



# Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

**Commission Chair**  
Councilmember At-Large,  
Rebecca Kaplan, City of Oakland

**Commission Vice Chair**  
Mayor Bill Harrison,  
City of Fremont

**AC Transit**  
Director Elsa Ortiz

**Alameda County**  
Supervisor Scott Haggerty, District 1  
Supervisor Richard Valle, District 2  
Supervisor Wilma Chan, District 3  
Supervisor Nate Miley, District 4  
Supervisor Keith Carson, District 5

**BART**  
Director Rebecca Saltzman

**City of Alameda**  
Mayor Trish Spencer

**City of Albany**  
Mayor Peter Maass

**City of Berkeley**  
Councilmember Laurie Capitelli

**City of Dublin**  
Mayor David Haubert

**City of Emeryville**  
Councilmember Ruth Atkin

**City of Hayward**  
Mayor Barbara Halliday

**City of Livermore**  
Mayor John Marchand

**City of Newark**  
Councilmember Luis Freitas

**City of Oakland**  
Councilmember Dan Kalb

**City of Piedmont**  
Acting Mayor Jeff Wieler

**City of Pleasanton**  
Mayor Jerry Thorne

**City of San Leandro**  
Mayor Pauline Cutter

**City of Union City**  
Mayor Carol Dutra-Vernaci

**Executive Director**  
Arthur L. Dao

## Finance and Administration Committee

**Monday, November 14, 2016, 10:30 a.m.**

**1111 Broadway, Suite 800  
Oakland, CA 94607**

### Mission Statement

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund, and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

### Public Comments

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

### Recording of Public Meetings

The executive director or designee may designate one or more locations from which members of the public may broadcast, photograph, video record, or tape record open and public meetings without causing a distraction. If the Commission or any committee reasonably finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities must be discontinued or restricted as determined by the Commission or such committee (CA Government Code Sections 54953.5-54953.6).

### Reminder

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

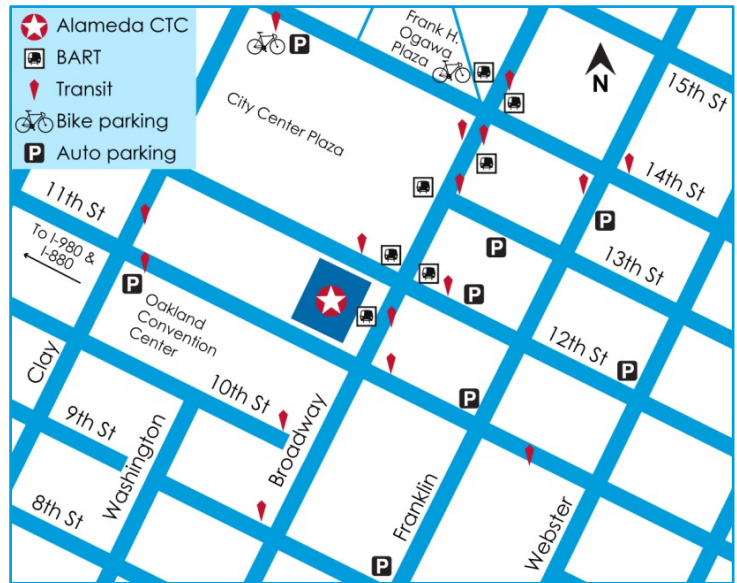
### Glossary of Acronyms

A glossary that includes frequently used acronyms is available on the Alameda CTC website at [www.AlamedaCTC.org/app\\_pages/view/8081](http://www.AlamedaCTC.org/app_pages/view/8081).

## Location Map

★ Alameda CTC  
1111 Broadway, Suite 800  
Oakland, CA 94607

Alameda CTC is accessible by multiple transportation modes. The office is conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines. Bicycle parking is available on the street and in the BART station as well as in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from [bikelink.org](http://bikelink.org)).



Garage parking is located beneath City Center, accessible via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit [www.511.org](http://www.511.org).

## Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-893-3347 (Voice) or 510-834-6754 (TTD) five days in advance to request a sign-language interpreter.



## Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at [www.AlamedaCTC.org/events/upcoming/now](http://www.AlamedaCTC.org/events/upcoming/now).

## Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at [www.AlamedaCTC.org/events/month/now](http://www.AlamedaCTC.org/events/month/now).

## Connect with Alameda CTC

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# Finance and Administration Committee Meeting Amended Agenda Monday, November 14, 2016, 10:30 a.m.

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

**Chair:** Supervisor Richard Valle, Alameda County BOS

**Vice Chair:** Mayor David Haubert, City of Dublin

**Commissioners:** Trish Spencer, Keith Carson, Jerry Thorne, Elsa Ortiz, Jeff Wieler

**Ex-Officio Members:** Rebecca Kaplan, Bill Harrison

**Staff Liaison:** Patricia Reavey

**Executive Director:** Arthur L. Dao

**Clerk:** Vanessa Lee

## 1. Pledge of Allegiance

## 2. Roll Call

## 3. Public Comment

## 4. Consent Calendar

Page A/I

4.1. [Approval of the October 10, 2016 FAC meeting minutes](#) 1 A

4.2. [Receive the FY2016-17 First Quarter Report of Claims Acted Upon Under the Government Claims Act](#) 3 I

4.3. [Approve Alameda CTC's Conflict of Interest Code](#) 7 A

4.4. [Approve Commissioner travel to the Self-Help Counties Coalition Focus on the Future Conference](#) 27 A

## 5. Regular Matters

5.1. [Approve the Alameda CTC draft audited Comprehensive Annual Financial Report for the year ended June 30, 2016](#) 29 A

5.2. [Approve the Alameda CTC FY2016-17 First Quarter Investment Report](#) 33 A

5.3. [Approve the Alameda CTC FY2016-17 First Quarter Financial Report](#) 47 A

5.4. [Approve the Alameda CTC Staff and Retiree Benefits for Calendar Year 2017 and adopt Resolution No. 16-009 Calendar Year 2017 Benefits for Staff Members](#) 65 A

5.5. [Approve the Annual Local Business Contract Equity Program Utilization Report for payments processed between July 1, 2015 and June 30, 2016](#) 75 A

## 6. Committee Member Reports (Verbal)

## 7. Staff Reports (Verbal)

## 8. Adjournment

**Next Meeting:** January 9, 2017

All items on the agenda are subject to action and/or change by the Committee.

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# Finance and Administration Committee Meeting Minutes Monday, October 10, 2016, 10:30 a.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

## 1. Pledge of Allegiance

## 2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Haubert and Spencer.

## 3. Public Comment

There were no public comments.

