** All meetings shall have a published agenda. Action may be taken only on items indicated on the agenda as action items. Items for a regular meeting agenda may be submitted by any member to the chair and committee staff. The Commission and/or Committee staff may also submit items for the agenda. Every agenda shall include provision for members of the public to address the Committee. The chair and the vice chair shall review the agenda in advance of distribution. Copies of the agenda, with supporting material and the past meeting minutes, shall be mailed to members and any other interested parties who request it. The agenda shall be posted on the Alameda CTC website and office and provided at the meeting, all in accordance with the Brown Act.

**5.7 Roberts Rules of Order.** The rules contained in the latest edition of "Roberts Rules of Order Newly Revised" shall govern the proceedings of the CWC and any subcommittees thereof to the extent that the person presiding over the proceeding determines that such formality is required to maintain order and make process, and to the extent that these actions are consistent with these bylaws.

**5.8 Place of Meetings.** CWC meetings shall be held at the Alameda CTC offices, unless otherwise designated by the Committee. Meeting locations shall be within Alameda County, accessible in compliance with the Americans with Disabilities Act of 1990 (41 U.S.C., Section 12132) or regulations promulgated there under, shall be accessible by public transportation, and shall not be in any facility that prohibits the admittance of any person, or persons, on the base of race, religious creed, color, national origin, ancestry, or sex, or where members of the public may not be present without making a payment or purchase.

## **Article 6: Subcommittees**

**6.1 Establishment.** The CWC may establish subcommittees when and as necessary or advisable to make nominations for office of the CWC, to develop and propose policy on a particular issue, to conduct an investigation, to draft a report or other document, or for any other purpose within the authority of the CWC.

**6.2 Membership.** CWC members will be appointed to subcommittees by the CWC or by the chair. No subcommittee shall have fewer than three members, nor will a subcommittee have sufficient members to constitute a quorum of the CWC.

## **Article 7: Records and Notices**

**7.1 Minutes.** Minutes of all meetings, including actions and the time and place of holding each meeting, shall be kept on file at the Alameda CTC office.

**7.2 Attendance Roster.** A member roster and a record of member attendance shall be kept on file at the Alameda CTC office.

**7.3 Brown Act.** All meetings of the CWC will comply with the requirements of the Brown Act. Notice of meetings and agendas will be given to all members and any member of the public requesting such notice in writing and shall be posted at the Alameda CTC office at least 72 hours prior to each meeting. Members of the public may address the CWC on any matter not on the agenda and on each matter listed on the agenda, pursuant to procedures set by the chair and/or committee.

**7.4 Meeting Notices.** Meeting notices shall be in writing and shall be issued via U.S. Postal Service, personal delivery, and/or email. Any other notice required or permitted to be given under these bylaws may be given by any of these means.

## **Article 8: General Matters**

**8.1 Per Diems.** Committee members shall be entitled to a per diem stipend for meetings attended in amounts and in accordance with policies established by the Alameda CTC.

**8.2 Conflicts of Interest.** A conflict of interest exists when any Committee member has, or represents, a financial interest in the matter before the Committee. Such direct interest must be significant or personal. In the event of a conflict of interest, the Committee member shall declare the conflict, recuse him or herself from the discussion, and shall not vote on that item. Failure to comply with these provisions shall be grounds for removal from the Committee.

**8.3 Amendments to Bylaws.** These bylaws will be reviewed annually, and may be amended, repealed, or altered, in whole or in part, by a vote taken at a duly-constituted Committee meeting at which a quorum is present.

**8.4 Public Statements.** No member of the Committee may make public statements on behalf of the Committee without authorization by affirmative vote of the Committee, except the chair, or in his or her place the vice chair, when making a regular report of the Committee activities and concerns to the Alameda CTC. This does not include presentations about the Committee to city councils, which all Committee members have a responsibility to make.

**8.5 Conflict with Governing Documents.** In the event of any conflict between these bylaws and the July 2000 Alameda County Transportation Expenditure Plan, California state law, or any action lawfully taken by ACTIA or the Alameda CTC, the Expenditure Plan, state law or the lawful action of ACTIA or the Alameda CTC shall prevail.

**8.6 Staffing.** Alameda CTC will provide all staffing to the Committee including preparation and distribution of meeting agendas, packets, and minutes; preparation of reports to the Alameda CTC Committees and Commission; tracking of attendance; and stipend administration.

**8.7 Financial Interest.** Each Committee member shall in a timely manner prepare and file with Alameda CTC a statement of financial interest in the form required by law.

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# DRAFT ANNUAL REPORT CONTENT

## PAGE 1

[new design similar to design style guide pages 18-19]

[Alameda CTC logo]

CITIZENS WATCHDOG COMMITTEE 10th ANNUAL

## Report to the Public

July 2012

[Multimodal transportation photo]

[table of contents]

### Inside

#### Measure B Projections 2

In FY 12-13, Alameda CTC projects \$106.7 million in sales tax revenues for transportation improvements.

#### CWC Activities 3

A major role of the CWC is to info the public about the progress of Measure B-funded programs and projects.

#### Mobility Plan for the 21st Century 5

Alameda County's long-range plan supports a multimodal, sustainable transportation system.

#### Programs and Projects 6

Alameda CTC allocates 60 percent of Measure B funds to transportation programs and 40 percent to projects.

#### Local Contract Equity Program 10

Since 2002, approximately \$322 million in sales tax revenues has funded contracts with local businesses.

Citizens Watchdog Committee

## Report on Measure B Sales Tax Activities

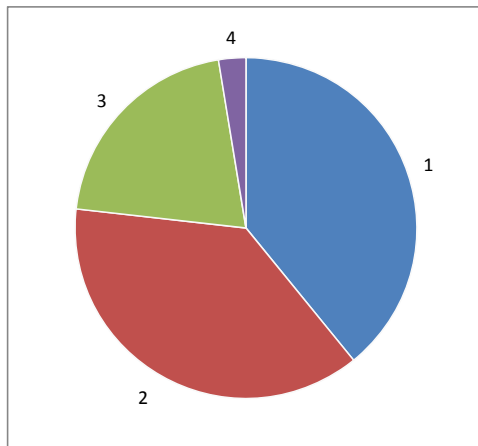
# DRAFT ANNUAL REPORT CONTENT

In November 2000, Alameda County voters approved Measure B, which extended the county's half-cent transportation sales tax to 2022 and set forth a 20-year Expenditure Plan. Measure B also established a Citizens Watchdog Committee (CWC) to review all Measure B expenditures on projects, programs and administration for compliance with the Expenditure Plan including timely project delivery.

The CWC reports its findings annually to the public. This 10th annual report covers expenditures during the fiscal year ending June 30, 2011 (FY 10-11), and CWC activities since July 1, 2010. CWC members performed a number of activities to ensure appropriate use of transportation sales tax funds, improve reporting processes and update funding agreements between Alameda CTC and fund recipients.

[chart 1]

## Measure B FY 10-11 Expenditures on Programs and Projects



Dollar amounts in millions		
1 Public Transit	\$54.4	39%
2 Highways and Streets	\$52.4	38%
3 Local Transportation	\$28.7	21%
4 General Administration	\$3.6	3%
Total Expenditures	\$139.1	100%

Measure B fund recipients reported \$63.5 million in expenditures, which includes some Measure B reserves from previous years. These expenditures include Measure B discretionary fund expenditures and supported four main programs: local streets and roads, mass transit, paratransit and bicycle and pedestrian safety.



# DRAFT ANNUAL REPORT CONTENT

## PAGE 2

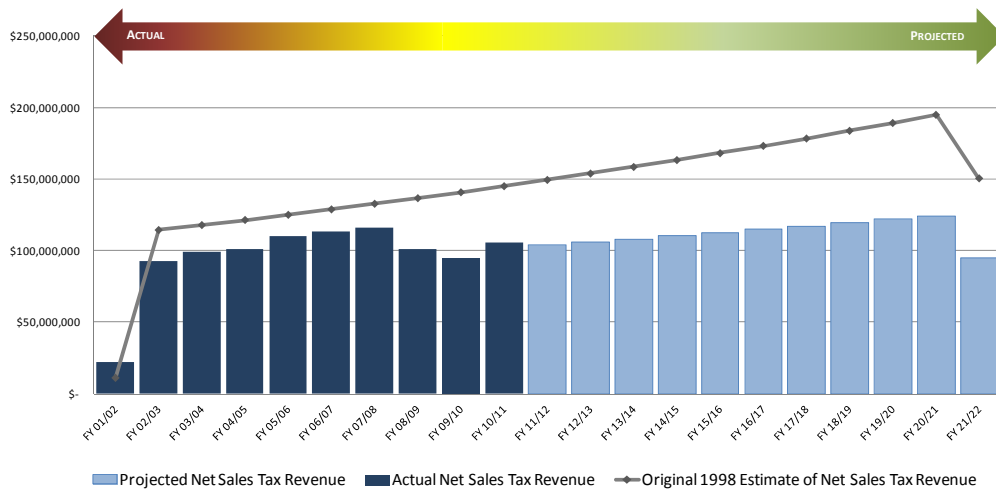
### Measure B Projections

The Alameda County Transportation Commission (Alameda CTC) is responsible for administering the Measure B half-cent transportation sales tax measure as well as congestion management agency functions. In fiscal year 2010-2011 (FY 10-11), Measure B revenues totaled \$105.4 million, and audited expenditures include \$54.4 million for public transit, \$52.4 million for highways and streets, \$28.7 million for local transportation and \$3.6 million for general administration.

Alameda CTC distributed \$56.9 million in pass-through and paratransit stabilization Measure B funds, along with \$4.4 million of grant funds to cities, transit agencies and Alameda County. In FY 12-13, Alameda CTC projects \$106.7 million in sales tax revenues.

[chart 2]

#### Revenue Projections [move this to above the chart]



[The chart above will be updated prior to the July public hearing.]

[sidebar]

### Decade of Progress

The current half-cent transportation sales tax measure has funded more than \$1.3 billion in projects and programs since 2002. In the last decade, in excess of \$756 million has leveraged total capital project costs of more than \$3.8 billion.

# DRAFT ANNUAL REPORT CONTENT

The sales tax has generated:

- \$956.7 million to upgrade and expand our transportation system.
- \$382.7 million for capital projects that include rail extensions, highway improvements and local street and road enhancements.
- \$148.5 million contracted to local businesses. In FY 10-11, nearly 82 percent of the engineering and administrative contracts were awarded to 175 local firms.

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# DRAFT ANNUAL REPORT CONTENT

## PAGE 3

### Citizens Watchdog Committee

The 2000 Expenditure Plan established a Citizens Watchdog Committee (CWC) to review all Measure B half-cent transportation sales tax expenditures on projects, programs and administration, to monitor timely delivery of projects and to report its findings annually to the public.

As defined by the Expenditure Plan, the CWC:

- Holds public hearings and issues reports on at least an annual basis, to inform Alameda County residents of how the funds raised by the Measure B Tax are being spent.
- Has full access to the Agency's independent auditor and the authority to request and review specific information and to comment on the auditor's reports.
- Publishes an annual report and any comments concerning the audit report in local newspapers and makes the report available to the public at large.

CWC members held public meetings, formed subcommittees as needed and focused on seven main activities.

[photo of committee members in a meeting]

[caption:

As part of the committee's oversight, CWC members identify issues and meet with program and project sponsors to address concerns.]

#### CWC Activities

1. **Ongoing Programs and Capital Projects Watch (FY 10-11):** The CWC continued to watch specific programs and capital projects and to review any issues of concern.
2. **Audit and Compliance Report Review (January 2011):** CWC members reviewed the FY 09-10 audits and compliance reports and requested more information from agencies and jurisdictions to help clarify expenditures. The CWC found no indication that funds were spent improperly.
3. **Compliance Report Process Improvements (May 2011):** The CWC formed a compliance report subcommittee to review the compliance report forms and evaluation processes. The subcommittee provided a number of recommendations to staff regarding integrating more specific questions in the forms to ensure transparency and more consistent figures in the audit and compliance reports. Another goal was to gather additional information about fund recipients' Measure B fund balances and reserves.

# DRAFT ANNUAL REPORT CONTENT

4. **Annual Report to the Public (July 2011):** In June, CWC members formed a subcommittee to develop its annual report to the public. At its July meeting, the CWC held a public hearing to receive comments on the report. Public outreach included 10 online ads that linked to the web-based report, print advertisements in 15 East Bay publications, e-mail and print mailings of the report, distribution of the printed report at events, and translation of the advertisements into Chinese and Spanish, along with outreach to Asian and Hispanic community organizations.

## PAGE 4

5. **Master Programs Funding Agreement Review (November 2011):** This subcommittee reviewed and provided input on the Alameda CTC's new Master Programs Funding Agreement for local jurisdictions, transit agencies and Alameda County that receive Measure B and Vehicle Registration Fee funds. CWC member comments informed the process and resulted in agreement modifications.
6. **Audit and Compliance Report Review (January 2012):** CWC members reviewed the FY 10-11 audits and compliance reports and requested more information from agencies and jurisdictions to help clarify expenditures. The CWC found no indication that funds were spent improperly; however, committee members did raise concerns about the practice of carrying over large Measure B reserves into the next fiscal year and formed an ad-hoc committee to look into the Alameda County Public Works Agency's reserve. This ad-hoc committee met in March as noted below.
7. **Review of County Public Works Funds (March 2012):** The CWC formed a subcommittee to gather more information about the fund reserve balance that the Alameda County Public Works Agency held. The agency met with subcommittee members and provided an explanation for the reserve as well as a plan for spending down the reserve.

[photo of Alameda County landmark from Noah Berger]

[caption:

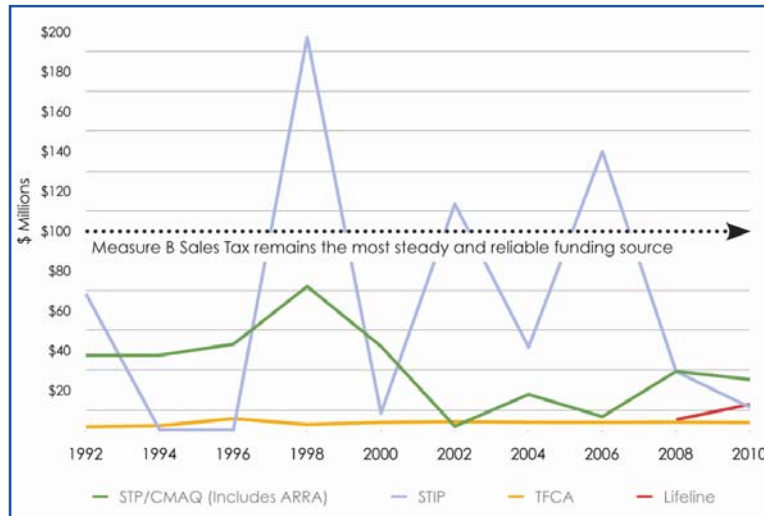
The CWC helps to ensure that the transportation programs and projects funded by Measure B support a vibrant and livable Alameda County.]

## Transportation Investments for the Future

According to a Congressional Budget Office report on January 31, 2012, "The Budget and Economic Outlook: Fiscal Years 2012 to 2022," the federal Highway Trust Fund will face a deficit by year 2014 due to declines in gas tax revenues. State funding has also declined, resulting in service cuts for many transit operators. Meanwhile, the demand is increasing significantly for an efficient transportation system to move Alameda County's growing population and the goods it needs, and to support access to jobs, education and services.

# DRAFT ANNUAL REPORT CONTENT

## Federal, State and Local Fund Volatility



[revise chart so easier to read and include key that identifies acronyms:]

Congestion Mitigation and Air Quality Improvement (CMAQ)

Lifeline Transportation Program (Lifeline)

State Transportation Improvement Program (STIP)

Surface Transportation Program (STP)

Transportation Funds for Clean Air (TFCA)

Measure B Transportation Sales Tax

Alameda County is one of 19 Self-Help Counties in California that relies on stable, local funding to improve and maintain its transportation system. However, critical transportation infrastructure is aging, and according to the Association of Bay Area Governments, the Alameda County population is expected to reach 1.8 million by 2025.

# DRAFT ANNUAL REPORT CONTENT

## PAGE 5

### A New Mobility Plan for the 21st Century

Alameda CTC has spearheaded the effort to develop a new multimodal transportation plan that will create jobs, expand mobility and provide critical transportation services to support every community in Alameda County.

#### Countywide Transportation Plan

Updated in May 2012, the county's long-range transportation plan supports a multimodal system that is sustainable and equitable, provides travel choices, reduces the number of miles driven in private automobiles and provides links to a variety of destinations throughout the county. It will result in transportation improvements to move goods as well as to move people throughout the county and beyond, whether traveling on foot, by bike or by bus, train, paratransit, ferry, truck or car.

[photo from latest Noah Berger shoot that shows a vibrant Alameda County]

[caption:

The Countywide Transportation Plan aligns with the Regional Transportation Plan and will meet critical transportation needs.

[sidebar]

#### Transportation Expenditure Plan

If voters choose to augment and extend the county's existing half-cent transportation sales tax in November 2012, the Transportation Expenditure Plan will serve as a funding source for the Countywide Transportation Plan and fund nearly \$7.8 billion in investments over the next 30 years.

Developed with guidance from the public, community and technical advisory committees, including three CWC members, and elected officials, the TEP includes many projects and programs to support a connected and integrated multimodal system that will promote sustainability, access, transit operations, public health and economic opportunities. The TEP has extensive accountability measures governing how the funds can be spent and details the public processes for development of new plans. The proposed TEP allows the county to continue providing transportation projects and programs, despite cuts in state and federal transportation funding.

# DRAFT ANNUAL REPORT CONTENT

PAGE 6

## Alameda CTC Programs

Alameda CTC allocates 60 percent of Measure B funds, minus administrative costs, primarily on a monthly, formula basis (“pass-through” funding) and through competitive grants to Alameda County, cities and transit agencies for programs. In fiscal year 2010-2011, Alameda CTC distributed the following Measure B funds.

[photo of local street repair project]

[caption:

Alameda County and the 14 cities that receive local streets and roads funding perform necessary maintenance to provide safe road conditions.]

- **Local streets and roads – \$22.5 million** (22.34 percent of net sales tax revenue): Alameda County jurisdictions receive monthly allocations for local transportation improvements, including street maintenance and repair. Jurisdictions use these flexible Measure B funds to meet their locally determined transportation priorities.
- **Mass transit – \$21.4 million** (21.92 percent of net sales tax revenue): Transit operators receive monthly allocations for operations. Alameda CTC also distributed \$1.5 million through its Countywide Express Bus Service Grant Program in FY 10-11.
- **Special transportation for seniors and people with disabilities – \$9.1 million** (10.45 percent of net sales tax revenue): Cities and transit operators receive funds on a monthly basis to support their ongoing transportation programs for seniors and people with disabilities. Alameda CTC also distributed \$1.1 million through its Paratransit Gap Grant Program in FY 10-11, and Measure B funded the Paratransit Coordination Team.
- **Bicycle and pedestrian safety funds – \$3.8 million** (5 percent of net sales tax revenue): On a monthly basis, jurisdictions receive these funds for bicycle and pedestrian capital projects, programs and plans. Alameda CTC distributed \$1.6 million through its Countywide Discretionary Fund Grant Program in FY 10-11, and Measure B funded the Bicycle and Pedestrian Coordination Team.
- **Transit center development – \$0.2 million** (0.19 percent of net sales tax revenues): A small portion of Measure B revenues are awarded through the Transit Oriented Development Grant Program and leverage other funds by becoming a local match for grants and studies. In FY 10-11, Alameda CTC distributed \$235,351.

[photo of person in a wheelchair (and a senior if possible) going toward or getting on a bus]

# DRAFT ANNUAL REPORT CONTENT

[caption:

Seniors and people with disabilities rely on paratransit services and programs such as travel training, volunteer drivers and on-demand shuttles.]

## PAGE 7

### Fiscal Year 2010-2011 Program Expenditures

Alameda CTC maintains funding agreements with each agency and jurisdiction that receives Measure B funding on a monthly basis, considered “pass-through funding.” Annually, each Measure B pass-through fund recipient must report on how it used the funds during the fiscal year.

Recipients provide total Measure B expenditures, total project costs and an independent audit. These reports and audits are available on [www.AlamedaCTC.org](http://www.AlamedaCTC.org) for review.

[chart 3]

#### Measure B Pass-through Fund Totals for All Programs

Agency/ Jurisdiction	10-11 MB Distributions	10-11 MB Expended
AC Transit	\$21,566,717	\$21,566,717
BART	\$1,499,702	\$1,499,702
LAVTA	\$824,364	\$824,364
WETA	\$275,215	\$175,867
ACPWA	\$2,553,569	\$1,676,708
ACE	\$2,132,587	\$2,001,797
City of Alameda	\$2,211,551	\$3,527,020
City of Albany	\$376,663	\$487,744
City of Berkeley	\$2,658,351	\$2,097,126
City of Dublin	\$443,313	\$475,476
City of Emeryville	\$250,982	\$79,621
City of Fremont	\$2,974,061	\$2,551,442
City of Hayward	\$2,794,708	\$4,232,252
City of Livermore	\$1,003,128	\$853,054
City of Newark	\$618,027	\$450,779
City of Oakland	\$10,394,863	\$11,833,171



# DRAFT ANNUAL REPORT CONTENT

City of Piedmont	\$364,058	\$154,374
City of Pleasanton	\$866,674	\$630,237
City of San Leandro	\$1,518,431	\$620,860
City of Union City	\$1,366,974	\$934,739
<b>Total</b>	<b>\$56,693,937</b>	<b>\$56,673,050</b>

Note: The expenditures reported by agencies/jurisdictions include Measure B grant funds as well as Measure B reserves from prior years, which is why some jurisdictions report expenditures higher than receipts.

[photo of BikeMobile with children in front of it]

[caption:

The BikeMobile teaches kids bicycle repair and safety instruction and is part of Alameda CTC's [Safe Routes to School \(SR2S\) Program](#) funded by a Metropolitan Transportation Commission grant.]

[photo of Fruitvale Transit Village from business card in progress]

[caption:

To help reduce greenhouse gas emissions, Alameda CTC supports transit-oriented development that links housing and jobs to transit hubs.

# DRAFT ANNUAL REPORT CONTENT

## PAGE 8

### Alameda CTC Projects

Alameda CTC allocates 40 percent of Measure B funds to capital projects for transportation infrastructure improvements, such as BART rail extensions, highway improvements, local street and road enhancements, intermodal projects and other local projects. In addition to the 26 voter-approved capital projects, Alameda CTC added the Vasco Road Safety Improvement Project funded from the Measure B Congestion Relief Emergency Fund in 2003, added the I-80 Integrated Corridor Management Project in 2008, and in 2010, added the two additional projects funded through the Congestion Relief Emergency Fund: the I-880/23rd and 29th Avenues Interchanges and the Countywide Transportation Plan/Transportation Expenditure Plan (study only). Some of the projects included in the TEP are broken into phases.

The local sales tax dollars allow project phases to move forward while project sponsors seek other funding sources to complete construction. By 2012, the midpoint of the current transportation sales tax measure, 95 percent of all projects are scheduled to be complete or in construction.

The chart on the next page shows the project phases, schedule, original and escalated funding commitments, and total project costs for the capital projects. As of July 2012, 13 projects are complete, four are in the environmental phase, four are in the scoping phase, six are in the design phase, nine are under construction, and one project is on hold.

[photo of I-680 HOT Lanes]

[caption:

Alameda CTC has assumed operations and communications for the I-680 high occupancy toll (HOT) lanes, which help reduce traffic congestion and increase highway capacity.]

[photo of BART Oakland Airport Connector]

[caption:

Measure B funds 18 percent of the \$484 million BART Oakland Airport Connector project that will improve transit choices and connections for travelers to and from the region.]

# DRAFT ANNUAL REPORT CONTENT

## PAGE 9

### Project Status as of July 2012

[see Excel spreadsheet; each project will link to the project fact sheet on the website]

## PAGE 10

### Local Business Contract Equity Program

The Alameda CTC offers contracting opportunities to Alameda County businesses under the Local Business Contract Equity (LBCE) Program. These contracts are funded solely with Measure B funds or Measure B funds and local funds that benefit the economies of local communities by providing jobs and helping local and small businesses in Alameda County to grow.

Over the past 10 years, the sales tax has generated \$957 million for transportation system improvements, including infrastructure projects, operations and maintenance. With escalation over the course of the tax measure, approximately \$756.5 million is committed to capital infrastructure projects, and \$322 million has already been pumped back into the Alameda County economy through contracts with local Alameda County-based companies.

[photo of construction of BART Warm Springs Extension from Legislative brochure]

[caption:

Funded in part by Measure B, the BART Warm Springs Extension is the beginning of a new connection to Silicon Valley and has employed hundreds of local workers.]

The LBCE program goals for Local Business Enterprises (LBEs) are 70 percent of all contracts, including 30 percent for Small Local Business Enterprises (SLBEs) for professional and administrative services. Contracts are exempt from these goals if they are partially funded by the state or federal government.

In FY 10-11, the Commission exceeded these goals with total payments to LBEs equaling an estimated \$12.4 million (89 percent) for active contracts. For exempt contracts, total payments to LBEs exceeded \$15.4 million (33 percent).

# DRAFT ANNUAL REPORT CONTENT

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### CWC Members

<b>Name</b>	<b>Appointer</b>
James Paxson, Chair	East Bay Economic Development Alliance
Harriette Saunders, Vice Chair	Paratransit Advisory and Planning Committee
Pamela Belchamber	Alameda County Mayors' Conference, District 5
Petra Olivia Brady	Alameda County Mayors' Conference, District 4
Roger Chavarin	Alameda Labor Council AFL-CIO
Peter Michael Dubinsky	Board of Supervisors, District 2
Arthur B. Geen	Alameda County Taxpayers Association
James Haussener	Supervisor Nate Miley, District 4
Erik Jensen	East Bay Bicycle Coalition
Jo Ann Lew	Alameda County Mayors' Conference, District 2
Hale Zukas	Supervisor Keith Carson, District 5
<b>Vacancy</b>	<b>Alameda County Mayors' Conference, District 1</b>
<b>Vacancy</b>	<b>Alameda County Mayors' Conference, District 3</b>
<b>Vacancy</b>	<b>League of Women Voters</b>
<b>Vacancy</b>	<b>Sierra Club</b>
<b>Vacancy</b>	<b>Supervisor Scott Haggerty, District 1</b>
<b>Vacancy</b>	<b>Supervisor Wilma Chan, District 3</b>

### How to Get Involved

The Alameda CTC and CWC invite your participation in helping to plan, fund and deliver transportation projects and programs that enhance mobility throughout Alameda County. Join one of our four community advisory committees — in addition to the CWC, the public serves on the Bicycle and Pedestrian Advisory Committee, the Citizens Advisory Committee and the Paratransit Advisory and Planning Committee — or feel free to participate in and attend public meetings. Visit [www.AlamedaCTC.org](http://www.AlamedaCTC.org) to learn more about opportunities to get involved.

### Further Information

The complete Measure B Expenditure Plan and this report as well as agency compliance audits and reports are available at [www.AlamedaCTC.org](http://www.AlamedaCTC.org). Copies of these publications are also available at the Alameda CTC offices at 1333 Broadway, Suites 220 & 300, Oakland, CA 94612; (510) 208-7400. Information on Measure B-funded projects and programs also appears on each jurisdiction's website.

# DRAFT ANNUAL REPORT CONTENT

## PAGE 12

[include standard footer with contact information]

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CWC Annual Report  
Publications Costs

Affiliation	Newspaper	Newspaper Circulation	Page Views	Media/Size	2011 Page Views	2011 Click Throughs	2011 Cost (Print)	2011 Cost (Web)	2011 Final Costs	Proposed 2012 Cost (Print)	Proposed 2012 Cost (Web)	Proposed 2012 Costs
Full Page Camera Ready Print Version Opportunities												
Bay Area NewsGroup - East Bay	Oakland Tribune (delivered to Oakland, Hayward, Alameda, and Fremont)	120,140	135,000	<b>Print:</b> 10" x 14" (1/2 page)			\$8,131.20		\$8,131.20	\$8,196.72	\$2,000.00	\$10,196.72
				<b>Online:</b> 300 x 250 jpeg Med. Rectangle								
Hills Newspapers	Montclairion, ElCerrito, Berkeley Voice, Piedmonter, Alameda Journal	73,471		<b>Print:</b> 10" x 14"	N/A	N/A	\$1,512.00		\$1,512.00	\$1,285.20		\$1,285.20
Combined Print and Electronic	San Francisco Business Times (Alameda County, Contra Costa County) <b>Online:</b> sanfrancisco.bizjournals.com	80,000	105,000	<b>Print:</b> 10" x 13.5"	37,424	16	\$5,385.00	\$1,266.00	\$6,651.00	\$5,525.00	\$1,667.00	\$7,192.00
				<b>Online:</b> 300 x 250 jpeg Square								
Post Newsgroup	Oakland Post/El Mundo (San Francisco Post, Berkeley Post, Richmond Post, South County Post and Marin).... The Spanish version will print in El Mundo			<b>Print:</b> 10.5" x 14" (1/2 page)	N/A	N/A	\$3,000.00		\$3,000.00	\$3,000.00		\$3,000.00
	The Independent - Livermore, Pleasanton, Dublin, and Sunol	27,000		<b>Print:</b> 10" x 14"	N/A	N/A	\$1,569.12		\$1,569.12	\$1,333.08		\$1,333.08
	Pleasanton Weekly	37,800	204,000	<b>Print:</b> 10" x 9 3/4" (full page) <b>Online:</b> 300 x 250 jpeg Med. Rectangle			\$1,079.00	\$200.00	\$1,279.00	\$1,079.00	\$200.00	\$1,279.00

CWC Annual Report  
Publications Costs

Affiliation	Newspaper	Newspaper Circulation	Page Views	Media/Size	2011 Page Views	2011 Click Throughs	2011 Cost (Print)	2011 Cost (Web)	2011 Final Costs	Proposed 2012 Cost (Print)	Proposed 2012 Cost (Web)	Proposed 2012 Costs
	Tri-City Voice - Fremont, Newark, Union City, Hayward, and Sunol			<b>Print:</b> 9.25" x 14"  hyperlink send Alameda CTC Logo Title	N/A	N/A	\$735.00		<b>\$735.00</b>	\$735.00		<b>\$735.00</b>
	East Bay Express (eastbayexpress.com)	43,000	265,000	<b>Print:</b> 10.125"x 7.1" <b>Online:</b> 728 x 90 Leader Board	22,220	23	\$1,800.00	\$225.00	<b>\$2,025.00</b>	\$1,800.00	\$225.00	<b>\$2,025.00</b>
	SFGate.com front page banner hyperlink to ACTIA website - final cost			<b>Print:</b> 4.792" x 9.83 <b>Online:</b> 728 x 90 Leaderboard	43,183	32	\$2,304.60	\$700.00	<b>\$3,004.60</b>	\$575.00	\$2,500.00	<b>\$3,075.00</b>
	www.asianweek.com - web banner only (linked to the english version)			<b>Online:</b> 728 x 90 jpeg Leaderboard				\$336.00	<b>\$336.00</b>		\$406.00	<b>\$406.00</b>
	www.asianweek.com - web banner only (linked to the Chinese version)			<b>Online:</b> 468 x 60 jpeg Banner				\$322.00	<b>\$322.00</b>		\$336.00	<b>\$336.00</b>
	Other Costs											
	Publications Design			PDF			\$2,940.00		<b>\$2,940.00</b>	\$2,940.00		<b>\$2,940.00</b>
	Language 411 (translation from English to Chinese and Spanish) **						\$1,033.50		<b>\$1,033.50</b>	\$1,033.00		<b>\$1,033.00</b>
	Autumn Press Printing for 2,000 in full color			PDF			\$2,989.43		<b>\$2,989.43</b>	\$2,989.43		<b>\$2,989.43</b>
	TOTALS:		709,000				\$32,479	\$3,049	<b>\$35,528</b>	\$30,491	\$7,334	<b>\$37,825</b>
												<b>-\$2,297</b>
	Difference											

Yellow = last year's costs

\*\* Language 411 costs will change based on the actual word count of the flyer





## **Citizens Watchdog Committee Issues Identification Process**

### **Summary**

This issues identification process outlines the responsibilities of the Citizens Watchdog Committee (CWC) and the process to bring and address issues of concern to the CWC.

### **CWC Responsibilities**

The Citizen Watchdog Committee is charged with the following as written in the Expenditure Plan approved by voters in November 2000:

“This committee will report directly to the public and will be charged with reviewing all expenditures of the Agency [Alameda County Transportation Commission (Alameda CTC)].” The responsibilities of the committee are to:

- Hold public hearings and issue reports, on at least an annual basis, to inform Alameda County residents how the funds are being spent. The hearings are open to the public and must be held in compliance with the Brown Act, California’s open meeting law, with well-publicized information announcing the hearings posted in advance.
- Have full access to the Commission’s independent auditor and authority to request and review specific information and to comment on the auditor’s reports.
- Publish an annual report and any comments concerning the Commission’s audit in the local newspapers. In addition, copies of these documents must be made available to the public at large.

The Commission also allows the CWC to fulfill its mission by requesting information directly from Measure B fund recipients.

### **Review Process**

The goals for any review of projects and programs by the CWC are to report to the public and make recommendations to the Alameda CTC staff and Board. To this end, the tasks for the CWC to focus on: 1) proper expenditure of Measure B funds; 2) the timely delivery of projects per contract agreements and the Expenditure Plan; and 3) adherence to the projects or programs as defined in the voter-approved Expenditure Plan.

## **CWC Issues Identification Process**

During the review process, CWC members will use the following procedures:

1. Issues that are raised by CWC members regarding financial and contract compliance issues may be legitimate topics to pursue through the request of a project or program sponsor to appear before the CWC.
2. Before calling on a sponsor to appear, CWC members must submit a “CWC Issues Form” (attached) to the CWC chair or vice-chair for placement on the agenda at the next CWC meeting.
3. CWC members may also submit CWC Issues Forms during a meeting, which the chair will take into consideration, and at his or her discretion, address at that particular meeting.
4. The full CWC must approve issues identified in a CWC Issues Form to address in further detail by an affirmative vote.
5. CWC members may form an ad-hoc subcommittee to draft CWC questions that need answers from the project/program sponsors and to receive a presentation from a project or program sponsor specifically addressing the issues, questions, or concerns raised by the CWC.
6. The subcommittee should consider the resources listed below, either in preparation for the review meeting, or for examination during the meeting.