## 4. Consent Calendar

### 4.1. Approval of the September 12, 2016 FAC Meeting Minutes

*Commissioner Ortiz moved to approve the Consent calendar. Commissioner Kaplan seconded the motion. The motion passed with the following vote:*

Yes: Valle, Wieler, Carson, Ortiz, Harrison, Kaplan

No: None

Abstain: None

Absent: Haubert, Spencer

## 5. Regular Matters

### 5.1. Report of the Alameda CTC Audit Committee

Commissioner Valle said that he and Commissioner Kaplan met with the independent auditor, Ahmad Gharaibeh from Vavrinek, Trine, Day & Co., LLP on September 26, 2016. Commissioner Valle said that the audit had started and the Comprehensive Annual Financial Report (CAFR) should be completed by the end of November. He stated that this was a preliminary meeting to convey required communications and informed the committee that the complete CAFR would be presented to the full Commission. Patricia Reavey stated that the draft CAFR would go to the Audit Committee for review on October 27, 2016, and will be presented to the FAC at the November 14, 2016 FAC meeting and the full Commission at the December 1, 2016 Commission meeting.

## 6. Closed Session

### 6.1. Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: Executive Director

Commissioner Valle stated that a subcommittee met on September 26, 2016 to review the performance evaluation of the Executive Director. He stated that the recommendations of the subcommittee are as follows: To extend the length of the current agreement for three years from September 1, 2016 to September 1, 2019; that a 4% annual salary increase be provided to equal new an annual salary of \$275,600 effective September 1, 2016; beginning September 1, 2017, each of the remaining two years of the contract will provide for a salary adjustment of 4% per year; and

finally, that "Section 8- Termination Pay" of the current agreement be adjusted from "from a lump sum cash payment equal to six months annual salary" to read, "from a lump sum cash payment equal to twelve months annual salary" which would be in keeping with the best management practices of providing termination pay of one month for every year of service, if applicable. We understand that Mr. Dao has been with the agency for more than 12 years, but the committee was more comfortable with a one year limit on termination pay.

Commissioner Valle said that the Committee would do their best to encourage staff to disseminate to the public information about Alameda CTC's projects so it can garner the attention it deserves and also stated that the subcommittee's recommendation would be taken to the full Commission.

*Commissioner Thorne moved to approve the recommendation. Commissioner Harrison seconded the motion. The motion passed with the following vote:*

|          |  |
|----------|--|
| Yes:     | Valle, Wieler, Carson, Ortiz, Harrison, Kaplan |
| No:      | None   |
| Abstain: | None   |
| Absent:  | Haubert, Spencer                               |

#### **7. Committee Member Reports (Verbal)**

There were no committee member reports.

#### **8. Staff Reports**

There were no staff reports.

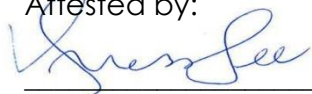
#### **9. Adjournment/ Next Meeting**

The next meeting is:

Date/Time: Monday, November 14, 2016 @10:30 a.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 94607

Attested by:



Vanessa Lee,  
Clerk of the Commission



# Memorandum

4.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** November 7, 2016

**SUBJECT:** FY 2016-17 First Quarter Report of Claims Acted Upon Under the Government Claims Act

**RECOMMENDATION:** Receive the FY 2016-17 First Quarter Report of Claims Acted Upon Under the Government Claims Act

## Summary

Tort claims against Alameda CTC and other California government entities are governed by the Government Claims Act (Act). The Act allows the Commission to delegate authority to an agency employee to review, reject, allow, settle, or compromise tort claims pursuant to a resolution adopted by the Commission. If the authority is delegated to an employee, that employee can only reject claims or allow, settle, or compromise claims \$50,000 or less. The decision to allow, settle, or compromise claims over \$50,000 must go before the Commission for review and approval.

California Government Code section 935.4 states:

"A charter provision, or a local public entity by ordinance or resolution, may authorize an employee of the local public entity to perform those functions of the governing body of the public entity under this part that are prescribed by the local public entity, but only a charter provision may authorize that employee to allow, compromise, or settle a claim against the local public entity if the amount to be paid pursuant to the allowance, compromise or settlement exceeds fifty thousand dollars (\$50,000). A Charter provision, ordinance, or resolution may provide that, upon the written order of that employee, the auditor or other fiscal officer of the local public entity shall cause a warrant to be issued upon the treasury of the local public entity in the amount for which a claim has been allowed, compromised, or settled."

On June 30, 2016, the Commission adopted a resolution which authorized the Executive Director to reject claims or allow, settle, or compromise claims up to and including \$50,000.

## **Background**

There have only been a handful of small claims filed against Alameda CTC and its predecessors over the years, and many of these claims were erroneously filed, and should have been filed with other agencies (such as Alameda County, AC Transit, and Caltrans). As staff moves forward with the implementation of Measure BB, Alameda CTC may experience an increase in claims against the agency as Alameda CTC puts more projects on the streets and highways of Alameda County and as Alameda CTC's name is recognized as a funding agency on these projects. Staff works directly with the agency's insurance provider, the Special District Risk Management Authority (SDRMA), when claims are received so that responsibility may be determined promptly and they might be resolved expediently or referred to the appropriate agency. This saves Alameda CTC money because when working with the SDRMA directly, much of the legal costs to address these claims are covered by insurance.

**Fiscal Impact:** There is no fiscal impact.

## **Attachments**

- A. Report on Claims Acted Upon by Staff Under the Government Claims Act  
July 1, 2016 – September 30, 2016

## **Staff Contact**

[Patricia Reavey](#), Deputy Executive Director of Finance and Administration



**Claims Acted Upon by Staff Under the Government Claim Act**  
**July 1, 2016 - September 30, 2016**

| <b>Claimant</b>       | <b>Submitted By</b> | <b>Received Date</b> | <b>Amount</b> | <b>Action Taken</b> | <b>Date</b>     | <b>Notes</b>                              |
|-----------------------|---------------------|----------------------|---------------|---------------------|-----------------|---|
| Harres Magee          | Marian Krizel Cruz  | June 10, 2016        | \$ 2,701.24   | Claim Rejected      | July 12, 2016   | Claim was rejected as non-jurisdictional. |
| Sannie L. Yue         | claimant            | July 5, 2016         | \$ 985.25     | Claim Rejected      | July 12, 2016   | Claim was rejected as non-jurisdictional. |
| Desmond Iman Jeffries | claimant            | August 3, 2016       | not specified | Claim Rejected      | August 16, 2016 | Claim was rejected as non-jurisdictional. |
| Howard Paul Perofsky  | claimant            | August 11, 2016      | \$ 416.59     | Claim Rejected      | August 16, 2016 | Claim was rejected as non-jurisdictional. |

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# Memorandum

4.3

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** November 7, 2016

**SUBJECT:** Alameda CTC Conflict of Interest Code

**RECOMMENDATION:** Approve Alameda CTC's Conflict of Interest Code

## Summary

State statute requires that every public agency adopt and promulgate a Conflict of Interest Code. The statute also requires that a review of the code be completed biennially to determine if any amendment is needed. Staff has reviewed the agency's Conflict of Interest Code and has determined a need to amend the code in four areas.