The reviews are expected to be organized, thorough and efficient, and may result in a clear recommendation for further action, if needed.

### **Resources for CWC (not inclusive)**

- Adopted Measure B Expenditure Plan (blue book)
- Up-to-date list of project/program sponsors contacts
- Alameda CTC staff responsible for oversight of the project/program
- Information about public hearings, recent discussions, or news clippings provided by Alameda CTC staff to the CWC by mail or at meetings
- Other Alameda CTC community advisory committees (for example, the Citizens Advisory Committee, Paratransit Advisory and Planning Committee, or Bicycle and Pedestrian Advisory Committee chair-persons may be called on to address an issue.)
- Alameda CTC Auditor (for example, to request, “Are these figures reasonable/reliable?”)
- Alameda CTC Executive Director (for example, to request “Is this the intention of the Expenditure Plan?”)
- Alameda CTC Attorney (for example, to determine, “Is this a legal issue?”)

**CITIZENS WATCHDOG COMMITTEE ISSUES FORM**

**Alameda County Transportation Commission (Alameda CTC)**  
**1333 Broadway, Suite 300**  
**Oakland, California 94612**  
**Voice: 510-893-3347 Fax: 510-893-6489**

The CWC is required to review all Measure B expenditures. This form allows formal documentation of potential issues of concern regarding expenditure of Measure B funds. A concern should only be submitted to the CWC if an issue is directly related to the potential misuse of Measure B funds or non-compliance with Alameda CTC agreements or the Expenditure Plan approved by voters. This form may be used only by acting CWC members.

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Governmental Agency of Concern** (Include name of agency and all individuals)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Agency's Phone Number:** \_\_\_\_\_

**Agency's Address:** \_\_\_\_\_

**City** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**Which one of the following Measure B expenditures is this concern related to:**

(Please check one)

☐ Capital Project    ☐ Program    ☐ Program Grant    ☐ Administration

**Please explain the nature of your concern and how you became aware of it providing as much detail as you can, including the name of the project or program, dates, times, and places where the issues you are raising took place.** (Use additional sheets of paper if necessary)

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**PROCESS -**

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**PROTECTION -**

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**Action Taken -** Please list other parties or agencies you have contacted in an attempt to more fully understand this issue and any actions you yourself have taken.

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**Alameda CTC Citizens Watchdog Committee Ad-hoc Committee Meeting Minutes**  
**Wednesday, March 7, 2012, 4 p.m., 1333 Broadway, Suite 220, Oakland**

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Attendance Key (A = Absent, P = Present)

**Ad-hoc Committee Members:**

<u>P</u> James Paxson, Chair	<u>P</u> Mike Dubinsky
<u>P</u> Harriette Saunders, Vice Chair	<u>P</u> James Haussener
	<u>P</u> Jo Ann Lew

**Staff:**

<u>P</u> Arthur L. Dao, Executive Director	<u>P</u> Matt Todd, Manager of Programming (Principal Engineer)
<u>P</u> Tess Lengyel, Deputy Director of Policy Public Affairs and Legislation	<u>P</u> Angie Ayers, Acumen Building Enterprise, Inc.
<u>P</u> Patricia Reavey, Director of Finance	
<u>P</u> John Hemiup, Senior Transportation Engineer	

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**1. Welcome and Introductions**

James Paxson, CWC Chair, called the meeting to order at 4:15 p.m. and explained the desired outcome of the meeting.

***Guests Present:*** Alameda County Public Works Agency (ACPWA) staff: Daniel Woldesenbet, Ph.D., P.E., PWA Director and County Engineer; Arthur Carrera, P.E., T.E, Engineering and Transportation Program Manager; Keith Whitaker, Finance Services

**2. Overview of CWC Ad-hoc Committee Process**

Staff and the CWC Chair explained the CWC Ad-hoc Committee process. The CWC may establish an ad-hoc committee to conduct an investigation and/or review Measure B expenditures at any time; the role of the citizens' oversight committee is written into the Expenditure Plan.

The CWC has been paying attention to the ending balances of Measure B fund recipients and the ACPWA stood out because of the size of ending balances for its local streets and roads and bicycle and pedestrian programs. The committee informed the ACPWA that the process going forward for fiscal year 2011- 2012 (FY 11-12) is changing. If the Measure B funds are not used at the end of the fiscal year, the agency may establish reserve funds and spend the reserves in a timely manner according to the Master Programs Funding Agreement or lose the remaining balances; however, the reserves prior to FY 11-12 are not in jeopardy.

### 3. Issues Identification for ACPWA

The total ACPWA Measure B ending fund balance for FY 09-10 is \$9,768,210 and for FY 10-11, it is \$10,662,038. The CWC wanted to know the following:

- How will ACPWA normalize the relationship between receipts and expenditures in a given year?
- What is the plan to reduce the end-of-year balance?
- What specific projects are under design for the bicycle and pedestrian and local streets and roads programs?
- What is the timeline for completing the projects under design?
- What are the estimated Measure B expenditures for the projects under design?
- In which fiscal year will the expenditures take place?

### 4. ACPWA Presentation

Daniel Woldesenbet, ACPWA Director, stated that he appreciates the oversight of the CWC committee on how Measure B funds are being spent to maintain accountability with agencies and jurisdictions. Daniel mentioned that one of the things the ACPWA enjoys with Measure B funding is its flexibility, and he hopes, as we move forward with the reauthorization of the sales tax measure, not to lose that flexibility.

Daniel stated that ACPWA receives approximately \$2.1 million of Measure B pass-through funds annually. The funds are allocated for annual pavement rehabilitation, pedestrian ramps, and bicycle facility projects, as well as to fund a portion of larger transportation capital projects. The strategy that ACPWA deploys is to accumulate the Measure B funds and leverage them for grants and to complete capital projects. The funds are reserved without compromising the annual pavement rehabilitation and sidewalk repair efforts. Over the years, ACPWA has had several capital projects to deliver that require a lot of money. With the \$20 million of investments in Measure B funds, the ACPWA has leveraged over \$100 million to deliver about \$120 million in projects.

Over several years, the ACPWA received funds from the American Recovery and Reinvestment Act (ARRA) and Proposition (Prop) 1B. Once the ACPWA receives the funds, the agency must use those funds in a specified timeframe. For example, the ARRA funds had to be used in 180 days. The funds received from ARRA and Prop 1B were used to complete the work that would have been done with Measure B funds. Refer to Attachment A for the ACPWA Measure B expenditures and funds leveraged to complete other projects.

A CWC member inquired about why the ACPWA has not accelerated some of the projects on the list, provided in Attachment A, more aggressively. Daniel stated that the ACPWA has accelerated the projects that could be accelerated.

Overall, the CWC Ad-hoc Committee believed that the representatives from the ACPWA answered the questions satisfactorily, and the CWC accepted the plan that the agency

outlined for the use of the funds. The CWC will continue to watch the ACPWA fund reserve balance.

**5. Questions and Answers and Ad-hoc Committee Recommendation to the CWC**

The overall conclusion is that the ACPWA answered the questions satisfactorily. James Paxson recommended that the members submit their comments in writing. Refer to Attachment B for comments from the CWC members.

**6. Adjournment**

The meeting adjourned at 5:30 p.m.

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ACPWA Measure B Expenditures  
March 7, 2012

Alameda County receives approximately \$2.1M of Measure B pass through monies annually. These funds are programmed for annual pavement rehabilitation, pedestrian ramps and bicycle facility projects, as well as to fund a portion of larger transportation capital projects. The Alameda County Public Works Agency (Agency) strategically attempts to build-up the Measure B fund balance, and leverage the fund with grants and other sources in order to deliver large projects, without compromising its annual pavement rehabilitation efforts. Over the past several years, the Agency's strategy have been complemented by availability of funding sources such as the ARRA and Prop 1B for its pavement rehabilitation efforts.

The table below shows how measure B funds are leveraged to deliver significantly large projects, and why some level of fund accumulations is necessary.

Projects	Measure B Pass Through Build-Up Funds	Other Funding	Total	Est MB Expenditure Timeline
Lewelling Boulevard	\$1,500,000	\$23,500,000	\$25,000,000	2012
Stanley Boulevard	\$2,400,000	\$18,200,000	\$20,600,000	2012
2012 West County Resurfacing	\$2,500,000	\$2,900,000	\$5,400,000	2013
2012 East County Resurfacing	\$400,000	\$2,200,000	\$2,600,000	2013
Crow Canyon Pavement Rehab	\$1,000,000	\$900,000	\$1,900,000	2013
Grove Way Sidewalk	\$600,000	\$1,950,000	\$2,550,000	2013
Meekland Avenue Sidewalk	\$500,000	\$3,500,000	\$4,000,000	2013
ARRA Advancement Payback	\$1,500,000	\$0	\$1,500,000	2012
Hesperian Boulevard	\$4,000,000	\$9,500,000	\$13,500,000	2014
Crow Canyon Safety Project	\$600,000	\$12,550,000	\$13,150,000	2014
Tesla Road Safety Project	\$800,000	\$5,930,000	\$6,730,000	2015
2013 Resurfacing Projects	\$1,400,000	\$9,100,000	\$10,500,000	2014
2014 Resurfacing Projects	\$1,400,000	\$4,100,000	\$5,500,000	2015
2015 Resurfacing Projects	\$1,400,000	\$4,100,000	\$5,500,000	2016
2012-2015 Ped Ramps	\$800,000	\$500,000	\$1,300,000	2016
	<b>\$20,800,000</b>	<b>\$98,930,000</b>	<b>\$119,730,000</b>	

The build-up of pass through monies for capital projects is required, especially for planning areas that receive small dollar allocations.

The primary use of future pass through revenues will continue to be for the Agency's annual pavement maintenance and ped/bike improvement programs. However, there will always be the need to build up some fund capacity in order to leverage other federal and state funds for larger projects.

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**From:** [Jo Ann Lew](#)  
**To:** [Tamara Halbritter](#); [Art Dao](#); [Angie Ayers-Smith](#);  
[Tess Lengyel](#);  
**cc:** [Jo Ann Lew](#);  
**Subject:** My comments on the Ad Hoc Committee meeting of 3/7/12  
**Date:** Thursday, March 08, 2012 10:09:32 PM

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The following are my comments regarding the ad hoc subcommittee meeting on March 7, 2012.

- I believe there is general agreement the CWC will continue to be concerned about large ending balances and will meet with agencies that are unable to provide specifics on using Measure B funds in a timely manner.
- The CWC wants to see funds used in a timely manner to deliver projects and programs to the public. However, the CWC should refrain from passing judgment on decisions made by the various agencies and their elected officials when funds are carried over with the intent to use them for leveraging additional funds from other sources.
- The Alameda CTC has ample evidence that leveraging Measure B funds is both desirable and practicable.
- I do not suspect Alameda County Public Works of mismanaging Measure B funds. However, the agency admitted to being careless in completing the compliance report for FY 2010 – 2011.
- The reasons given for not expending more Measure B funds were the agency's use of ARRA and Prop 1B funding and their strict deadlines. Both are consistent with Fremont's and Oakland's explanations for their large ending balances.
- I do not believe five years is a long time to bank and leverage funds in order to deliver the larger, more costly projects. This appears to be a common strategy among many recipients of Measure B funds. However, if the poor condition of streets and roads and the lack of satisfactory services are the result of not expending Measure B funds, then the CWC should discuss what action can be taken.
- I recommend collecting data from the past few years to determine

whether there is a trend towards carrying over larger balances and, if so, what impact this has on the timely delivery of services and meeting the intent of Measure B.

- I don't believe there are any "right" answers or magic formulas as to how much an agency should spend or carryover each year. Again, a trend analysis may be helpful.
- Some jurisdictions, such as Union City, have bike and ped plans, so use of their Measure B funds is based on these plans. That is a factor that should be taken into consideration regarding large ending balances.
- I believe that carrying over large balances is preferable to and less risky than borrowing funds to complete projects.

Please let me know if you have any questions.

Jo Ann

Salient Points from the 3/7 2012 Ad Hoc Committee Mtg with ACPWA  
Prepared by PMDubinsky, CWC Member

The following questions were asked of the ACPWA:

1. How will you normalize the relationship between receipts and expenditures in a given year?
2. What is the plan to reduce the end of the year MB balance?
3. What specific projects (BP & LSR) are under design and what is the timeline for completing them?
4. What is the estimated MB expenditure for the projects under design?
5. What fiscal year will the expenditures take place?

The handout from the ACPWA principal presenter, Daniel Woldesenbet answered questions 3-5. While the information on the handout responded to Q 1 & 2 Mr. W provided verbal explanations. The data table had several entries which were inconsistent with the 2/14/2012 and 2/14/2012 submissions. Mr. W stated that the 2/24 submission was the “official” one and the handout was put together in a manner which may not have included precise numbers. He admitted that the original submission from late 2011 was not responsive to the Compliance report and the Feb 14 one had inaccurate entries. The inconsistencies in the handout information from the official submission are not significant. The handout does reflect ACPWA’s intentions and operational practices.

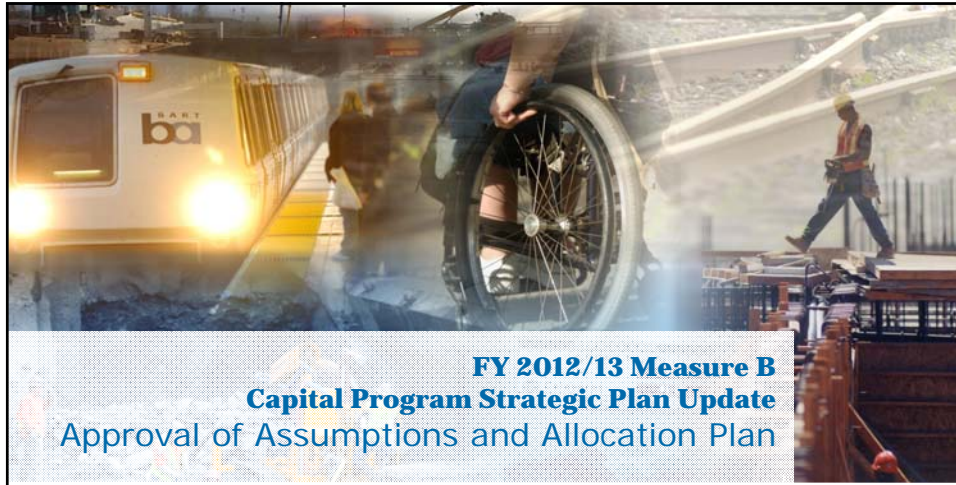
One CWC member questioned the trustworthiness of the overall set of submissions due to the differing numbers. In addition the concept of using the MB funds to leverage other funds which appropriate was not entirely clear in terms of the manner in which ACPWA management used them in conjunction with other available funds. Lastly it was not clear that the MB funds would be drawn down since the jurisdiction will be continuing to receive funds as the MB funds are spent on the listed projects.

It was pointed out that with the new ACTC Agreements the jurisdictions will be agreeing to timely use of the MB funds and if they do not do so the need for them to have the funds will be questioned.

Points about the Meeting:




- The jurisdiction sent the appropriate representatives to speak to the concerns
- The representatives did answer the questions asked.
- The credibility of the answers suffered somewhat by inconsistent data across all entries submitted.
- While the jurisdiction has outlined a plan for use of the funds it is not clear they will actually accomplish that goal.
- Continued monitoring of the ACPWA seems appropriate to ensure they stay on plan and how that plan actually unfolds in terms of efficient use of MB funds.

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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**  
Approval of Assumptions and Allocation Plan

A Presentation for the Citizen's Watchdog Committee (CWC)  
June 11, 2012



**FY 2012/13 Measure B Capital Program Strategic Plan Update**  
Approval of Assumptions and Allocation Plan

## PURPOSE OF STRATEGIC PLAN

- Confirm Total Measure B Commitment for each Capital Project included in the 1986 and 2000 Measure B Capital Programs
- Establish Beginning FY 2012/13 Measure B Programmed Balance for each Capital Project
- Establish Allocation Plan for the Remaining Programmed Balances
- Provide the basis for the Program-Wide Financial Models for both the 1986 and 2000 Measure B Capital Programs



Citizen's Watchdog Committee (CWC) June 11, 2012



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## BACKGROUND

- Revenue collection for the 1986 Measure B Program ended March 31, 2002
- Revenue collection for the 2000 Measure B Program began April 1, 2002 and will continue through March 31, 2022
- Both the 1986 and 2000 Measure B Capital Programs have remaining Capital Projects
- The Strategic Plan Update maintains the two Programs separately



## CAPITAL PROJECT FUNDING PROCESS

- Measure B funding for Capital Projects is allocated from the Programmed Balance and subsequently encumbered in agreements for expenditure on eligible project costs
- The Total Measure B commitments for the remaining Capital Projects in the 1986 Measure B Capital Program are considered allocated and available for encumbrance
- Nine Capital Projects from the 2000 Measure B Capital Program have Programmed, i.e. Un-Allocated, Balances Remaining
- The future allocations for the remaining Programmed Balances for Capital Projects included in the 2000 Measure B Capital Program are included in the Allocation Plan



**FY 2012/13 Measure B Capital Program Strategic Plan Update**  
Approval of Assumptions and Allocation Plan

**1986 MEASURE B**

**BALANCE / REVENUE ASSUMPTIONS**

- Beginning FY 2012/13 1986 Measure B cash balance = **\$126.9 million**
- Maximum rate of return on investment funds = **1%**
- **\$3 million** of proceeds from sale of excess property in FY 2014/15



Citizen's Watchdog Committee (CWC)

June 11, 2012



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**FY 2012/13 Measure B Capital Program Strategic Plan Update**  
Approval of Assumptions and Allocation Plan

**1986 MEASURE B**

**REMAINING CAPITAL PROJECT COMMITMENTS**

Proj. No.	Project Title	Total 1986 Measure B Commitment (\$ x 1,000)	Expended Prior to FY 12/13 (\$ x 1,000)	FY 12/13 (\$ x 1,000)	FY 13/14 (\$ x 1,000)	FY 14/15 (\$ x 1,000)	FY 15/16 (\$ x 1,000)
MB226	I-880 to Mission Boulevard East West Connector	88,871	14,492	20,000	15,000	30,000	9,379
MB238	Route 238/Mission-Foothill-Jackson Corridor Improvement	80,000	65,709	13,000	1,291	-	-
MB239	I-580/Redwood Road Interchange (contribution to ACTIA 12)	15,000	9,124	300	1,000	1,000	3,576
MB240	Central Alameda County Freeway System Operational Analysis	5,000	1,822	975	2,203	-	-
MB241	Castro Valley Local Area Traffic Circulation Improvement	5,000	50	2,100	2,285	-	-
MB Var	Program-wide and Project Closeout Costs	5,750	161	2,000	1,500	1,500	589
<b>Totals</b>		<b>\$ 199,621</b>	<b>\$ 91,358</b>	<b>\$ 38,375</b>	<b>\$ 23,844</b>	<b>\$ 32,500</b>	<b>\$ 13,544</b>

*Note: Total 1986 Measure B Commitment to individual projects shown above were established in Amendments 1 and 2 to the 1986 Expenditure Plan.*

Citizen's Watchdog Committee (CWC)

June 11, 2012



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## 1986 MEASURE B ANTICIPATED CAPITAL PROJECT EXPENDITURES

Remaining 1986 Measure B Commitments are anticipated for the following Phases / Activities:

Proj. No.	Project Title	Phase/Activities
MB226	I-880 to Mission Boulevard East-West Connector	Design / Right of Way / Utility / Construction
MB238	Route 238/Mission-Foothill-Jackson Corridor Improvement	Construction
MB239	I-580/Redwood Road Interchange (contribution to ACTIA 12)	Right of Way / Construction / Landscape Maintenance
MB240	Central Alameda County Freeway System Operational Analysis	Planning / Scoping
MB241	Castro Valley Local Area Traffic Circulation Improvement	Scoping / Design / Construction
MB Var	Program-wide and Project Closeout Costs	Post Construction Commitments

Citizen's Watchdog Committee (CWC)

June 11, 2012



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## 2000 MEASURE B BALANCE / REVENUE ASSUMPTIONS

- Beginning FY 2012/13 Capital Projects Account =  
**\$58.1 million**
- Forecast Revenues (capital account portion only):
  - *Projected Revenue for FY 2012/13 = 44.8 million*
  - *Projected Revenue for FY 2013/14 thru the end of  
program based on 2% growth per year*
- Maximum rate of return on investment funds:
  - *Current Portfolio = 0.5%*
  - *Bond Proceeds = 2%*



Citizen's Watchdog Committee (CWC)

June 11, 2012



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**FY 2012/13 Measure B Capital Program Strategic Plan Update**  
Approval of Assumptions and Allocation Plan

**2000 MEASURE B**

**CAPITAL PROJECT COMMITMENTS**

**\$ 756.5 M** – Total 2000 Measure B commitment to Capital Projects

**\$ 697.7 M** – Total amount (92%) of 2000 Measure B funds allocated for Capital Projects through FY 2011/12

**\$ 59.7 M** – Beginning FY 2012/13 Programmed Balance for remaining Capital Projects

**1.0** – Program Escalation Factor for FY 2012/13



Citizen's Watchdog Committee (CWC)

June 11, 2012



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**FY 2012/13 Measure B Capital Program Strategic Plan Update**  
Approval of Assumptions and Allocation Plan

**2000 MEASURE B**

**FY 2012/13 CAPITAL PROJECT ALLOCATION PLAN**

Proj. No.	Project Title	FY 2012/13 Beginning Programmed Balance (\$x1000)	Allocation Amount per FY (\$x1000)					Total Future Allocations (\$x1000)
			FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	
01	ACE Capital Improvements	5,513	3,513	-	-	-	2,000	5,513
07A	Telegraph Avenue Corridor Bus Rapid Transit	1,328	-	1,328	-	-	-	1,328
08A	I-680 Express Lane - Northbound	14,500	5,000	5,000	-	-	4,500	14,500
09	Iron Horse Transit Route	6,267	1,000	5,267	-	-	-	6,267
15	I-880/Route 92/Whitesell Drive Interchange	14,432	-	1,500	12,932	-	-	14,432
18B	Westgate Parkway Extension	97	97	-	-	-	-	97
19	East 14 <sup>th</sup> St/Hesperian Blvd/ 150 <sup>th</sup> St. Improvements	2,188	2,188	-	-	-	-	2,188
25	Dumbarton Corridor Improvements (Newark and Union City)	13,289	1,000	3,000	-	9,289	-	13,289
26	I-580 Corridor/BART Livermore Studies	2,132	1,000	1,132	-	-	-	2,132
<b>2000 Measure B Allocation Totals</b>		<b>59,756</b>	<b>\$ 13,798</b>	<b>\$ 17,227</b>	<b>\$ 12,932</b>	<b>\$ 9,289</b>	<b>\$ 6,500</b>	<b>59,756</b>

Citizen's Watchdog Committee (CWC)

June 11, 2012



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## 2000 MEASURE B PROJECTS ALLOCATION PLAN

The future ACTIA Measure B allocations are anticipated for the following phases/activities:

Proj. No.	Project Title	Phases/Activities
01	Altamont Commuter Express (ACE) Improvements	Programmatic Project for Individual Improvements
07A	Telegraph Avenue Corridor Bus Rapid Transit	Project Development
08B	I-680 Express Lane - Northbound	Project Development/ System Management / System Integration
09	Iron Horse Transit Route	Project Development / Right of Way / Construction
15	I-880 / Route 92/ Whitesell Drive Interchange	Construction
18B	Westgate Parkway Extension	Project Development / Right of Way / Construction
19	East 14 <sup>th</sup> St. / Hesperian Blvd / 150 <sup>th</sup> St. Improvements	Project Development / Right of Way / Construction
25	Dumbarton Rail Corridor	Project Development
26	I-580 Corridor / BART to Livermore Studies	Project Development / Environmental

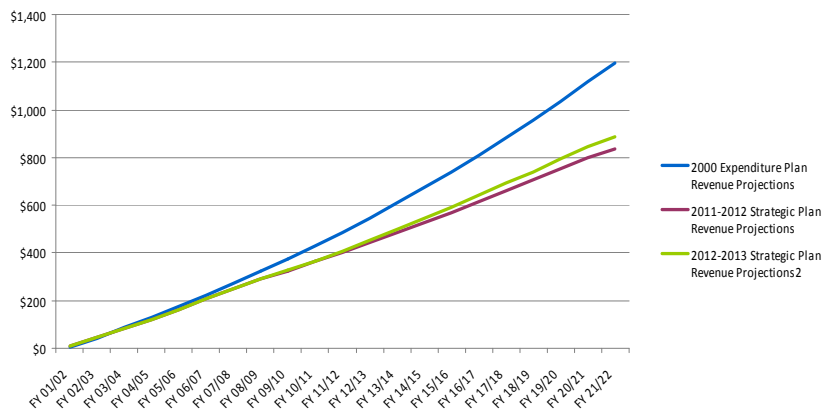
Citizen's Watchdog Committee (CWC)

June 11, 2012



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## 2000 MEASURE B CAPITAL ACCOUNT REVENUES (MILLIONS)



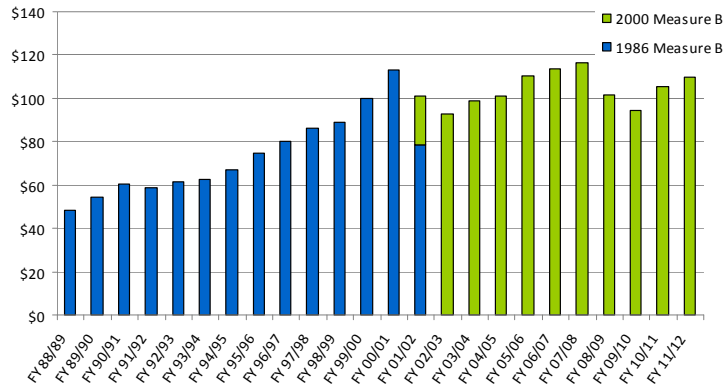
Citizen's Watchdog Committee (CWC)

June 11, 2012



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## ANNUAL MEASURE B SALES TAX REVENUE SINCE INCEPTION OF 1986 MEASURE B (MILLIONS)



Citizen's Watchdog Committee (CWC)

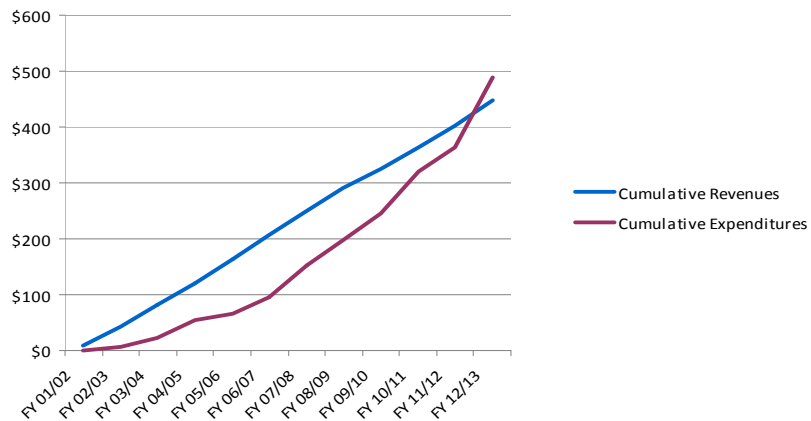
June 11, 2012



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### 2000 MEASURE B

## CUMMULATIVE CAPITAL ACCOUNT REVENUES & EXPENDITURES TO DATE



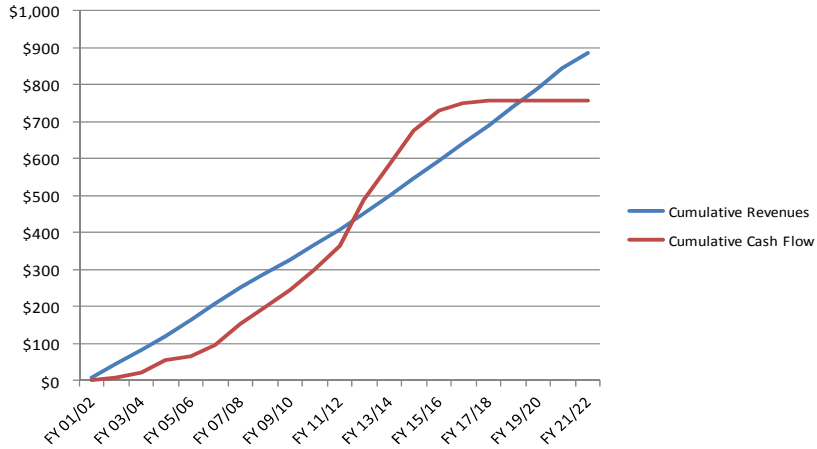
Citizen's Watchdog Committee (CWC)

June 11, 2012



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## 2000 MEASURE B PROJECTED CASH FLOW OF TOTAL PROGRAM (MILLIONS)



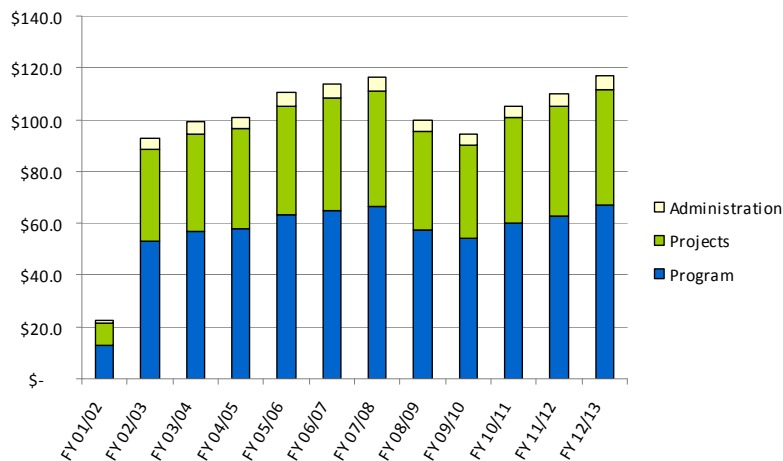
Citizen's Watchdog Committee (CWC)

June 11, 2012



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## 2000 MEASURE B ANNUAL REVENUES (MILLIONS)



Citizen's Watchdog Committee (CWC)

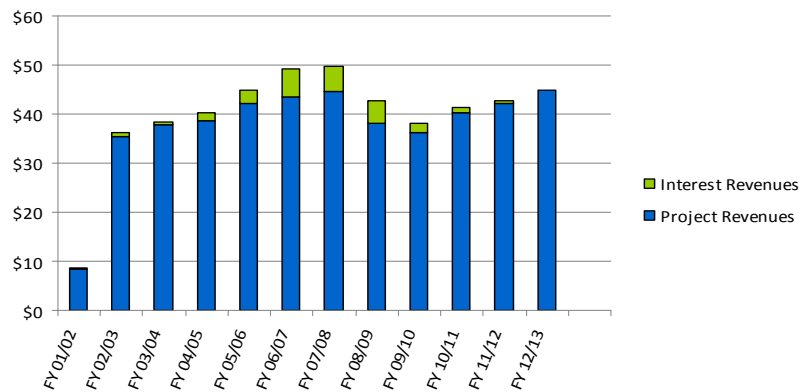
June 11, 2012



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## 2000 MEASURE B

### CAPITAL ACCOUNT REVENUE & INTEREST (MILLIONS)



## DEBT FINANCING CONSIDERATIONS / REQUIREMENTS

- 1986 Measure B commitments in the bank
- 2000 Measure B commitments dependent on future revenues
- Need to bring future 2000 Measure B revenues forward
- The timing of the anticipated expenditures has a significant effect on the financing options and costs
- Borrowing between accounts before outside financing



## DEBT FINANCING CONSIDERATIONS / REQUIREMENTS (cont.)

- "Internal" borrowing from 1986 Measure B Capital Account
- Outside debt financing, e.g. issuing bonds or commercial paper
- Issuance of "Limited Tax Bonds" authorized by PUC Code
- Alameda CTC Resolution required to issue bonds
- Financing Team to assist Alameda CTC







## Memorandum

**DATE:** May 15, 2012

**TO:** Alameda County Transportation Commission

**FROM:** Finance and Administration Committee

**SUBJECT:** Approval of a Revised Sales Tax Revenue Projection for Fiscal Year 2011-2012

### Recommendation

It is recommended that the Commission approve an increase to the Alameda CTC's sales tax revenue projection in the amount of \$6 million for a total FY2011-12 sales tax projection of \$110 million, and an increase in the corresponding pass-through and other expenditures based on the formula established in the transportation expenditure plan.

### Summary

The proposed increase is 5.77 percent higher than the currently adopted budget. Based on receipts to date, sales tax revenues have out-performed the original projection in the budget by 6.52 percent. Overall receipts in the 1<sup>st</sup> and 2<sup>nd</sup> quarters of the year were higher than budget by about 5.5 percent. The receipts received over the last couple of months are still an estimate until the 3<sup>rd</sup> quarter adjustment is received in June, so staff is recommending a conservative increase between these two percentages. The increase in sales tax revenues over the last several months reflects positive changes to the economy in Alameda County. However, we are still not yet back to peak levels of \$116.3 million as experienced in FY2007-08.

If this recommendation is approved, this revised sales tax projection will be included as a budget adjustment to the FY2011-12 budget, increasing projected revenues by \$6 million and the corresponding pass-through and other expenditures based on the formula established in the transportation expenditure plan.

### Fiscal Impacts

The proposed revision to the Alameda CTC's FY2011-12 sales tax revenue projection would provide additional resources of \$6 million and authorize the corresponding pass-through and other expenditures based on the formula established in the transportation expenditure plan.

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## Memorandum

**DATE:** May 29, 2012

**TO:** Citizens Watchdog Committee

**FROM:** Arthur L. Dao, Executive Director  
Patricia Reavey, Director of Finance

**SUBJECT: Fiscal Year 2012-2013 Proposed Budget for the Alameda County Transportation Improvement Authority**

### Recommendations

This is an informational item and no action is requested from the Citizens Watchdog Committee. The Alameda County Transportation Commission (Alameda CTC) will be requested to approve the Proposed Consolidated Budget for fiscal year 2012-13 this month, which included the budget for the Alameda County Transportation Improvement Authority (ACTIA).