Approval of this item will satisfy Alameda CTC's statutory requirements and authorize the agency to forward the Commission approved code to the County Board of Supervisors for final approval.

## Background

The Political Reform Act (Government Code § 81000 et seq.) requires every local agency to review its Conflict of Interest Code (Code) for accuracy and to notify its code reviewing body on even numbered years whether it does or does not need to be amended. The County Board of Supervisors is the code reviewing body for local agency's whose jurisdiction is solely within the county and not under the jurisdiction of a city.

In accordance with statute, the Conflict of Interest Code has been reviewed and the key changes recommended are as follows:

- 1. Article I. FPPC Requirements-** The Fair Political Practices Commission (FPPC)-required Conflict of Interest provisions have been separated from supplemental requirements added by Alameda CTC. It is strongly encouraged by the FPPC that regulations be incorporated by reference rather than replicating them in the code, which allows amendments to the code to automatically be incorporated into Alameda CTC's Conflict of Interest Code.
- 2. Article I, Section 5 / Article II, Section 2(g). Manner of Disqualification-** Language has been added explicitly stating that Commission Members need to leave the room if a conflict situation exists, whether the conflict is under the Political Reform Act or the Levine Act, pursuant to the requirements of FPPC Regulation § 18707.

- 3. Article II, Section 3. Alameda CTC Officers and Employees Running for Elected Office or Serving as an Elected Official-** New language has been added requiring that employees running for public office provide Alameda CTC with copies of their campaign filings.
- 4. Appendix A-** Different disclosure requirements for categories of designated individuals have been outlined, as required by the FPPC.

Upon approval of this item, the amended code will be forwarded to County for placement on the Board of Supervisors agenda and subsequent approval. The code will become effective as of the date of approval by the Board of Supervisors.

**Fiscal Impact:** There is no fiscal impact.

#### **Attachments**

- A. Alameda County Transportation Commission Conflict of Interest Code

#### **Staff Contact**

[Patricia Reavey](#), Deputy Executive Director of Finance and Administration

**CONFLICT OF INTEREST CODE  
OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION  
(AS AMENDED ON DECEMBER 1, 2016)**

**ARTICLE I: State Requirements Under The Political Reform Act**

**SECTION 1. Purpose.** The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the FPPC may amend this standard code to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating positions and defining disclosure categories shall constitute the Conflict of Interest Code (“Code”) of the Alameda County Transportation Commission (“Alameda CTC”).

**SECTION 2. Designated Positions.** The positions listed on Appendix A are designated positions. Officers, employees, members and consultants holding those positions are designated employees and are deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on a financial interest of the designated employee. “Commission Member” for the purposes of this Code means any member or alternate of the Alameda CTC’s governing body. “Consultant” for the purposes of this Code shall have the meaning set forth in 2 California Code of Regulations Section 18700.3 (see Appendix B for the current version of 2 CCR §18700.3, along with 2 CCR §18704, as referenced therein).

**SECTION 3. Filing Statements of Economic Interests.** Individuals holding designated positions shall file statements of economic interests annually with the Clerk of the Commission disclosing that individual’s business positions, income, investments, and interest in real property that are reportable pursuant to this Code. The Clerk of the Commission shall make and retain a copy of the statements submitted by the Executive Director and all Commission Members, and shall forward the original to the Clerk of the Alameda County Board of Supervisors which shall be the filing officer. The Clerk of the Commission shall retain the original statements filed by all other designated individuals. The statements shall be retained for a period of seven (7) years. Alameda CTC will make the statements available for public inspection and reproduction pursuant to Government Code Section 81008.

**SECTION 4. Disqualification.** No designated employee may make, participate in the making, or in any way use or attempt to use his or her position with Alameda CTC to influence the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any reportable interest of that employee.

**SECTION 5. Manner of Disqualification.**

(a) Any Commission Member who is required to disqualify himself or herself from a decision-making process shall not participate in any way in the matter before the

Commission or any committee of the Commission. Further, such Commission Member shall be subject to the requirements and procedures set forth in 2 California Code of Regulations Section 18707 if the Commission Member is seated as a member of the Commission or committee during a meeting thereof and a governmental decision on such a matter is listed on the meeting agenda (see Appendix B for the current version of 2 CCR §18707). As of the date hereof, such procedures include the obligation to publicly recuse himself or herself and leave the room after making the identification required by said regulation, subject to certain exceptions as set forth in such regulation.

(b) Any designated employee who is required to disqualify himself or herself from a decision-making process shall notify the Executive Director of Alameda CTC (if the Executive Director requires disqualification, such notification shall be made to the Commission Chair) in writing of the reason for the disqualification. A copy of this notice shall be filed with the Clerk of the Commission. Upon receipt of a designated employee's disqualification statement, the Executive Director shall immediately reassign the responsibility for the matter to another designated employee of the office.

**SECTION 6. No Disqualification Required if Participation is Necessary.** A designated employee may make or participate in the making of a decision when he or she has a financial interest which would otherwise require disqualification if his or her participation is legally required for the decision to be made as defined in California Code of Regulations Title 2, Division 6, Section 18701. The fact that the vote of a designated employee is needed to break a tie does not make his or her participation legally required for the purposes of this section.

**SECTION 7. Assistance of the FPPC and Legal Counsel.** Any Commission Member or designated employee who is unsure of his or her duties under this code may request assistance from the FPPC pursuant to Section 83314 and Regulations 18329 and 18329.5, or from Alameda CTC's Legal Counsel, provided that nothing in this section requires Legal Counsel to issue any formal or informal opinion.

**SECTION 8. Violations.** This Code has the force and effect of law. Designated employees violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act. In addition, if a court determines that a violation of the disqualification provisions of this Code has occurred and that the official action might not otherwise have been taken or approved, the decision in relation to which a violation has occurred may be set aside as void pursuant to Government Code Section 91003.

**SECTION 9. Effective Date.** This Conflict of Interest Code and the Appendix shall become effective immediately upon approval by the Commission. The initial disclosure statements required under this Code shall be filed on April 1, 2017.

## **ARTICLE II: Additional Alameda CTC Requirements**

**SECTION 1. Purpose.** Alameda CTC recognizes that certain conflict of interest issues may arise that are not governed by the Political Reform Act or the FPPC regulations referenced above. The provisions in this **Article II** are intended to address such issues.

**SECTION 2. Campaign Contribution Disclosure; Levine Act.** The Levine Act, Government Code Section 84308, prohibits Commission Members from accepting, soliciting, or directing contributions (as defined in Government Code §82015) of more than Two Hundred Fifty Dollars (\$250) from any party who has a financial interest in any proceeding involving a license, permit, or other entitlement for use that is pending before the Commission and for three (3) months following the date a final decision is rendered in the proceeding. A party has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable generally, on the party, a member of the party's immediate family, or on income, investments, business positions or interests in real property that are described in Appendix A, Category 2. For purposes of this Section, "contribution" shall mean a political contribution to a person who is running for, or serving in, any elective office.