### Summary

The Alameda CTC's FY2012-13 Proposed Consolidated Budget demonstrates a sustainable, balanced budget utilizing projected revenues and fund balance to fund total expenditures. A budget is considered balanced when (1) total revenues equal total expenditures, (2) total revenues are greater than total expenditures, or (3) total revenues plus fund balance are greater than total expenditures. The Alameda CTC budget should fit into this third category over the next few years, as the accumulation of Measure B funds are utilized to fund capital projects and other grant programs in Alameda County.

The proposed budget has been prepared based on the modified accrual basis of accounting, which coincides with the basis utilized to prepare our audited financial statements. It also has been segregated by fund type and includes adjustments and eliminations of interagency revenues and expenditures on a consolidated basis. The fund types are comprised of General Funds, Special Revenue Funds, Exchange Fund, and Capital Project Funds.

The proposed ACTIA budget, which includes the ACTA Capital Fund, contains projected revenues totaling \$113.6 million of which sales tax revenues comprise \$112.0 million, or 99 percent. In addition, the proposed budget also includes the projected FY2011-12 ending fund balance of \$144.6 million for total available resources of \$258.2 million. The projected revenues are offset by \$170.1 million in total expenditures of which \$98.8 million, or 58 percent, are allocated for capital projects. These revenue and expenditure totals constitute a net reduction in fund balance of \$56.5 million and a projected consolidated ending fund balance of \$88.2 million. The reduction in fund balance is mostly

due to ACTIA's capital program and will be funded through accumulated Measure B sales tax revenues.

The proposed budget incorporates the effort required to address new MTC One Bay Area Grant (OBAG) requirements over the next fiscal year and includes revenues and expenditures necessary to provide the following vital programs and planning projects for Alameda County:

- County Wide Transportation Plan/Transportation Expenditure Plan
- County Wide Bicycle and Pedestrian Plan
- Transportation and Land Use Planning
- Bike to Work Day Assessment
- Safe Routes to School
- Bike Mobile Program
- Pass Through Funding Programs

In addition to the planning projects and programs listed above, the proposed budget also contains revenues and expenditures necessary to fund and deliver significant capital projects that expand access and improve mobility in Alameda County consistent with the FY2012-13 Strategic Plan also being considered this month by the Commission. Some of the most significant projects included in the proposed budget are as follows:

- BART Warm Springs Extension Project
- BART Oakland Airport Connector Project
- I-680 Sunol Express Lane Project
- Route 84 Expressway Project in Livermore
- Isabel Avenue – Route 84/I-580 Interchange
- Altamont Commuter Express Rail

The proposed budget assumes an inter-fund loan of \$46.7 million from the ACTA Capital Fund to the ACTIA Capital Fund, which will delay the need for external financing to second quarter of FY2013-14 based on the most recent cash flow projections.

### **Discussion/ Background**

The proposed budget for FY2012-13 was developed with a focus on the mission and core functions of the Alameda CTC as defined in the Strategic Business Plan and enables the Alameda CTC to plan, fund and deliver transportation programs and projects that expand access and improve mobility in Alameda County. The proposed budget helps meet these goals by assigning available resources in the budget in order to formulate strategies and solutions for transportation opportunities and needs identified in the planning process; assigning the funding necessary to evaluate, prioritize, and finance programs and projects; and programming funds in order to deliver quality programs and projects on schedule and within budget.

### **Major Line Item Detail**

Sales Tax Revenues – Increase of \$2 million, or 2 percent, over the FY2011-12 Revised Budget of \$110.0 million to \$112.0 million based on recent economist's projections of moderate growth and a slow economic recovery.

Salaries and Benefits – Remains unchanged from the FY2011-12 Revised Budget of \$1.5 million. The proposed budget for FY2012-13 provides funding for 26 Full Time Equivalent (FTE) positions in compliance with the approved salary and benefit structure.

County Wide Transportation Plan/Transportation Expenditure Plan – Increase of \$1.4 million over the FY2011-12 Revised Budget of \$0.6 million to \$2.0 million to provide for costs incurred by the Registrar of Voters to place the 2012 Transportation Expenditure Plan on the ballot in November, 2012.

Pass-Through Funding – Increase over the FY2011-12 Revised Budget to \$60.1 million due to an increase in the projection for sales tax revenues. Pass-through funding is based on a calculation of sales tax receipts as prescribed in the 2000 Transportation Expenditure Plan.

ACTIA Capital Projects Expenditures – Decrease of \$48.2 million from the FY2011-12 Revised Budget of \$133.9 million to \$85.7 million due to the rolling capital project budget methodology adopted in FY2011-12.

#### Limitation Ratios

The ACTIA Salary and Benefits Limitation ratio of 0.81 percent and the Administrative Cost Limitation ratio of 3.41 percent were calculated based on the proposed budgeted expenditures and were found to be in compliance with the 1.00 percent and 4.5 percent limitation requirement, respectively.

The annual Administrative Cost Limitation ratio requirement is 4.5 percent. The calculation for FY2012-13 does not include costs related to placing the sales tax reauthorization on the ballot in November, 2012. If the new measure passes, these funds will be reimbursed once the new measure begins to collect sales tax revenues. If the new measure does not pass, ACTIA will be able to cover the excess expenditure with savings from prior year Administrative Cost Limitation ratio calculations when the entire 4.5 percent administrative allowance was not absorbed by expenditures.

#### **Fiscal Impacts**

The fiscal impact to ACTIA of the FY2012-13 Proposed Consolidated Budget would be to provide resources of \$113.6 million and authorize expenditures of \$170.1 million with an overall decrease in fund balance of \$56.5 million for a projected ending fund balance of \$88.2 million.

#### **Attachments**

Attachment A:	ACTIA FY2012-13 Proposed Budget
Attachment B:	ACTIA FY2012-13 Proposed Capital Projects Budget
Attachment C:	ACTIA FY2012-13 Budget Limitations Calculations

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**Alameda County Transportation Improvement Authority  
Fiscal Year 2012-2013 Proposed Budget**

**Attachment A**

	<b>General Funds</b>	<b>Special Revenue Funds</b>	<b>ACTIA Capital Project Fund</b>	<b>ACTA Capital Project Fund</b>	<b>Total</b>
<b>Projected Beginning Fund Balance</b>	\$ 16,651,890	\$ 7,347,688	\$ (4,396,157)	\$ 125,045,465	\$ 144,648,886
<b>Revenues:</b>					
Sales Tax Revenues	5,040,000	64,069,040	42,890,960		112,000,000
Investment Income			150,000	1,025,000	1,175,000
Approved Contract Budget Savings from FY2011-12			-		-
Rental Income	36,000	-			36,000
<b>Grants</b>					
ACTA Measure B			300,000		300,000
Other Project Grants		45,000	-	-	45,000
<b>Total Revenues</b>	<b>5,076,000</b>	<b>64,114,040</b>	<b>43,340,960</b>	<b>1,025,000</b>	<b>113,556,000</b>
<b>Expenditures:</b>					
<b>Administration</b>					
Salaries and Benefits	905,384	197,889	157,185	235,499	1,495,958
Office Expenses and Supplies	24,375	-	-	8,125	32,500
General Administration	1,814,662	-	76,798	502,196	2,393,656
Initial Building Relocation Reserve	187,500	-	-	62,500	250,000
Initial Building Relocation Reserve Loan to CMA	250,000	-	-	-	250,000
Commission Meeting Per Diems	74,084	-	-	24,695	98,779
Project Management Services	-	-	1,358,197	401,060	1,759,257
Contingency	75,000	-	-	25,000	100,000
<b>Planning</b>					
Sales Tax Reauthorization Ballot Costs	2,000,000	-	-	-	2,000,000
County Wide Transportation Plan (CWTP)/Transportation Expenditure Plan	362	-	-	-	362
County Wide Bicycle and Pedestrian Plan	50,233	-	-	-	50,233
Bike to Work Day Assessment	61,550	-	-	-	61,550
<b>Programs</b>					
Programs Management	379,925	988,016	-	-	1,367,941
Pass Through		60,092,844			60,092,844
Grant Awards	-	4,157,479	-	-	4,157,479
<b>Capital Projects</b>					
Capital Project Expenditures	-	-	84,082,327	11,861,501	95,943,828
<b>Total Expenditures</b>	<b>5,823,076</b>	<b>65,436,228</b>	<b>85,674,507</b>	<b>13,120,576</b>	<b>170,054,387</b>
<b>Net Change in Fund Balance</b>	<b>(747,076)</b>	<b>(1,322,188)</b>	<b>(42,333,547)</b>	<b>(12,095,576)</b>	<b>(56,498,387)</b>
<b>Projected Ending Fund Balance</b>	<b>\$ 15,904,814</b>	<b>\$ 6,025,500</b>	<b>\$ (46,729,704)</b>	<b>\$ 112,949,889</b>	<b>\$ 88,150,499</b>

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**Alameda County Transportation Improvement Authority**  
**Fiscal Year 2012-2013**  
**Proposed Capital Project Budget**

<b>Project</b>	<b>#</b>	<b>Estimated FY2011-12 Rollover to FY2012-13</b>	<b>Proposed FY2012-13 Capital Budget</b>	<b>Total FY2012-13 Capital Budget w/ Rollover</b>
ACE Capital Improvements	601.0	\$ 313,653	\$ 6,137,347	\$ 6,451,000
BART Warm Springs Extension	602.0	9,015,429	21,984,571	31,000,000
BART Oakland Airport Connector	603.0	18,000,000	30,000,000	48,000,000
Downtown Oakland Streetscape	604.0	3,782,700	-	3,782,700
Telegraph Avenue Bus Rapid Transit	607.1	833,346	2,166,654	3,000,000
I-680 Express Lane	608.0	1,628,662	7,551,338	9,180,000
Ironhorse Trail	609.0	-	500,000	500,000
I-880/Broadway-Jackson Interchange	610.0	448,964	2,051,036	2,500,000
I-580/Castro Valley Interchange Improvements	612.0	-	300,000	300,000
Lewelling/East Lewelling	613.0	-	1,651,000	1,651,000
I-580 Auxiliary Lanes - Westbound Fallon to Tassajara	614.1	-	702,000	702,000
I-580 Auxiliary Lanes - Westbound Airway to Fallon	614.2	390,109	786,000	1,176,109
Rte 92/Clawiter-Whitesell Interchange	615.0	2,189,503	1,560,497	3,750,000
Westgate Extension	618.1	3,612,634	(1,463,000)	2,149,634
E. 14th/Hesperian/150th Improvements	619.0	-	1,886,000	1,886,000
I-238 Widening	621.0	39,443	-	39,443
I-680/I-880 Cross Connector Study	622.0	442,517	-	442,517
Isabel - Route 84/I-580 Interchange	623.0	7,156,471	-	7,156,471
Route 84 Expressway	624.0	9,429,407	1,571,000	11,000,407
Dumbarton Corridor	625.0	330,000	3,090,764	3,420,764
I-580 Corridor/BART to Livermore	626.0	130,695	1,869,305	2,000,000
I-80 Integrated Corridor Mobility	627.2	146,909	595,000	741,909
I-880 Corridor Improvements in Oakland and San Leandro	627.3	123,854	500,000	623,854
CWTP/TEP Development	627.4	50,000	-	50,000
Studies at Congested Segments/Locations on CMP	627.5	-	800,000	800,000
		<b>\$ 58,064,296</b>	<b>\$ 84,239,512</b>	<b>\$ 142,303,808</b>

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**Alameda County Transportation Improvement Authority**  
**Fiscal Year 2012-2013**  
**Budget Limitations Calculations**

Net Sales Tax	\$ 112,000,000.00	A
Investments & Other Income	<u>531,000.00</u>	B
Funds Generated	\$ 112,531,000.00	C
Salaries & Benefits	\$ 905,384.01	D
Other Admin Costs*	<u>4,917,691.93</u>	E
Total Admin Costs	\$ 5,823,075.94	F
Gross Sal & Ben to Net Sales Tax	0.8084% = D/A	
Gross Sal & Ben to Funds Generated	0.8046% = D/C	
Total Admin Costs to Net Sales Tax	5.1992% = F/A	

*\* Sales tax reauthorization ballot costs budgeted in the amount of \$2 million are not included in other administrative costs. They will be paid from prior year excess administrative costs limitation calculation balances.*

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## Memorandum

**DATE:** May 17, 2012

**TO:** Citizens Watchdog Committee

**FROM:** Tess Lengyel, Deputy Director of Policy, Legislation and Public Affairs  
Beth Walukas, Deputy Director of Planning

**SUBJECT:** **Approval of the Final TEP and Ordinance and Request to the Board of Supervisors to Place the Measure on the November 2012 Ballot**

### *Recommendation*

Staff recommends that the Steering Committee take the following actions:

- Approve the final 2012 Transportation Expenditure Plan (TEP);
- Approve the Ordinance providing for the extension of and increase in the transactions and use tax, and delegate final ballot language selection to the Alameda CTC Chair and Vice-Chair; and
- Recommend that the Alameda CTC Commission approve the above items and request that the Board of Supervisors place the Measure on the November 2012 ballot.

This item will be discussed and acted upon at the May 24, 2012 Steering Committee meeting for a recommendation that the Commission approve the above referenced action items. The recommendation from the Steering Committee will be presented to the Commission at its meeting on May 24, which directly follows the Steering Committee meeting.

### *Summary*

The 2012 Transportation Expenditure Plan was developed in conjunction with the long-range Countywide Transportation Plan (CWTP) and will serve as a major funding source for projects and programs identified in the plans. The TEP and CWTP have been aligned so that all the projects and programs in the TEP are included in the CWTP. The TEP must receive approvals from the majority of the cities representing the majority of the population in Alameda County and the Board of Supervisors. This target has been reached and May marks the final approvals from cities as well as a request from the Alameda CTC Board to the Board of Supervisors that it take action to place the Measure on the November 6, 2012 ballot. An ordinance must also be approved by the Commission and placed on the ballot as part of the proposition authorizing the extension and augmentation of the transaction and use tax for transportation in Alameda County.

The May 2012 Final TEP can be found at [www.alamedactc.org](http://www.alamedactc.org).

### ***Background on Development of the 2012 Alameda County Transportation Expenditure Plan***

The TEP was developed in conjunction with the long-range CWTP, which is updated every four years and serves as Alameda County's input into the long-range regional transportation plan. These long-range plans guide federal, state and regional funding investments. The 2012 TEP will provide significant investments in projects and program funding and each of the projects and programs included in the TEP have also been incorporated into the CWTP. The ballot measure supporting the TEP will augment and extend the existing half-cent sales tax for transportation in Alameda County, authorizing an additional half-cent sales tax through 2022 and extending the full cent henceforth. Recognizing that transportation needs, technology, and circumstances change over time, the expenditure plan covers an initial period from approval in 2012 and subsequent sales tax collection through June 2042, programming a total of \$7.8 billion in new transportation funding, and continues with periodic updates thereafter. Voters will have the opportunity to review and approve comprehensive updates to this plan in the future at minimum every 20 years thereafter.

Both the TEP and CWTP were developed with the guidance from a steering committee of elected officials and input from two advisory committees (Community and Technical), and by incorporating key findings from polling and outreach over the past two years. Public engagement and transparency were the foundations of the development of the CWTP and the TEP. A wide variety of stakeholders, including businesses, technical experts, environmental and social justice organizations, seniors and people with disabilities, helped shape the plan to ensure that it serves the county's diverse transportation needs. Thousands of Alameda County residents participated through public workshops and facilitated small group dialogues; a website allowed for online questionnaires, access to all project information, and submittal of comments; and advisory committees that represent diverse constituencies were integrally involved in the plan development process from the beginning.

The TEP includes significant accountability measures that were developed during the extensive public engagement process, including, but not limited to, the following:

- **Comprehensive Plan Update Schedule:** Voters will vote on a comprehensive update to the expenditure plan at minimum every 20 years, after the initial 30 year funding period. The TEP will undergo a comprehensive update at least one time no later than the last general election prior to June 2042 and then at least once every 20 years thereafter.
- **Geographic Equity:** Funding formulas for all programs will be revisited within the first five years of the plan to ensure overall geographic equity based on population and /or other equity factors. Funding for capital projects will be evaluated through the biennial capital improvement planning process which will include an evaluation of geographic equity by planning area.
- **Environmental and Equity Reviews:** All projects funded by sales tax proceeds are subject to laws and regulations of federal, state and local government, including but not limited to the requirements of the California Environmental Quality Act (CEQA), and Title VI of the Civil Rights Act, as applicable. All projects and programs funded with sales tax funds will be required to conform to the requirements of these regulations, as applicable. All projects that go through environmental review analyses will select the most efficient and effective project alternative and technology for implementation to meet the objective of the project, and will have clearly defined project descriptions, limits and locations as a result of the environmental process.

- **Complete Streets:** It is the policy of the Alameda CTC that all transportation investments shall consider the needs of all modes and all users. All investments will conform to Complete Streets requirements and Alameda County guidelines to ensure that all modes and all users are considered in the expenditure of funds so that there are appropriate investments that fit the function and context of facilities that will be constructed.
- **Annual Audits and Independent Watchdog Committee Review:** Transportation sales tax expenditures are subject to an annual independent audit and review by an Independent Watchdog Committee. The Watchdog Committee will prepare an annual report on spending and progress in implementing the plan that will be published and distributed throughout Alameda County.
- **Agency Commitments (Performance and Accountability Measures):** To ensure the long-term success of the TEP, all recipients of funds will be required to enter into agreements with the Alameda CTC which will include performance and accountability measures.
- **Strict Project Deadlines:** To ensure that the projects promised in this plan can be completed in a timely manner, each project will be given a period of seven years from the first year of revenue collection (up to December 31, 2019) to receive environmental clearance approvals and to have a full funding plan for each project. Project sponsors may appeal to the Alameda CTC Board of Directors for one-year time extensions.
- **Timely Use of Funds:** Jurisdictions receiving funds for transit operations, on-going road maintenance, services for seniors and disabled, and bicycle and pedestrian safety projects and programs must expend the funds expeditiously and report annually on the expenditures, their benefits and future planned expenditures. These reports will be made available to the public at the beginning of each calendar year.
- **No Expenditures Outside of Alameda County:** No funds shall be spent for projects or programs outside Alameda County, except for cases where funds have been matched by funding from the county where the expenditure is proposed, or from state and federal funds as applicable, and specific quantifiable and measureable benefits are derived in Alameda County and are reported to the public.
- **Funding Formula Updates:** The plan includes a provision that will allow all funding formulas to be revisited within the first five years to ensure that overall goal of maintaining equity among planning areas.
- **Capital Improvement Program Updates:** Projects will be included in the Alameda CTC Capital Improvement Program which will be updated every two years, and which will provide for geographic equity in overall funding allocations. All allocations will be made through a public process.

During February, March, April and May, staff has been making presentations and seeking support from all cities in Alameda County, the Board of Supervisors, AC Transit and BART, as well as many other organizations. The following jurisdictions have taken formal support positions on the TEP:

- Alameda County Board of Supervisors
- City of Fremont
- City of Livermore
- City of Union City
- City of Hayward
- City of Emeryville
- City of San Leandro
- City of Oakland
- City of Piedmont
- City of Albany
- City of Dublin
- City of Pleasanton
- City of Newark
- City of Alameda
- AC Transit
- BART

The only remaining city scheduled to take action on the TEP is the City of Berkeley on May 29, 2012.

### ***Ordinance***

Placement of the Measure on the ballot also requires approval by the Commission of an ordinance that authorizes the imposition and collection of an additional half-cent transaction and use tax for transportation and the extension of the existing tax. Attachment A includes the proposed ordinance authorizing the tax augmentation and extension. The Commission is requested to approve the ordinance, allow the Chair and Vice-Chair to make a final determination on ballot language, and request that the Board of Supervisors place the Measure on the ballot. The Board of Supervisors is scheduled to take action on the Measure at its June 5, 2012 meeting.

### ***Fiscal Impact***

There is no fiscal impact at this time. In June 2010, the Commission authorized funds to pay the costs for placing the Measure on the ballot. These costs are included in the 2012-2013 budget, which will be brought to the Commission for adoption in June 2012.

### ***Attachments***

Attachment A: Ordinance Providing for an additional one-half of one percent Transactions and Use Tax Until March 31, 2022 and a One Percent Transactions and Use Tax Thereafter for Transportation Purposes in Alameda County



**FULL TEXT OF MEASURE \_\_\_\_\_**

**ORDINANCE NO. 2012-1**

**AN ORDINANCE PROVIDING FOR AN EXTENSION OF AN EXISTING ONE-HALF  
OF ONE PERCENT TRANSACTIONS AND USE TAX BEYOND MARCH 31, 2022,  
AND IMPOSITION OF AN ADDITIONAL ONE-HALF OF ONE PERCENT  
TRANSACTIONS AND USE TAX  
BY THE ALAMEDA COUNTY TRANSPORTATION COMMISSION  
FOR TRANSPORTATION PURPOSES,  
FOR THE ISSUANCE OF LIMITED TAX BONDS,  
AND FOR OTHER PURPOSES**

The Governing Body of the Alameda County Transportation Commission (“Alameda CTC”) does ordain as follows:

**ARTICLE I  
General**

**Section 1. Title**

This ordinance shall be known as the “Alameda County Transportation Commission Transaction and Use Tax Ordinance” and may also be referenced as the “Ordinance” herein. This ordinance shall be applicable in the incorporated and unincorporated territory of the County of Alameda.

**Section 2. Period of Tax**

This Ordinance is intended to extend the imposition and collection in Alameda County of an existing one-half of one percent transactions and use tax for transportation purposes, which will expire as of March 31, 2022, and impose an additional transaction and use tax by one-half of one percent, resulting in a total tax of one percent without any sunset, unless otherwise terminated by the voters of Alameda County. The additional one-half of one percent tax authorized by this ordinance shall be imposed beginning at the close of polls on the day of the election at which the measure is adopted by two-thirds vote of the electors voting on the measure or as soon thereafter as the tax may be lawfully imposed.

**Section 3. Purpose**

Alameda CTC is the result of a merger of the Alameda County Transportation Improvement Authority, which formerly administered the existing half-cent transaction and use tax, and the Alameda County Congestion Management Agency, which was formerly responsible for long-range planning and programming of transportation funds. Pursuant to Division 19 of the Public Utilities Code (commencing with Section 180000), Alameda CTC, the Board of Supervisors and the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro and Union City

have approved the 2012 Transportation Expenditure Plan adopted by the Alameda CTC Governing Body and have recommended that a measure be submitted to the voters of the County for their endorsement which would, if passed, authorize Alameda CTC to extend an existing one-half of one percent transactions and use tax scheduled to sunset in 2022 and increase the tax by one-half of one percent without sunset, unless otherwise terminated by the voters of Alameda County, and authorize Alameda CTC to issue limited tax bonds to finance the transportation improvements set forth in the 2012 Transportation Expenditure Plan.

The purposes of this ordinance are as follows:

a) To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Revenue and Taxation Code Section 7251) of Division 2 of the Revenue and Taxation Code and Division 19 of the Public Utilities Code which directs the County Board of Supervisors to place the tax ordinance on the ballot for voter approval, exercising the taxing power granted to the Alameda CTC pursuant to Public Utilities Code Division 19.

b) To adopt a retail transactions and use tax ordinance which incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

c) To adopt a retail transactions and use tax ordinance which imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

d) To adopt a retail transactions and use tax ordinance which can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes and at the same time minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

e) To improve, construct, maintain, and operate certain transportation projects and facilities contained in the 2012 Transportation Expenditure Plan, which Plan is incorporated here by this reference as though fully set forth herein, and as that Plan may be amended from time to time pursuant to applicable law and as provided in the 2012 Transportation Expenditure Plan. Any amendment must be adopted by a two-thirds vote of the Alameda CTC Governing Body. All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Transportation Expenditure Plan amendment.

f) To set a term for an unlimited period, unless otherwise terminated by the voters of Alameda County, during which time this tax shall be imposed pursuant to the authority granted by Division 19 of the Public Utilities Code.

g) To provide for the ability of Alameda County voters to directly endorse comprehensive updates to the 2012 Transportation Expenditure Plan no later than the last general election date prior to June 2042 and then every twenty years thereafter, as specified in the 2012

Transportation Expenditure Plan. The Alameda CTC Governing Body will engage in an inclusionary deliberative process to adopt any comprehensive updates, and require a two-thirds vote of the Alameda CTC Governing Body for recommended adoption. The comprehensive update will be then be reviewed by the fourteen Alameda County cities and the County of Alameda, and Alameda CTC shall thereafter place a ballot measure on a general election ballot offering the comprehensive update for approval by a majority vote of the people. If the voters do not approve the comprehensive update, Alameda CTC shall prepare a revised comprehensive update under the inclusionary deliberative process described above and submit it to the voters as soon as practicable. The tax shall continue to be imposed and Alameda CTC may continue to make expenditures pursuant to the then existing Transportation Expenditure Plan, but may not add new projects or programs through the amendment process until a revised comprehensive update is approved by the voters of Alameda County by majority vote.

#### **Section 4. Contract with State.**

Prior to the operative date, Alameda CTC shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided that, if Alameda CTC shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

#### **Section 5. Transactions Tax Rate of An Additional One-Half Percent and Extension of the Existing Tax Rate of One-Half Percent.**

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in this County at the rate of an additional one-half of one percent, which tax shall be imposed concurrently with the existing one-half percent tax, of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this County on and after the operative date. This tax shall be imposed for an unlimited period, unless otherwise terminated by the voters of Alameda County, as described in Section 2 herein. The existing one-half percent transactions tax originally imposed by the Alameda County Transportation Authority (“ACTIA”) and now administered by Alameda CTC shall be extended and shall be imposed for an unlimited period, unless otherwise terminated by the voters of Alameda County, as described in Section 2 herein.

#### **Section 6. Place of Sale.**

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out of state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

## **Section 7. Use Tax Rate of An Additional One-Half Percent and Extension of the Current Use Tax Rate of One-Half Percent.**

An excise tax is hereby imposed on the storage, use or other consumption in this County of tangible personal property purchased from any retailer on and after the operative tax date for storage, use or other consumption in this County at the rate of an additional one-half of one percent, which tax shall be imposed concurrently with the existing one-half percent tax. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made. This tax shall be imposed for an unlimited period, unless otherwise terminated by the voters of Alameda County, as described in Section 2 herein. The existing one-half percent use tax originally imposed by ACTIA and now administered by Alameda CTC shall be extended and shall be imposed for an unlimited period, unless otherwise terminated by the voters of Alameda County, as described in Section 2 herein.

## **Section 8. Adoption of Provisions of State Law.**

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code (commencing with Section 6001), all of the provisions of Part 1 of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

## **Section 9. Limitations on Adoption of State Law and Collection of Use Taxes.**

In adopting the provisions of Part I of Division 2 of the Revenue and Taxation Code:

(a) Wherever the State of California is named or referred to as the taxing agency, the name of Alameda CTC shall be substituted therefor. The substitution, however, shall not be made when:

(i) The word State is used as part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

(ii) The substitution would require action to be taken by or against Alameda CTC or any agency, officer or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance;

(iii) In those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

(1) Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

(2) Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

(iv) In sections 6701, 6702, (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(a) The name of the County shall be substituted for the word “State” in the phrase “retailer engaged in business in this State” in Section 6203 and in the definition of that phrase in Section 6203.

#### **Section 10. Permit Not Required.**

If a seller’s permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor’s permit shall not be required by this ordinance.

#### **Section 11. Exemptions, Exclusions and Credits.**

a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside Alameda County and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2) Sales of property to be used outside the County which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the County shall be satisfied:

(i) with respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840 of the Vehicle Code, by registration to an out-of-County address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

(ii) with respect to commercial vehicles by registration to a place of business out-of-county, and a declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4) A lease of tangible personal property which is a continuing sale of such property for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5) For the purposes of subsections (3) and (4), the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

c) There are exempted from the use tax imposed by this ordinance the storage, use or other consumption in this County of tangible personal property:

1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2) Other than fuel or petroleum products, purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5) For the purposes of subsections (3) and (4), storage, use or other consumption, or possession, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6) Except as provided in subparagraph (7), a retailer engaged in business in the County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the County or participates within the County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the County under the authority of the retailer.

7) “A retailer engaged in business in the County” shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the County.

d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for, a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

## **Section 12. Propositions.**

There shall be proposed to the voters of Alameda County the following proposition:

Choice 1: “Shall a new Transportation Expenditure Plan be implemented to address current and future transportation needs that:

- Improves transit access to jobs and schools;
- Fixes roads, improves highways and increases bicycle and pedestrian safety;
- Reduces traffic congestion and improves air quality;
- Keeps senior, youth, and disabled fares affordable?

Approval extends the existing County sales tax and increases it by 1/2 cent, with independent oversight, local job creation programs. No money can be taken by the state.”

Choice 2: “Shall a new Alameda County Transportation Expenditure Plan be implemented to address the County's current and future transportation needs? Approval of this measure will keep all funds in Alameda County, extend the existing transportation sales tax and increase it by one half cent, and require voter approval for every new expenditure plan, with continued independent watchdog oversight and local jobs creation programs. No money can be taken by the state.”

## **Section 13. Limitation on Issuance of Bonds.**

Unless approved by the Alameda CTC Governing Body and by the voters, Alameda CTC shall not have outstanding at any one time in excess of \$1,000,000,000 in limited tax bonds.

## **Section 14. Use of Proceeds.**

The proceeds of the additional one-half of one percent transaction and use tax imposed by this ordinance, and the proceeds from the extension of the existing one-half of one percent transaction and use tax authorized by this ordinance beyond March 31, 2022, shall together be used solely for the projects and purposes set forth in the 2012 Transportation Expenditure Plan, as it may be amended from time to time, and for the administration thereof.

## **Section 15. Appropriations Limit.**

For purposes of Article XIII B of the State Constitution, the appropriations limit for Alameda CTC for fiscal year 2012-2013, including activities, projects and programs funded by the transaction and tax authorized hereby along with activities, projects and programs funded by other local, state and federal funds, shall be \$800,000,000, and thereafter that amount should be amended pursuant to applicable law.

## **Section 16. Amendments.**

All amendments subsequent to the effective date of this ordinance to Part I of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance; provided, however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

## **Section 17. Enjoining Collection Forbidden**

Any action or proceedings in any court questioning the validity of the adoption of this transactions and use tax ordinance or issuance of any bonds thereunder or any proceeding related thereto shall commence within six months from the date of the election at which this ordinance is approved. Otherwise, the bonds and all proceedings related thereto, including the adoption and approval of this ordinance, shall be held valid and in every respect legal and incontestable.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or Alameda CTC, or against any officer of the State or Alameda CTC, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

## **Section 18. Severability.**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

## **Section 19. Effective Date.**

This ordinance relates, in substantial part, to the continuation and expansion of the authority for Alameda CTC to levy and collect the transactions and use taxes to support the 2012 Transportation Expenditure Plan and shall take effect at the close of the polls on the day of election at which the proposition is adopted by two-thirds vote of the electors voting on the measure, or as soon thereafter as the tax may be lawfully imposed.



PASSED AND ADOPTED by the Members of the Alameda County Transportation Commission on XXXX XX, 2012 by the following vote:

AYES:

NOES:

EXCUSED:

ATTEST: \_\_\_\_\_, Clerk  
of Alameda CTC

s/\_\_\_\_\_

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## Memorandum

**DATE:** May 15, 2012

**TO:** Citizens Watchdog Committee

**FROM:** Beth Walukas, Deputy Director of Planning  
Tess Lengyel, Deputy Director of Policy, Legislation and Public Affairs

**SUBJECT:** Final Draft 2012 Alameda Countywide Transportation Plan – May 2012

### *Discussion*

Every four years, the Alameda County Transportation Commission (Alameda CTC) updates its Countywide Transportation Plan (CWTP) concurrently with the update of the Regional Transportation Plan. This update of the CWTP is unique from past plan updates in that it has been developed:

- Under the guidance of a Steering Committee, Community Advisory Working Group (CAWG) and Technical Advisory Working Group (TAWG);
- With extensive public input, including outreach through public workshops, polls, online questionnaires and in-person small group dialogues using an outreach toolkit;
- Simultaneously with the development of a new transportation sales tax expenditure plan (TEP), which was adopted by the Alameda CTC on January 26, 2012;
- In a new policy environment, including AB 32 and SB 375 which requires the development of the Sustainable Communities Strategy;
- Using a performance based approach;
- By a new sponsoring agency, Alameda County Transportation Commission.

Since the Steering Committee and CAWG and TAWG reviewed the Draft CWTP in March, comments have been incorporated and are described below. The May 2012 Final Draft CWTP can be found at [www.alamedactc.org](http://www.alamedactc.org). Hard copies are available upon request.

### *Background on Development of the 2012 Alameda Countywide Transportation Plan*

The Countywide Transportation Plan is the long range policy document that guides transportation investments, programs, policies and advocacy for Alameda County through 2040. It addresses all parts of the transportation system, including capital, operating and maintenance of all modes of travel and addresses transportation programs that serve varying needs throughout the county, such as paratransit, services for seniors and people with disabilities and safe access to schools. The Draft Final CWTP establishes a vision and goals for Alameda County's transportation system that implement the requirements of state legislation and the new emphasis on sustainability at the

regional level. Based on the adopted vision and goals, specific performance measures were developed to provide an objective and technical means to measure how well projects and programs performed together. This performance based approach led to a more systematic and analytical selection process for investment priorities and will allow for ongoing monitoring of the performance of investments to inform future decision making and enable adjustments to be made as necessary as the plan is updated every four years.

Additionally, this update of the CWTP places increased emphasis on the connection between land use planning, transportation improvements and sustainability. The demographic forecasts used in the evaluation process were based on the Alameda County Draft Land Use Scenario Concept developed locally through an extensive 18 month process coordinated by the Alameda CTC and city planning directors. The local land use scenario was developed in coordination with ABAG and MTC's efforts and has helped inform the SCS process. Ultimately the land use scenario used in the final CWTP will be the same as the land use alternative adopted by ABAG and MTC in the Final RTP/SCS, which is scheduled for April 2013.