**(a) Participants in Proceedings Pending Before the Commission.** In the event Alameda CTC staff and/or independent members of a screening committee (which does not include Commission Members) evaluates and screens proposals submitted in response to a Request For Proposal or Qualifications and compiles a short list of firms to be considered by the Commission, only the proposals that the staff submits to Commission Members for consideration shall be considered a part of a proceeding pending before the Commission. Only persons or entities on the short list will be considered involved in a proceeding before the Commission or any committee of the Commission.

**(b) Notice to Commission Members.** To facilitate compliance with the Levine Act, the Commission staff shall include as part of the Commission Members' agenda packets for Commission Meetings and committee meetings information described in (i) and (ii) of this subsection regarding each application for a license, permit, or other entitlement for use that will be considered by the Board or such committee. "License, permit, or other entitlement for use" shall include all business, professional, trade and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts for goods or services (other than competitively bid, or labor, or personal employment contracts), and all franchises.

**(i)** The name of the persons or entities that submitted the application for a license, permit or other entitlement for use ("applicant"). The term "applicant" shall include any owner, manager or employee, who acts as an agent of the applicant with respect to the application;

**(ii)** To the extent known by staff, the name of each person who actively supports or opposes a decision in the proceeding before the Commission involving a license, permit, or other entitlement for use and who has a financial interest in the decision such persons are referred to herein as "participants" in a decision. The term "participant" shall include any owner, manager or employee who acts as an agent of the participant with respect to the application. Lobbying Commission Members or Alameda CTC staff by direct communication (either in person or in writing), testifying in person before the Commission, or otherwise acting to influence Commission Members shall constitute active support of or opposition to a decision pending before the Commission.

In the event Alameda CTC staff and/or independent committee compiles a short list of firms, the Proposal Data Form will contain information on only those firms that comprise the short list.

**(c) Notice to Applicants and Participants.** As part of any Request For Proposal or Qualification, or any other solicitation process, Alameda CTC staff shall provide all applicants and participants a statement that contains the information described in i) and ii) of subsection b). When a close corporation, as defined in Corporations Code Section 158, is an applicant or participant, the majority shareholder is subject to the Levine Act's disclosure and prohibition requirements. Generally, a close corporation is a corporation whose issued shares are owned by not more than ten (10) persons.

**(i)** All applicants and participants, and their respective agents, shall notify Alameda CTC, either in writing prior to a proceeding before the Commission involving a license, permit, or other entitlement for use or orally during said proceeding, of any contribution of more than Two Hundred Fifty Dollars (\$250) made within the preceding twelve (12) months by the applicant or participant, or his or her agent, to any Commission Member.

**(ii)** Applicants and participants, and their agents, shall not make contributions of more than Two Hundred Fifty Dollars (\$250) to any Commission Member during a proceeding involving a license, permit, or other entitlement for use pending before the Commission and for three (3) months following the date a final decision is rendered by the Commission in the proceeding.

**(d) Limitations on Receiving Contributions.** While a proceeding involving a license, permit, or other entitlement for use is pending before the Commission and for three (3) months following the date a final decision is rendered in the proceeding, Commission Members shall not accept, solicit, or direct a contribution of more than Two Hundred Fifty Dollars (\$250) from any applicant or participant who has a financial interest in the decision. This prohibition shall apply regardless of whether the Commission Member accepts, solicits, or directs the contribution for himself, or on behalf of any other Commission Member, or on behalf of any candidate for office or on behalf of any committee.

**(e) Disclosure of Conflict.** Before the Commission renders a decision in a proceeding involving a license, permit, or other entitlement for use, each Commission Member shall disclose orally at the time of the proceeding, or in a writing delivered to the Clerk of the Commission at any time prior to the proceeding, any contributions of more than Two Hundred Fifty Dollars (\$250) that the Commission Member has received within the preceding twelve (12) months from any applicant or participant involved in the proceeding before the Commission.

**(f) Disqualification from Participating in a Proceeding.** No Commission Member shall make, participate in making, or in any way attempt to use his or her position in the Commission to influence a decision in a proceeding pending before the Commission or committee of the Commission involving a license, permit, or other entitlement for use if the Commission Member has received a contribution of more than Two Hundred Fifty Dollars (\$250) within the preceding twelve (12) months from an applicant involved in the proceeding before the Commission or a participant who has a financial interest in the decision. An Commission Member who received a contribution which would otherwise require



disqualification may participate in the proceeding if he or she returns the contribution within thirty (30) days from the time the Commission Member knows, or should have known, about both the making of the contribution or participant's participation in the proceeding involving the license, permit, or other entitlement for use.

(g) If a Commission Member is so disqualified from participation in any decision, that Commission Member shall not participate in any way in the matter before the Commission or any committee of the Commission. Further, such Commission Member shall be subject to the requirements and procedures set forth in 2 California Code of Regulations Section 18707 if the Member is seated as a member of the Commission or committee and a governmental decision on such a matter is listed on the agenda thereof (see Appendix B for the current version of 2 CCR §18707). As of the date hereof, such procedures include the obligation to publicly recuse himself or herself and leave the room after making the identification required by said regulation, subject to certain exceptions as set forth in such regulation.

**SECTION 3. Alameda CTC Officers and Employees Running for Elected Office or Serving as an Elected Official.** Pursuant to Government Code Section 3203, Alameda CTC is not permitted to restrict its officers and employees' political activities, except to the extent required by other applicable law. Accordingly, any officer or employee of Alameda CTC is permitted to run for elected office. However, Alameda CTC believes it is appropriate to impose certain reporting and recusal requirements upon such officers and employees, consistent with the requirements set forth above with respect to Commission Members' obligations under the Levine Act.

(a) **Campaign Disclosures.** If any Alameda CTC officer or employee is required under any applicable law to make any campaign-related filings with any City, County, or other governmental agency located completely or partially within Alameda County, and/or with the FPPC, the officer or employee shall simultaneously provide copies of any such filing(s) to the Clerk of the Commission. The foregoing obligation shall also apply with respect to campaign-related filings made by or on behalf of any committee controlled by an Alameda CTC officer or employee. The Clerk of the Commission shall make and retain a copy of any such campaign filings.

(b) **Disqualification from Participating in a Proceeding.** No Alameda CTC officer or employee shall participate in making, or in any way attempt to use his or her position with Alameda CTC to influence a decision in a proceeding pending before the Commission or committee of the Commission involving a license, permit, or other entitlement for use if the officer or employee has received a contribution of more than Two Hundred Fifty Dollars (\$250) within the preceding twelve (12) months from an applicant involved in the proceeding before the Commission or a participant who has a financial interest in the decision.