The Countywide Transportation Plan was developed in conjunction with a new Alameda County Transportation Expenditure Plan, which will provide significant investments in projects and program funding. The ballot measure supported by the TEP will augment and extend the existing half-cent sales tax for transportation in Alameda County, authorizing an additional half-cent sales tax through 2022 and extending the full cent in perpetuity. Recognizing that transportation needs, technology, and circumstances change over time, the expenditure plan covers the period from approval in 2012 and subsequent sales tax collection through June 2042, programming a total of \$7.7 billion in new transportation funding. Voters will have the opportunity to review and approve comprehensive updates to this plan in the future every 20 years thereafter. The passage of the TEP would mean that 77 percent of Alameda County's discretionary budget is self-funded through local sales tax and vehicle registration fee.

The Countywide Transportation Plan was developed with the guidance from a steering committee of elected officials and input from two advisory committees (Community and Technical), and by incorporating key findings from polling and outreach over the past two years. Public engagement and transparency were the foundations of the development of the CWTP and the TEP. A wide variety of stakeholders, including businesses, technical experts, environmental and social justice organizations, seniors and people with disabilities, helped shape the plan to ensure that it serves the county's diverse transportation needs. Thousands of Alameda County residents participated through public workshops and facilitated small group dialogues; a website allowed for online questionnaires, access to all project information, and submittal of comments; and advisory committees that represent diverse constituencies were integrally involved in the plan development process from the beginning.

#### ***Key Changes between the March 2012 Drafts and the May Final Draft CWTP***

In March 2012, the Steering Committee released the Draft CWTP released the Draft CWTP for review and comment. Presentations were made to ACTAC, Bicycle/Pedestrian Advisory Committee, the Planning, Policy and Legislation Committee, and the Commission in April 2012. Substantive changes incorporated into the May 2012 version of the CWTP from CAWG, TAWG, Steering Committee and other Committees are highlighted below.

- Chapter 3: Updates were made to the data presented in the bicycle and pedestrian section to incorporate the most recent collision data and provide clarification.
- Chapter 4: The Jobs-Housing Scenario was added to Figure 4-6; the demographic estimates were made consistent between Chapters 3 and 4; the most up to date Priority Development Area listings and maps were obtained from ABAG and replaced in Chapter 4.
- Chapter 5: Minor Changes were made to regional revenue projections in Figure 5-2 to be consistent with regional estimates.
- Chapter 6: Minor changes were made to the lists (Figures 6-1 to 6-5) to conform CWTP lists with the Regional Transportation Plan and the corresponding updates were made to charts and graphs; maps of the projects were added; additional language was added to clarify that while the Community Based Transportation Plan category was eliminated as an independent category, all of the investments identified in those plans remain eligible for funding under other categories; additional language was added to summarize what the investment strategies identified in the community based transportation plans are and to reference the projects contained within the CBTP plans in the Final Draft CWTP Appendix H; additional language added to programmatic categories to clarify that “need” was based on the call for projects and programs or other local and regional studies and does not represent a comprehensive estimate of need for programmatic categories.
- Chapter 6 & 7: Language was added to address Title VI requirements and equity analysis.

### ***Next Steps***

The Countywide Transportation Plan is a living document and is updated every four years. The plan will be finalized once MTC and ABAG have adopted the final regional Sustainable Communities Strategy and transportation investment strategy currently expected in April 2013, upon completion of the EIR. When the CWTP is finalized will depend on decisions made by MTC and ABAG between now and then, but will be done by Summer 2013.

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Commission Meeting Date	Item Title	Item #	Item Description / Staff Recommendation	Motion	2nd	Vote
28-Jul-11	Approval of Consent Calendar	5A	Minutes of June 23, 2011	Haggerty	Sbranti	19-0
		5B	Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments Prepared by Local Jurisdictions			
		5C	Approval of Transportation Fund for Clean Air (TFCA) Draft Program for the FY 2011/12 Remaining Balance			
		5D	Approval of Process for Capital Project Element of Alameda County's Safe Routes to School Capital Program	Bonta	Blalock	19-0
		5E	Review of the 2012 State Transportation Improvement Program (STIP) Fund Estimate			
		5F	Update on Programs and Vehicle Registration Fee Master Funding Agreements			
		5G	Review MTC's 2010 Regional Pavement Condition Report (Pot Hole Report)			
		5H	I-580 San Leandro Sound Wall Landscape Project - Approval of Authorization to Execute All Necessary Agreements for the Construction Element of the Project			
		5I	Eastbound I-580 Express Lane and Auxiliary Lane Projects - Approval to Revise Funding Plan and Authorization to Execute Agreements and Contracts for Environmental and Design Utilizing Tri-Valley Transportation Council (TVTC) Funds			
		5J	Northbound I-680 Express Lane Project (ACTIA No. 8) – Approval of Consultant Team to Provide Project Approval and Environmental Document and Authorization to Execute a Contract			
		5K	Northbound I-680 Express Lane, Eastbound and Westbound I-580 Express Lane Projects Approval of Consultant Team to Provide System Manager Services to Approved Express Lanes Network in Alameda County and Authorization to Execute a Contract			
		5L	Southbound I-880 HOV Lane Project – Approval to Execute Agreements and Contracts for Landscaping and Davis Street Improvements			
		5M	I-880/23rd/29th Operational Improvement Project - Approval to Execute Agreements for Project Right-of-Way Requirements	Worthington	Blalock	19-0
		5N	Grand – MacArthur Transportation Management System Project – Approval of CMA TIP Funds to Supplement the Project Budget			
		5O	I-80 ICM Project - Approval of System Manager Services Contract and Approval of Amendment to the Design Contract for the San Pablo Corridor Arterial and Transit Improvement Project No. 6 and the Traffic Operations Systems Project No. 3			
		5P	I-680 Sunol Express Lanes (ACTIA No. 8) Project – Approval of Amendment No. 2 to the Cooperative Agreement with Caltrans to Allow the Payback of the Letter of No Prejudice (LONP)			
				Haggerty	Sbranti	19-0

5Q	Route 238/Mission-Foothill-Jackson Corridor Improvement Project (ACTA No. 238) – Authorization to Execute Amendments to Project Funding Agreements to Transfer Funds from the Right-of-Way to the Construction Phase of the Project				
5R	Webster Street SMART Corridor Project – Approval of Amendment No. 1 to Extend the Expiration Date of the Contract with Harris & Associates to Provide Construction Management Services				
5S	I0580 Castro Valley Interchange Improvements Project (ACTIA No. 12) - Approval of Various Actions to Complete and Close-Out project				
5T	FY2010-11 4th Quarter Investment Report Handout Notification	Sbranti	Miley	21-0	
5A	Minutes of July 28, 2011				
5B	Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments Prepared by Local Jurisdictions				
5C	Comment letter to Bay Conservation and Development Commission (BCDC) Regarding Recommendation for Bay Plan Amendment Concerning Climate Change				
5D	Review of Proposed Policies for Master Funding Agreements for Measure B and Vehicle Registration Fee Funds	Henson	Kamena	22-0	
5E	Review of Draft Comment Letter to the Metropolitan Transportation Commission on the Proposed One Bay Area Block Grant Policies	Sbranti	Miley	21-0	
5F	Approval of the Draft List of Projects to be Programmed in the Regional Improvement Program (RIP) of the 2012 State Transportation Improvement Program (STIP)	Harper	Kamena	22-0	
5G	Approval of Transportation Fund for Clean Air (TFCA) Final Program for the FY2011/12 Remaining Balance	Sbranti	Miley	21-0	
5H	Approval of Alameda County's Safe Routes to School Program Delivery Strategy for the Capital Project Element				
5I	Approval of the City of Fremont's Request to Extend the Agreement Expiration Date for Measure B Transit Center Development Grant Agreement No. A07-0018, Bay Street Streetscape and Parking Project				
5J	Congestion Relief Emergency Fund (ACTIA No. 27) – Allocation of Remaining Programmed Balance for Studies and Analyses Related to Congested Segments and Locations on the CMP Network				
5K	Center to Center Program Communications Hub for the Tri-Valley SMART Corridor Project (C2C) – Approval to Extend the Expiration Date of the Funding Agreement with Metropolitan Transportation Commission				
5L	I-680 Sunol Express Lanes (ACTIA No. 8) Project and East Bay SMART Corridor Project -Approval to Amend the Computer Servers Co-location Contract with Novani, LLC				

22-Sep-11      **Approval of Consent  
Calendar**



5M	I-880/Mission Boulevard (Route 262) Interchange and Widening Project (ACTA MB 196) –Approval to Submit a Request for Advancement of the Local Alternative Transportation Improvement Program (LATIP) Project and to Negotiate and Execute the Necessary Inter-Agency Funding and Implementation Agreements	Haggerty	Miley	22-0
5N	Eastbound I-580 Express Lane and Auxiliary Lane Project – Approval to Revise Funding Plan and Authorization to Execute Agreements Required for Advancing Measure B Capital Program Funding			
5O	East Bay Greenway – Approval to Execute Amendment No. 1 to Professional Services Agreement with HQE, Inc (A10-0026)	Sbranti	Miley	21-0
5P	Approval of Quality Assurance Plan for Capital Projects Construction Administered by the Alameda CTC			
5Q	I-680 Sunol Express Lanes (ACTIA No. 8): Northbound HOV/Express Lane Project - Status Update			
5R	Approval of Support for the Metropolitan Transportation Commission's Submission of the Application to the California Transportation Commission to seek authorization to implement the Bay Area Regional Express Lane			
5S	Approval of Resolution No. 11-011 RM2 Implementing Agency Resolution of Project Compliance for RM2 Funding for Preliminary Right of Way Activities Dumbarton Rail Corridor Project (ACTIA No. 25)			
5T	FY10-11 Consolidated Year-end Investment Report			
5U	Update on the FY10-11 Annual Financial Audit			
5V	Approval of the Semi-Annual Contract Equity Utilization Report and Contract Award Report for January 1, 2011 through June 30, 2011			
5W	Update on Joint Regional Agencies Relocation Process	Haggerty	Green	22-0
5X	Executive Director's Salary and Benefits and Objectives for FY 2011-12			
7A	Approval of Draft 2011 Congestion Management Program	Kaplan	Hosterman	22-0
5A	Minutes of September 22, 2011	Blalock	Kamena	19-0
5B	Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments Prepared by Local Jurisdictions			
5C	2011 Congestion Management Program (CMP) Review of Draft Conformity Findings			
5D	Review of Countywide Annual Bicycle and Pedestrian Count Program and Draft 2010 Trends Report			
5E	Approval of STOP Award Deadline Time Extension Request for the County of Alameda's Grove Way Improvements Project			

**Approval of Planning, Policy and Legislation Committee**

**Action Items**

**Approval of Consent**

**Calendar**

27-Oct-11

5F	Approval of Transportation Fund for Clean Air (TFCA) Program Expenditure Deadline Extension Request for Alameda CTC's Webster Street Corridor Enhancements Project, TFCA Projects 08ALA01 and 09ALA01			
5G	Approval of TFCA Program Expenditure Deadline Extension Request for AC Transit's Easy Pass Project, TFCA Project 09ALA07			
5H	Approval of City of Oakland's Request to Extend Expiration Date for Measure B Bicycle and Pedestrian Countywide Discretionary Fund Grant Agreement No. A09-0017, Lakeshore/Lake Park Avenue Complete Streets Project			
5I	Approval of Berkeley Redevelopment Agency's Request to Extend Expiration Date for Measure B Bicycle and Pedestrian Countywide Discretionary Fund Grant Agreement No. A09-005, Aquatic Park Connection Streetscape Improvements Project			
5J	Approval of Alameda-Contra Costa Transit District's (AC Transit) Request to Extend Expiration Date for Measure B Paratransit Gap Grant Agreement No. A08-0025, Interactive Voice Response (IVR)/Web-Based Scheduling Software Project			
5K	Approval of PAPCO Recommendation of New Freedom Grant Application and Matching Gap Grant Funding			
5L	Approval of PAPCO Recommendation for Funding of Coordination and Mobility Management Planning (CMMP) Pilot Projects			
5M	Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grants - Approval to Submit Application for I-580 Eastbound Auxiliary Lanes Project Requesting TIGER III Funds			
5N	I-80 Integrated Corridor Mobility (ICM) Project - Approval to Execute Cooperative Agreements with Caltrans for Construction Phase			
5O	Webster Street SMART Corridor Project - Approval of Amendment No. 2 to Add \$35,000 and Extend the Expiration Date of the Contract with TJKM Transportation Consultants to Provide Design Services During Construction Phase			
5P	I-580 Tri-Valley Rapid Transit Corridor Improvements (RM @ Subproject 32.13): - Approval to Execute Cooperative Agreements with Caltrans for Construction Phase of the I-580 Westbound HOV Lane Projects			
5Q	Review Information Regarding Port Drayage Truck Regulations			
5R	Acceptance of Semi-Annual Alameda CTC Capital Project Status Update and Approval of Project Funding Plans for Selected Projects			
5S	Approval or Appointments for the Community Advisory Committees			
8A	Approval of the List of Projects to be Programmed in the Regional Improvement Program (RIP) of the 2012 State Transportation Improvement Program (STIP)	Blalock	Kamena	21-0
<b>Approval of Programs and Projects Committee Action Items</b>				

1-Dec-11	<b>Approval of Finance and Administration Committee</b> Action Items	9A	Adoption of a Resolution of Intention to Enter into a Contract with CalPERS and a Resolution Authorizing the Employer Pick-up of Employee Contributions	Worthington	Harper	21-0
		5A	Minutes of October 27, 2011	Kaplan	Miley	21-0
	<b>Approval of Consent Calendar</b>	5B	Approval Amendment No. 1 to the Professional Services Agreement (ACTIA #A10-0021) with Eisen Letunic for the Countywide Pedestrian and Bicycle Plan Update Project			
		5C	Approval of Amendment No. 2 to the 2012 Level of Service (LOS) Monitoring Study Contract (CMA #A09-024			
		5D	Alameda CTC Strategic Communication Plan and Document Design Guidelines			
		5E	Coordination and Mobility Management Program (CMMP) - Approval of Contract Amendment with Nelson Nygaard to include scope to implement CMMP Pilot projects			
		5F	Approval of State Transportation Improvement Program (STIP) At Risk Report			
		5G	Approval of Transportation Fund for Clean Air (TFCA) Program At Risk Report			
		5H	Approval of Federal Surface Transportation/Congestion Mitigation and Air Quality (STP/CMAQ) Program At Risk Report			
		5I	Approval of CMA Exchange Program Quarterly Status Monitoring Report			
		5J	I-80 Gilman Interchange Improvements Project - Approval to Execute Agreement with the Department of Transportation to Provide Independent Quality Assurance Services for the Project Study Report			
	<b>Approval of Planning, Policy and Legislation Committee</b> Action Items	5K	Dumbarton Rail Corridor Project (ACTIA No. 25) - Approval to Issue a Request for Proposals for Preliminary Right of Way Services and to Negotiate and Execute a Professional Services Agreement	Kaplan	Blalock	20-0
		5L	Approval of Consolidated FY11-12 First Quarter Investment Report			
		5M	Approval of Consolidated FY11-12 First Quarter Financial Report			
		5N	Approval of the Issuance of a Request for Proposals (RFP) for Financial Audit Services and Authorization to Negotiate and Execute a Contract			
		7B	Approval of the Final Conformity Findings for the 2011 Congestion Management Program			
	<b>Approval of Programs and Projects Committee Action Items</b>	8A	Acceptance of Semi-Annual Alameda CTC Program Status Update on Pass-through Fund Program and Grant Programs	Worthington	Kaplan	20-0

16-Dec-11 Board Retreat	<b>Approval of Finance and Administration Committee Action Items</b>	9A	Adoption of a Resolution Authorizing a Contract with CalPERS, a Resolution Authorizing Employer Paid Member Contributions, and a Resolution Electing to be Subject to Public Employee's Medical and Hospital Care Act and Fixing the Employers Contribution at an Amount Equal to or Greater than that Prescribed by Government Code Section 22892(b). Zack Wasserman recommended that the motion included the allowance for staff and legal counsel to continue to work on possible modifications of the actuary study done by CalPERS.	Kaplan	Starosciak	20-0
		5A	Master Program Funding Agreements and Implementation Guidelines	Freitas	Reid	17-0
26-Jan-12	<b>Approval of Master Program Funding Agreements</b>	5A	Minutes of December 01, 2011	Blalock	Henson	27-0
		5B	Minutes of December 16, 2011			
		5C	Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments Prepared by Local Jurisdictions			
		5D	Review of Draft Bike to Work Day and Ride into Life/ Get Rolling Campaign Assessment Report			
		5E	Approval of Bike to Work Day 2012 Funding Request			
		5F	Review of Countywide Transportation Plan and Transportation Expenditure Plan and Update on Development of Sustainable Community Strategy/Regional Transportation Plan			
		5G	Approval of Third Cycle Lifeline Program Structure			
		5H	Approval of the Reallocation of \$400,000 of Measure B Bicycle and Pedestrian Countywide Discretionary Fund from Grant Agreement A09-0018, Alamo Canal Regional Trail I-580 Undercrossing Project, to the East Bay Greenway Project and the Bicycle Safety Education Program A09-0025	Sbranti	Haggerty	27-0
		5I	Approval of City of Fremont's Request to Modify Scope Elements of the Irvington Area Pedestrian Improvement Project, Measure B Bicycle and Pedestrian Countywide Discretionary Fund Grant Agreement No. A09-0020	Blalock	Henson	27-0
		5J	Approval of Transportation Fund for Clean Air Program Manager Funding for a Goods Movement Emission Reduction Program (Engine MY 2004 Port Truck Replacement Program	Miley	Haggerty	27-0
		5K	Approval of STIP Award Deadline Time Extension Request for the Union City Intermodal Station Project, Phase II	Blalock	Henson	27-0
		5L	Update on Second Draft of One Bay Area Grant Program			
		5M	Southbound I-680 Express Lane Project - Approval of Amendments to Professional Services Agreements with Solem & Associates and Wilbur Smith Associates			
		5N	Congestion Relief Emergency Funds Project (ACTIA No. 27) Approval to Reallocate Funds Between Sub-Projects and Amend the Project Title and Description of the I-880 Sub-Project			