## APPENDIX A DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

### Designated Employees

The following positions entail the making or participating in the making of decisions which may foreseeably have a material effect on financial interests.

| <b>Position</b>   | <b>Disclosure Categories</b>               |
|---|--|
| Commission Member                                       | 1 & 2                                      |
| Executive Director                                      | 1 & 2                                      |
| Deputy Executive Director of Projects and Programming   | 1 & 2                                      |
| Deputy Executive Director of Planning and Policy        | 1 & 2                                      |
| Deputy Executive Director of Finance and Administration | 1 & 2                                      |
| Director of Finance                                     | 4 & 6                                      |
| Director of Programming and Project Controls            | 2, 3, 4 & 5                                |
| Director of Project Delivery                            | 2, 3, 4 & 5                                |
| Director of Express Lane Operations                     | 3 & 4                                      |
| Director of Budgets and Administration                  | 4 & 6                                      |
| Director of Planning                                    | 2, 3, 4 & 5                                |
| Director of Government Affairs and Communications       | 4 & 5                                      |
| Legal Counsel   | 1 & 2                                      |
| Consultant*   | as determined by the<br>Executive Director |
| Advisory Committee Members (all)                        | 2, 3, 4 & 5                                |

\* Consultants, as defined in 2 California Code of Regulations §18700.3, shall be included in the list of designated employees. Not all outside contractors are considered to be Consultants under this Regulation, since it depends on the contractor's particular scope of work. Further, the Executive Director may determine in writing that a particular Consultant is hired to perform a range of duties that is limited in scope and thus it may be appropriate to assign one or more of the limited disclosure requirements set forth below. The Executive Director's determination designating a specific contractor as a Consultant and assigning one or more specific disclosure categories, which determination may be made utilizing FPPC Form 805, is a public record and shall be retained for public inspection in the same manner and locator as this Code.

## **Disclosure Categories**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned. Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in Alameda County, or have done business during the previous two years in Alameda County.

Category 1: All investments and business positions in business entities and sources of income (including gifts, loans and travel payments) that do business or own real property within Alameda County.

Category 2: All interests in real property which is located in whole or in part within, or not more than two miles outside, the boundaries of Alameda County.

Category 3: All investments and business positions in business entities and sources of income (including gifts, loans and travel payments) that are engaged in land development, construction or the acquisition or sale of real property within Alameda County.

Category 4: All investments and business positions in business entities and sources of income (including gifts, loans and travel payments) that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by Alameda CTC.

Category 5: All investments and business positions in business entities and sources of income (including gifts, loans and travel payments), including income from nonprofits or similar organizations, if the source is of the type to receive grants or similar funding from or through Alameda CTC.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if the source is of the type of firm in or with which Alameda CTC is empowered to invest its funds, or the source has during the reporting period filed a claim or currently has a claim pending with Alameda CTC.

**APPENDIX B**  
**EXCERPTS FROM FPPC REGULATIONS AS OF THE ADOPTION HEREOF**

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

**§ 18700.3. Consultant, Public Official Who Manages Public Investments: Definitions.**

(a) For purposes of Sections 82019 and 82048, “consultant” means an individual who, pursuant to a contract with a state or local government agency:

(1) Makes a governmental decision whether to:

(A) Approve a rate, rule, or regulation;

(B) Adopt or enforce a law;

(C) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;

(D) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;

(E) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;

(F) Grant agency approval to a plan, design, report, study, or similar item;

(G) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(2) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18704(a) and (b) or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Section 87302.

(b) For purposes of Section 87200, the following definitions apply:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (b)(1)(B).

(c) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(d) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(e) “Management of public investments” means the following nonministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82019, 82048, 87100, 87200 and 87302, Government Code.

#### HISTORY

1. New section filed 6-22-2015; operative 7-22-2015. Submitted to OAL for filing and printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 26). For prior history, see Register 2015, No. 18.
2. Amendment of subsection (a)(2) filed 7-10-2015; operative 7-10-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 28).

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

**§ 18704. Making, Participating in Making, or Using or Attempting to Use Official Position to Influence a Government Decision, Defined.**

(a) Making a Decision. A public official makes a governmental decision if the official authorizes or directs any action, votes, appoints a person, obligates or commits his or her agency to any course of action, or enters into any contractual agreement on behalf of his or her agency.

(b) Participating in a Decision. A public official participates in a governmental decision if the official provides information, an opinion, or a recommendation for the purpose of affecting the decision without significant intervening substantive review.

(c) Using Official Position to Attempt to Influence a Decision. A public official uses his or her official position to influence a governmental decision if he or she:

(1) Contacts or appears before any official in his or her agency or in an agency subject to the authority or budgetary control of his or her agency for the purpose of affecting a decision; or

(2) Contacts or appears before any official in any other government agency for the purpose of affecting a decision, and the public official acts or purports to act within his or her authority or on behalf of his or her agency in making the contact.

(d) Exceptions. Making, participating in, or influencing a governmental decision does not include:

(1) Ministerial. Actions by a public official that are solely ministerial, secretarial, or clerical.

(2) Appearances as a Member of the General Public. An appearance by a public official as a member of the general public before an agency in the course of its prescribed governmental

function if the official is appearing on matters related solely to the his or her personal interests, including interests in:

(A) Real property owned entirely by the official, members of his or her immediate family, or the official and members of his or her immediate family;

(B) A business entity owned entirely by the official, members of his or her immediate family, or the official and members of his or her immediate family; or

(C) A business entity over which the official, members of his or her immediate family, or the official and members of his or her immediate family solely or jointly exercise full direction and control.

(3) Terms of Employment. Actions by a public official relating to his or her compensation or the terms or conditions of his or her employment or consulting contract.

However, an official may not make a decision to appoint, hire, fire, promote, demote, or suspend without pay or take disciplinary action with financial sanction against the official or his or her immediate family, or set a salary for the official or his or her immediate family different from salaries paid to other employees of the government agency in the same job classification or position.

(4) Public Speaking. Communications by a public official to the general public or media.

(5) Academic Decisions.

(A) Teaching decisions, including an instructor's selection of books or other educational materials at his or her own school or institution, or other similar decisions incidental to teaching; or

(B) Decisions by a public official who has teaching or research responsibilities at an institution of higher education relating to his or her professional responsibilities, including



applying for funds, allocating resources, and all decisions relating to the manner or methodology with which his or her academic study or research will be conducted. This exception does not apply to a public official who has institution-wide administrative responsibilities as to the approval or review of academic study or research at the institution unrelated to his or her own work.

(6) Architectural and Engineering Documents.

(A) Drawings or submissions of an architectural, engineering, or similar nature prepared by a public official for a client to submit in a proceeding before the official's agency if:

- (i) The work is performed pursuant to the official's profession; and
- (ii) The official does not make any contact with the agency other than contact with agency staff concerning the process or evaluation of the documents prepared by the official.

(B) An official's appearance before a design or architectural review committee or similar body of which the official is a member to present drawings or submissions of an architectural, engineering, or similar nature prepared for a client if:

- (i) The review committee's sole function is to review architectural designs or engineering plans and to make recommendations to a planning commission or other agency;
- (ii) The review committee is required by law to include architects, engineers or persons in related professions, and the official was appointed to the body to fulfill this requirement; and
- (iii) The official is a sole practitioner.