23-Feb-12	<b>Approval of Planning, Policy and Legislation Committee Action Items</b>	5O	I-880 Southbound HOV Lane Project (APN 730.0) Approval of Amendment No. 3 to Professional Services Agreement with WMH Corporation for Final Design Services	Atkin	Roll call took place	24-2 (1 absent)
		5P	East 14th Street/Hesperian Blvd./150th Avenue Intersection Improvements Project (ACTIA No. 19) - Approval of Amendments to the Right of Way and PS&E Project Specific Funding Agreements to Extend Termination Dates	Starosciak Hosterman Kaplan	Kaplan Blalock Starosciak	27-0 27-0 27-0
		5Q	Telegraph Avenue Corridor Transit Project (ACTIA No. 7A) - Approval of Allocation of Measure B Funding for the Preliminary Engineering/Environmental Studies Phase	Chiang	Javendel	27-0
		5R	Amendment of Alameda County Transportation Commission Administrative Code for Eminent Domain Process: Adoption of Resolution to Hear Necessity Resolutions for I-880 SB HOV Lane Project	Chiang	Henson	27-0
		5S	I-80 Integrated Corridor Mobility (ICM) Project - Approval to Execute Cooperative Agreements with Caltrans for Construction Phase	Henson	Hosterman	24-0
	<b>Approval of Programs and Projects Committee Action Items</b>	5T	Approval and Adoption of the Alameda County Transportation Commission Salaries and Benefits Resolution for the Remainder of the 2012 Calendar Year			
		5U	Approval and Adoption of a Cafeteria Plan for Active Employees and a Health Reimbursement Arrangement for Retirees of the Alameda County Transportation Commission			
		5V	Approval of Modification to the Organizational Structure Upgrading One Senior Accountant Position to an Accounting Manager Position			
		5W	Approval of the Annually Renewed Contracts Plan for Administrative Services for Fiscal Year 2012-13			
		5X	Approval of Appointments for the Community Advisory Committees FY2011-12 - 2nd Quarter Investment Report Handout Notification			
	<b>Approval of Finance and Administration Committee Action Items</b>	7A	Approval of Alameda County's 2012 Transportation Expenditure Plan			
		7B	Approval of Alameda CTC Title VI Assurances for MTC			
		7C	Approval of 2012 Legislative Program			
		8A	Approval of Advance Programming of \$45,000 of Lifeline Cycle 3 funding to the Neighborhood Bike Centers Program			
		9A	Acceptance of ACTIA Fiscal Year 2010 -2011 Draft Audited Basic Financial Statements			
	<b>Approval of Consent Calendar</b>	9B	Acceptance of ACCMA FY2010-11 Draft Audited Basic Financial Statements			
		5A	Minutes of January 26, 2012			
		5B	Review Updated Information on Bay Area Air Quality Management District's (BAAQMD) Adopted California Environmental Quality Act (CEQA) Guidelines and Court Suspension of Air Quality Rules			

5C	Approval to Amend the Date and Budget in the Guaranteed Ride Home Agreement (A7-015), Issue a Request for Proposals and Negotiate and Execute a Professional Services Agreement			
5D	Approval of 2012 State Transportation Improvement (STIP) Exchange Proposal			
5E	Approval of STIP Expenditure Deadline Extension for Alameda CTC's I-880 HOV Lane Landscape Enhancements Project			
5F	Approval of Measure B Pass-Through Funding Formula for Special Transportation for Seniors and People with Disabilities			
5G	Approval of City of Fremont's Request to Extend the Agreement Expiration Date for the Tri-City Travel Training Project			
5H	I-580 Westbound Express Lane Project - Approval of Amendment No. 3 to Extend the Expiration Date of the Contract with URS Corporation Americas to Prepare Scoping Documents			
5I	I-880/Marina Blvd. Interchange Improvements Project - Approval of Amendment No. 3 to Extend the Expiration Date of the Contract with BKF Engineers, Inc. to Prepare a Project Study Report/Project Report (PSR/PR)			
5J	I-580 Eastbound HOV Lane Widening Project - Approval of the Initial Project Report to Request MTC Allocation of Regional Measure 2 Funds			
5K	I-880 Operational and Safety Improvements at 23rd and 29th Avenue Project - Approval of Amendment No. 1 to Extend the Expiration Date of the Contract with AECOM to Prepare a Project Study Report (PSR)			
5L	I-880 Operational and Safety Improvements at 23rd and 29th Avenue Project Adoption of Resolution to Hear Necessity Resolutions			
5M	I-80 Integrated Corridor Mobility (ICM) Project - Authorization to Enter into Memorandum of Understanding with California Department of Transportation (Caltrans)			
5N	Alameda CTC Consolidated FY2011-12 Second Quarter Financial Report			
5O	Alameda CTC Consolidated FY2011-12 Second Quarter Investment Report			
5P	Approval of Conflict of Interest Code			
5Q	Approval of Appointments for the Community Advisory Committees			
8A.1	Termination of ACTIA and ACCMA; Acceptance by Alameda CTC of ACTIA's and ACCMA's Authority, Functions, Responsibilities, and Assets and Liabilities	Worthington	Haggerty	24-0
5A	Minutes of February 23, 2012	Kaplan	Blalock	25-0
5B	Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments prepared by Local Jurisdictions			
5C	Approval of Safe Route to Schools (SR2S) Federal Fund Exchange	Atkin	Kaplan	25-0
5D	Approval of Transportation for Clean Air (TFCA) FY 2012/13 Expenditure Plan Application	Kaplan	Blalock	25-0

**Approval of Finance and  
Administration Committee**  
**Action Items**  
**Approval of Consent  
Calendar**

22-Mar-12

5E	Approval of Transportation Fund for Clean Air (TFCA) County Program Manager Fund Guidelines			
5F	Approval of State Transportation Improvement Program (STIP) At Risk Report			
5G	Approval of Federal Surface Transportation/Congestion Mitigation and Air Quality (STP/CMAQ) Program At Risk Report			
5H	Approval of CMA Exchange Program Quarterly Status Monitoring Report			
5I	Approval of Transportation for Clean Air (TFCA) Program at Risk Report			
5J	Approval of the Proposition 1B Transit Projects for the Cycle 3 Lifeline Transportation Program			
5K	Approval of STIP Expenditure Deadline Extension for Alameda CTC's I-680 Express Lane Project			
5L	I-880 Southbound HOV Project, South Segment - Authorization to Enter into a Construction Cooperative Agreement with the California Department of Transportation			
5M	I-80 Integrated Corridor Mobility (ICM) Project - Authorization to Execute a Contract with Delcan Corporation for System Integrator Services			
5N	I-580 Eastbound Express (HOT) Lane Project - Approval of Amendment No. 1 to Extend the Expiration Date of the Contract with Solem & Associates to Provide Public Education and Marketing Services			
5O	Telegraph Avenue Corridor Transit Project (ACTIA No. 07A) - Approval of Deadline Extension for Environmental Clearance			
5P	Dumbarton Rail Corridor Project (ACTIA No. 25) - Approval of Allocation of 2000 Measure B Capital Program Funding for Project Development Phases of the Central Avenue Overpass Project			
5Q	Castro Valley Local Area Traffic Circulation Improvement Project (ACTA No. MB241) - Approval of Amendment No. 1 to Project Funding Agreement No. A07-0002			
5R	Altamont Commuter Express Rail Project (ACTIA No. 01) - Approval of Allocation of 2000 Measure B Capital Program Funding	Haggerty	Kaplan	24-0
5S	Approval to Amend an Agreement with the California Highway Patrol for Construction Zone Enhanced Enforcement Program Services	Kaplan	Blalock	25-0
5T	Review of Route 84 Corridor Improvements between Interstate 580 and Interstate 680 - Status Report	Removed from the Consent Calendar Information Only		
5U	Approval of a Proposed Update to the Fiscal Year 2011 -2012 Consolidated Budget for the Alameda CTC	Kaplan	Blalock	25-0
5V	Approval of the Semi-Annual Contract Equity Utilization Report and Contract Award Report for July 1, 2011 through December 31, 2011			
5W	Update on the Procurement of the Independent Financial Audit Service Contract and Related Activities			

26-Apr-12	Approval of Planning, Policy and Legislation Committee Action Items	5X	Approval of Amendment No. 1 to the Professional Services Agreement with Moffatt & Nichol (A11-0018) for Additional and Deferred Project Management and Deliver Services		
		5Y	Approval of an Amendment to the Moore Iacofano Goltsman Inc. Contract for Strategic Communications and Outreach Services		
		7A	Approval of Alameda CTC sending a letter to AC Transit and all partner agencies requesting that they do not place any transportation tax measures on the ballot that would conflict with the 2012 TEP	Kaplan	Blalock 25-0
26-Apr-12	Approval of Programs and Projects Committee Action Items	8C	Consideration of Adoption of Resolutions of Necessity Authorizing Filing of Eminent Domain Action to Acquire Real Property Interests for the I-880 Southbound High Occupancy Vehicle (HOV) Lane Project (730.0)	Haggerty	Hosterman 19-1
		5B	Report on Closed Session: The Commission unanimously approved seeking to intervene in the case entitled City of Industry v. City of Fillmore, et al		21-0
		6A 6B	Minutes of March 22, 2012 2012 Level of Service (LOS) Monitoring - Approval of Weekend Peak Period for Freeways and Segmentation and Classification of Congestion Management Program (CMP) Tier 2 Roadways and Extension of Contract		
26-Apr-12	Approval of Consent Calendar	6C	Approval of Three-Year Project Initiation Document Work Plan for Alameda County	Haggerty	Henson 26-0
		6D	Central County Same Day Transportation Program - Approval of Issuance of a Request for Proposals (RFP) AND Authorization to Negotiate and Execute a Contract		
		6E	South County Taxi Program - Authorization for Contract Extension and Approval of Allocation of Measure B funds		
26-Apr-12	Approval of Consent Calendar	6F	Hospital Discharge Transportation Service and Wheelchair Breakdown Transportation Service Programs - Approval of Contract Extension		
		6G	Approval of STIP Deadline Extension for Contract Award for the Alameda CTC's I-580 San Leandro Landscaping - Estudillo to 141st Project		
		6H	Approval of STIP Deadline Extension for Project Completion for the City of Alameda's Stargell Avenue Extension Project		
26-Apr-12	Approval of Consent Calendar	6I	Tri-Valley Center to Center (C2C) Program Project - Approval to Extend the Expiration Date of the Contract with DKS Associates		
		6J	I-580 San Leandro Sound Wall Landscape Project - Authorization to Advertise Construction Contract		
		6K	Webster Street SMART Corridor Project - Authorization to Advertise the Construction Contract and Approval of Amendment No. 2 to Extend the Expiration Date of the Contract with Harris & Associates to Provide Construction Management Services		



6L	Dumbarton Rail Corridor Project (ACTIA 25) - Update on the Procurement of the Implementation Strategy Services for the Acquisition of Railroad Rights of Way Contract and Related Activities			
6M	Approval of a Loan in Compliance with Approved Loan Program between ACTA and the ACCMA Authorizing ACTA to Lend \$5 Million to ACCMA			
6N	Approval of Fiscal Year 2012-2013 Alameda County Transportation Commission Member Agency Fee Schedule			
6O	Review of Draft Cycle 3 Lifeline Transportation Program			
6P	Approval of Appointments for the Community Advisory Committees			
8B	Approval of the following positions: • AB 1780 (Bonilla). Department of Transportation. Project Study Reports (PSR) - Support • ACA 23 (Perea). Local government transportation projects: special taxes: voter approval - Support and Seek Amendments	Henson	Blalock	26-1
9A	Acceptance of Alameda CTC Semi Annual Capital Projects Update April 2012	Chan	Kallio	26-0
9B	I-580 Eastbound Express (HOT) Lane Project - Approval of Amendment No. 2 to the Professional Services Agreement with the URS Corporation (Agreement No. CMA A08-018)	Harper	Freitas	26-0

**Approval of Planning, Policy and Legislation Committee Action Items**

**Approval of Programs and Projects Committee Action Items**

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## **Fiscal Year 2012-2013 Calendar of CWC Meetings and Activities**

*CWC meets quarterly on the second Monday from 6:30 to 8:30 p.m.  
at the Alameda CTC offices*

### **July 9, 2012 CWC Meeting**

- Public Hearing on CWC Annual Report
- Addressing Public Comments
- Finalizing Annual Report and Publications
- Approval of FY 2012-2013 Annual Calendar
- Financial Update: Final Budget for Fiscal Year 12-13
- CWC Watch List for FY 2012-2013 (send letter to Jurisdictions reminding them of keeping CWC informed on projects/programs)

### **November 12, 2012 CWC Meeting**

- Audited Financials for Prior Fiscal Year End
- CWC Annual Report Outreach Summary and Publication Costs Update
- Update on Program Compliance Workshop
- Update on Semi-Annual Local Business Enterprise/Small Local Business Enterprise Program
- Quarterly Alameda CTC Commission Action Items

### **January 14, 2013 CWC Meeting**

- Sponsor Compliance Audits and Reports – Forwarded to CWC without Staff Analysis
- Projects, Programs, and Contracting Procedures Overview/Update
- Project Sponsor Presentations – if requested
- Quarterly Alameda CTC Commission Action Items

### **March 11, 2013 CWC Meeting**

- Summary of Sponsor Audits/Programs – Report Card to CWC
- Approval of Draft Annual Report Outline
- Draft Compliance Summary and Audit Report
- Mid Year Budget Update
- Update on Semi-Annual Local Business Enterprise/Small Local Business Enterprise Program
- Projects and Programs Update
- Update on Commissions Actions Affecting FY 2010-2011
- Project Sponsor Presentations – if requested

### **April 2013 CWC Annual Report Subcommittee Meeting**

- Prepare Draft Annual Report

### **June 10, 2013 CWC Meeting**

- Finalize Draft Annual Report
- Election of Officers
- Approval of Bylaws
- Final Strategic Plan
- Financial Update: Final Budget Update for Fiscal Year 12-13
- Proposed Budget for the Next Fiscal Year
- Quarterly Alameda CTC Commission Action Items
- Project Sponsor Presentations – if requested

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**Alameda County Transportation Commission**  
**Citizens Watchdog Committee**  
**Roster and Attendance**  
**Fiscal Year 2011-2012**

**CWC Meeting 06/11/12**  
**Attachment 08D2**

	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '11*
1	Mr. Paxson, Chair	James	Pleasanton	East Bay Economic Development Alliance	Apr-01		N/A	0
2	Ms. Saunders, Vice-Chair	Harriette	Alameda	Paratransit Advisory and Planning Committee	Jul-09		N/A	0
3	Ms. Belchamber	Pamela	Berkeley	Alameda County Mayors' Conference, D-5	Mar-09	Apr-11	Apr-13	4
4	Ms. Brady	Petra Olivia	Oakland	Alameda County Mayors' Conference, D-4	Oct-11		Oct-13	1
5	Mr. Chavarin	Roger	Oakland	Alameda Labor Council AFL-CIO	Dec-08		N/A	1
6	Mr. Dubinsky	Peter "Mike"	Fremont	Alameda County Supervisor Nadia Lockyer, D-2	Oct-10		Oct-12	0
7	Mr. Geen	Arthur B.	Oakland	Alameda County Taxpayers Association	Jan-01		N/A	4
8	Mr. Haussener	James	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-10		Feb-12	1
9	Mr. Jensen	Erik	Oakland	East Bay Bicycle Coalition	May-10		N/A	4
10	Ms. Lew	Jo Ann	Union City	Alameda County Mayors' Conference, D-2	Oct-07	Oct-11	Oct-13	2
11	Mr. Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Apr-12	Apr-14	0

**Alameda County Transportation Commission  
Citizens Watchdog Committee  
Roster and Attendance  
Fiscal Year 2011-2012**

12	Vacancy						Alameda County Mayors' Conference, D-1			
13	Vacancy						Alameda County Mayors' Conference, D-3			
14	Vacancy						League of Women Voters			
15	Vacancy						Sierra Club			
16	Vacancy						Alameda County Supervisor Scott Haggerty, D-1			
17	Vacancy						Supervisor Wilma Chan, D-3			