(7) Additional Consulting Services: Recommendations by a consultant regarding additional services for which the consultant or consultant's employer would receive additional income if the agency has already contracted with the consultant, for an agreed upon price, to make recommendations concerning services of the type offered by the consultant or consultant's

employer and the consultant does not have any other economic interest, other than in the firm, that would be foreseeably and materially affected by the decision.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87100, 87101 and 87302, Government Code.

#### HISTORY

1. Change without regulatory effect renumbering former section 18702 to section 18704, including amendment of section heading and section, filed 4-27-2015. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 18). For prior history of section 18704, see Register 2015, No. 6.
2. Repealer and new section and amendment of Note filed 6-22-2015; operative 7-22-2015. Submitted to OAL for filing and printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 26).

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

**§ 18707. Disqualification Requirements.**

(a) Public Officials under Section 87200. For recusal under Section 87105, all of the following apply when a public official who holds an office specified in Section 87200 has a financial interest in a decision within the meaning of Section 87100, and the governmental decision relates to an agenda item that is noticed for a meeting subject to the provisions of the Bagley-Keene Act (Section 11120 et seq.) or the Brown Act (Section 54950 et seq.):

(1) Content and Timing of Identification. Following the announcement of the agenda item to be discussed or voted upon but before either the discussion or vote commences, the public official must do all of the following:

(A) The public official must publicly identify each type of financial interest held by the official that is involved in the decision and gives rise to the disqualifying conflict of interest (i.e. investment, business position, interest in real property, personal financial effect, or the receipt or promise of income or gifts), and the following details identifying each financial interest:

- (i) If an investment, the name of the business entity in which each investment is held;
- (ii) If a business position, a general description of the business activity in which the business entity is engaged as well as the name of the business entity;
- (iii) If real property, the address or another indication of the location of the property, unless the property is the public official's principal or personal residence, in which case, identification that the property is a residence;
- (iv) If income or gifts, the identification of the source; and

(v) If personal financial effect, the identification of the expense, liability, asset or income affected.

(B) Form of Identification. If the governmental decision will be made during an open session of a public meeting, the public identification must be made orally and be made part of the official public record.

(C) Recusal and Leaving the Room. The public official must recuse himself or herself and leave the room after the identification required by this regulation is made. He or she will not be counted toward achieving a quorum while the item is discussed.

(2) Special Rules for Closed Session. If the governmental decision is made during a closed session of a public meeting, the public identification must be made orally during the open session before the body goes into closed session and may be limited to a declaration that his or her recusal is because of a conflict of interest under Section 87100. The declaration will be made part of the official public record. The public official must not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the governmental decision.

(3) Exceptions:

(A) Uncontested Matters. The exception from leaving the room granted in Section 87105(a)(3) for a “matter [that] has been placed on the portion of the agenda reserved for uncontested matters” means agenda items on the consent calendar. If the public official has a financial interest in a matter that is on the consent calendar, the public official must comply with subdivisions (a)(1)(A) and (a)(1)(B) of this regulation, and recuse himself or herself from discussing or voting on that matter, but the public official is not required to leave the room during the consent calendar.

(B) Absence. If the public official is absent when the agenda item subject to subdivision (a) of this regulation is considered, there are no public identification duties on the public official for that item at that meeting.

(C) Speaking as a Member of the Public Regarding an Applicable Personal Interest. When a personal interest found in Regulation 18704(d)(2) is present, a public official may speak as a member of the general public if he or she complies with subdivisions (a)(1)(A) and (a)(1)(B) of this regulation, recuses himself or herself from voting on the matter and leaves the dais to speak from the same area as the members of the public. He or she may listen to the public discussion and deliberations of the matter with the members of the public.

(b) For All Other Public Officials. For recusal from any decision other than a decision under subdivision (a), all of the following apply:

(1) If a public official determines not to act because of his or her financial interest, the official's determination may be accompanied by an oral or written disclosure of the financial interest.

(2) When an official with a disqualifying conflict of interest abstains from making a governmental decision in an open session of the agency and the official remains on the dais or in his or her designated seat during deliberations of the governmental decision in which he or she is disqualified, his or her presence will not be counted toward achieving a quorum.

(3) During a closed meeting of the agency, a disqualified official must not be present when the decision is considered or knowingly obtain or review a recording or any other nonpublic information regarding the governmental decision.

(4) An agency may adopt a local rule requiring a disqualified official to step down from the dais or leave the chambers.

(c) Confidential Information. Nothing in the provisions of this regulation is intended to cause an agency or public official to make any disclosure that would reveal the confidences of a closed session or any other privileged information as contemplated by law including but not limited to the recognized privileges found in Regulation 18740.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87100, 87101, 87105 and 87200, Government Code.

#### HISTORY

1. New section filed 6-22-2015; operative 7-22-2015. Submitted to OAL for filing and printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2015, No. 26). For prior history, see Register 2015, No. 21.





# Memorandum

4.4

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** November 9, 2016

**SUBJECT:** Commissioner Travel to Focus on the Future Conference

**RECOMMENDATION:** Approve Commissioner travel to the Self-Help Counties Coalition Focus on the Future Conference.

## Summary

Per the Commissioner Travel and Expenditure Policy adopted in March 2016, all travel for Alameda CTC Commissioners must be preapproved by the Finance and Administration Committee (FAC) to be eligible for reimbursement under this Policy.

Commissioner Haggerty plans to attend this year's Self Help Counties Coalition Focus on the Future Conference in Hollywood, California. Approval of this item will authorize Commissioner Haggerty to be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business.

## Background

The Focus on the Future Conference provides a forum for Self-Help Counties and other transportation agencies, elected officials, and the private sector to share experiences and highlight upcoming transportation projects. Commissioner Scott Haggerty plans to attend the conference in Hollywood, California from December 4, 2016 to December 6, 2016. Requests for reimbursement of expenditures must be submitted on the authorized Alameda CTC Expense Reimbursement Form within 30 calendar days after the conclusion of the trip along with required documentation per the adopted policy.

## Fiscal Impact

The fiscal impact of this trip will include all reasonable and necessary expenditures incurred during travel which are included in the adopted FY2016-17 budget.

## Staff Contact

[Patricia Reavey](#), Deputy Executive Director of Finance and Administration

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# Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** November 7, 2016

**SUBJECT:** Alameda CTC Draft Audited Comprehensive Annual Financial Report for the Year Ended June 30, 2016

**RECOMMENDATION:** Approve the Alameda CTC draft audited Comprehensive Annual Financial Report for the year ended June 30, 2016

## Summary

Pursuant to the Joint Powers Agreement of the Alameda County Transportation Commission, California Public Utilities Code Section 180105, the Joint Powers Agreement of the Alameda County Congestion Management Program and the California Government Code Section 6505, an independent audit was conducted for the fiscal year ended June 30, 2016 by Vavrinek, Trine, Day & Co., LLP. Financial statements are the responsibility of management. The auditor's responsibility is to express an opinion on the financial statements based on their audit. As demonstrated in the Independent Auditor's Report on page two of the Draft Audited Comprehensive Annual Financial Report (Draft Audited CAFR), the Alameda CTC's auditors have reported what is considered to be an unmodified or clean audit.

*"In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Alameda CTC, as of June 30, 2016, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America."*

The Alameda CTC Draft Audited CAFR and the Limitations Worksheets for the year ended June 30, 2016 were reviewed in detail and approved by the Alameda CTC's audit committee on October 27, 2016.

## Financial Highlights:

- Total net position was \$283.1 million at June 30, 2016, an increase of \$139.7 million or 97.4 percent over the prior fiscal year end primarily due to fiscal year 2015-16 being the first full year of revenue collections of the new Measure BB sales tax and the first fiscal year the I-580 Express Lanes were put into service requiring the capitalization of assets.
- Total assets and deferred outflows increased by \$98.1 million from \$436.6 million to \$534.7 million as of June 30, 2016 compared to June 30, 2015 mainly related to increased sales

tax revenues from Measure BB and the capitalization of assets for the I-580 Express Lanes which began operations in February 2016. Cash and investments comprised \$419.1 million or 78.4 percent of total assets and deferred outflows as of June 30, 2016.

- Revenues totaled \$385.2 million for the fiscal year ended June 30, 2016. This was an increase of \$159.2 million or 70.4 percent over the fiscal year ended June 30, 2015 which is closely correlated to the increase in sales tax revenues from the new Measure BB.
- Total liabilities and deferred inflows decreased by \$41.6 million or 14.2 percent from \$293.2 million to \$251.6 million as of June 30, 2016 compared to June 30, 2015. This decrease is largely due to the Bay Area Rapid Transit (BART) to Warm Springs project nearing completion. The BART to Warm Springs project is funded by Measure B and had significant accruals for expenditures as of June 30, 2015.
- Expenses totaled \$245.5 million for the fiscal year ended June 30, 2016. This was a decrease of \$16.6 million or 6.3 percent from the fiscal year ended June 30, 2015 mostly related to the wind down of Measure B capital projects, specifically the BART to Warm Springs project.

## **Background**

As part of the audit process, Vavrinek, Trine, Day & Co., LLP considered Alameda CTC's internal control over financial reporting to determine the audit procedures that are appropriate in order to express their opinions on the financial statements. They have not expressed an opinion on the effectiveness of the Alameda CTC's internal controls; however Vavrinek, Trine, Day & Co., LLP's Report on Internal Control over Financial Reporting and on Compliance and other Matters states that they did not identify any deficiencies in internal control that they consider to be a material weakness.

In addition, Vavrinek, Trine, Day & Co., LLP audited the calculation of the limitations ratios required by the Transportation Expenditure Plans (TEP) which require that the total Measure B and Measure BB salaries and benefits costs for administrative employees not exceed 1.00 percent of sales tax revenues and expenditures for administration, do not exceed 4.5 percent of sales tax revenues for Measure B and 4.0 percent of sales tax revenues for Measure BB. The Measure B and Measure BB ratios for the fiscal year ended June 30, 2016 are 0.23 percent and 0.46 percent, respectively, for salaries and benefits as a percent of sales tax revenues and 1.28 percent and 2.16 percent, respectively, for total administration costs as a percent of sales tax revenues which are in compliance with the requirements set forth in the TEPs.

Vavrinek, Trine, Day & Co., LLP also performed a Single Audit for the fiscal year ended June 30, 2016. Per the Office of Management and Budget (OMB) Circular A-133, a single audit is required when a grantee spends \$500,000 or more in Federal funds in the fiscal year to provide assurance to the federal government as to the management and use of these funds. Alameda CTC's federal expenditures were well over the threshold at approximately \$6.5 million during the fiscal year ended June 30, 2016 therefore a Single Audit was required. As

demonstrated in the Independent Auditor's Report on page 106 of the Draft Audited CAFR, the Alameda CTC's auditors have reported the following:

*"In our opinion, Alameda CTC complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major Federal programs for the year ended June 30, 2016."*

The Alameda CTC's Comprehensive Annual Financial Report (CAFR) has been drafted to meet all Government Finance Officers Association (GFOA) requirements for an award for excellence in financial reporting and will be submitted to the GFOA in December with the hope of receiving this award once the CAFR is approved by the Commission. The Alameda CTC has won the GFOA Certificate of Achievement for its CAFRs dated June 30, 2013, June 30, 2014 and June 30, 2015. A copy of the June 30, 2015 award has been included in the CAFR dated June 30, 2016 on page xi as required by the GFOA.

Similar to Alameda CTC's previous CAFRs, this CAFR was designed to provide detailed financial information by function so that interested parties can review agency financials as a whole or at a more detailed functional level. For example, for the benefit of the Independent Watchdog Committee whose purview consists of 2000 Measure B and 2014 Measure BB activity only, these funds have been broken out in separate columns whenever possible in the fund financial statements beginning on page 20 of the Draft Audited CAFR except in the General Fund and the Debt Service Fund. There can only be one General Fund; however Alameda CTC's financial system was designed to distinguish costs related to the administration of congestion management projects and programs from that of each of the individual sales tax measures. Therefore, a breakout of financial information for the General Fund has been provided as supplemental information beginning on page 63 of the Draft Audited CAFR, and a breakout of financial information for the Nonmajor Governmental Funds, which are generally those funds that contain less than 10 percent of the total governmental funds' assets, liabilities, revenues or expenditures, and includes the Debt Service Fund, which also has been provided as supplemental information beginning on page 65.

In addition, within the supplemental information section, we have provided a breakout of the 2000 Measure B and the 2014 Measure BB Special Revenue Funds' financial information by sub-fund beginning on pages 75 and 79, respectively, of the Draft Audited CAFR.

**Fiscal Impact:** There is no fiscal impact.

## **Attachments**

- A. [Alameda County Transportation Commission Draft Audited Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2016](#) (Hyperlinked to website)

## **Staff Contact**

[Patricia Reavey](#), Deputy Executive Director of Finance and Administration

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# Memorandum

5.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** November 7, 2016

**SUBJECT:** Alameda CTC FY2016-17 First Quarter Investment Report

**RECOMMENDATION:** Approve the Alameda CTC FY2016-17 First Quarter Investment Report

## Summary

The Quarterly Consolidated Investment Report (Attachment A) provides balance and average return on investment information for all cash and investments held by the Alameda CTC as of September 30, 2016. The report also shows balances as of June 30, 2016 for comparison purposes. The *Portfolio Review for Quarter Ending September 30, 2016* (Attachment B), prepared by GenSpring, provides a review and outlook of current market conditions, an investment strategy to maximize return without compromising safety and liquidity, and an overview of the strategy used to develop the bond proceeds portfolio. Alameda CTC has sufficient cash flow to meet expenditure requirements over the next six months.

## Activity

The following are key highlights of cash and investment information as of September 30, 2016:

- As of September 30, 2016, total cash and investments held by the Alameda CTC was \$437.6 million, an increase of \$19.0 million or 4.5% over June 30, 2016.
- The 1986 Measure B investment balance decreased by \$0.7 million or 0.5% from the prior year-end balance due to capital projects expenditures. The 2000 Measure B investment balance increased \$3.0 million or 2.0% due to an accumulation of sales tax revenues primarily in the debt service fund which has been set aside to pay the principal payment due on the outstanding bonds in March 2017. The 2014 Measure BB investment balance increased \$14.5 million or 22.1% mostly due to a collaborative initiation process with member agencies to put required agreements in place which would authorize invoicing for expenditures incurred on Measure BB projects. The ACCMA investment balance increased \$2.2 million or 3.7% primarily due to the reimbursement of grant funds which slightly outpaced expenditures in

the first quarter as CMA projects wind down and the receipt of most member agency contributions.

Investment yields have increased slightly with the approximate average return on investments for the first quarter at 0.61% compared to the prior year's average return of 0.38%. Return on investments were projected for the FY2016-17 budget year at varying rates ranging from 0.2% - 0.5% depending on investment type.

**Fiscal Impact:** There is no fiscal impact.

### **Attachments**

- A. Consolidated Investment Report as of September 30, 2016
- B. Portfolio Review for Quarter Ending September 30, 2016 (provided by GenSpring)
- C. Fixed Income Portfolio as of September 30, 2016

### **Staff Contact**

[Patricia Reavey](#), Deputy Executive Director of Finance and Administration

[Lily Balinton](#), Director of Finance

| Alameda CTC<br>Consolidated Investment Report<br>As of September 30, 2016 |                    |                          |             |            |            |                    |                 |
|---|--------------------|--------------------------|-------------|------------|------------|--------------------|-----------------|
| 1986 Measure B  | Un-Audited         | Interest Earned          |             |            |            | FY 2015-2016       |                 |
|   | Investment Balance | As of September 30, 2016 |             |            |            | Investment Balance | Interest earned |
|   |                    | Interest earned          | Approx. ROI | Budget     | Difference | June 30, 2016      | FY 2015-2016    |
| Bank Accounts   | \$ 2,535,758       | \$ 1,113                 | 0.18%       |            |            | \$ 2,924,961       | 8,766           |
| State Treasurer Pool (LAIF) <sup>(1)</sup>                                | 11,322,209         | 17,425                   | 0.62%       |            |            | 11,806,194         | 62,150          |
| Investment Advisor <sup>(1) (2)</sup>                                     | 114,454,339        | 214,054                  | 0.75%       |            |            | 114,339,737        | 699,222         |
| Loan to ACCMA   | 10,000,000         | -                        | -           |            |            | 10,000,000         | -               |
| 1986 Measure B Total  | \$ 138,312,307     | \$ 232,591               | 0.67%       | \$ 52,500  | \$ 180,091 | \$ 139,070,893     | \$ 770,137      |
| Approx. ROI   |                    |                          |             |            |            |                    | 0.55%           |
| 2000 Measure B  | Un-Audited         | Interest Earned          |             |            |            | FY 2015-2016       |                 |
|   | Investment Balance | As of September 30, 2016 |             |            |            | Investment Balance | Interest earned |
|   |                    | Interest earned          | Approx. ROI | Budget     | Difference | June 30, 2016      | FY 2015-2016    |
| Bank Accounts   | \$ 3,292,117       | \$ 1,905                 | 0.23%       |            |            | \$ 6,165,527       | \$ 15,678       |
| State Treasurer Pool (LAIF) <sup>(1)</sup>                                | 24,266,080         | 40,527                   | 0.67%       |            |            | 29,931,996         | 114,809         |
| Investment Advisor <sup>(1) (2)</sup>                                     | 104,774,725        | 161,815                  | 0.62%       |            |            | 96,727,857         | 511,093         |
| 2014 Series A Bond Project Fund <sup>(1)</sup>                            | 289,634            | 2,150                    | 2.97%       |            |            | 5,778,998          | 29,488          |
| 2014 Series A Bond Interest Fund <sup>(1)</sup>                           | 6,355,452          | 17,592                   | 1.11%       |            |            | 9,158,139          | 86,048          |
| 2014 Series A Bond Principal Fund <sup>(1)</sup>                          | 12,118,740         | 5,509                    | 0.18%       |            |            | -                  | -               |
| Project Deferred Revenue <sup>(1) (3)</sup>                               | 7,460,678          | 11,549                   | 0.61%       |            |            | 7,753,151          | 34,739          |
| 2000 Measure B Total  | \$ 158,557,425     | \$ 241,046               | 0.61%       | \$ 110,000 | \$ 131,046 | \$ 155,515,667     | \$ 791,855      |
| Approx. ROI   |                    |                          |             |            |            |                    | 0.51%           |
| 2014 Measure BB   | Un-Audited         | Interest Earned          |             |            |            | FY 2015-2016       |                 |
|   | Investment Balance | As of September 30, 2016 |             |            |            | Investment Balance | Interest earned |
|   |                    | Interest earned          | Approx. ROI | Budget     | Difference | June 30, 2016      | FY 2015-2016    |
| Bank Accounts   | \$ 2,428,156       | \$ 3,388                 | 0.56%       |            |            | \$ 12,751,139      | \$ 33,307       |
| State Treasurer Pool (LAIF) <sup>(1)</sup>                                | 77,900,165         | \$ 96,428                | 0.50%       |            |            | 53,043,649         | 100,165         |
| 2014 Measure BB Total   | \$ 80,328,321      | \$ 99,816                | 0.50%       | \$ 55,000  | \$ 44,816  | \$ 65,794,788      | \$ 133,472      |
| Approx. ROI   |                    |                          |             |            |            |                    | 0.20%           |
| ACCMA   | Un-Audited         | Interest Earned          |             |            |            | FY 2015-2016       |                 |
|   | Investment Balance | As of September 30, 2016 |             |            |            | Investment Balance | Interest earned |
|   |                    | Interest earned          | Approx. ROI | Budget     | Difference | June 30, 2016      | FY 2015-2016    |
| Bank Accounts   | \$ 8,643,958       | \$ 6,055                 | 0.28%       |            |            | \$ 20,552,837      | \$ 34,696       |
| State Treasurer Pool (LAIF) <sup>(1)</sup>                                | 52,319,554         | 68,674                   | 0.53%       |            |            | 33,601,132         | 119,890         |
| Project Deferred Revenue <sup>(1) (4)</sup>                               | 9,472,980          | 16,829                   | 0.61%       |            |            | 14,124,614         | 65,492          |
| Loan from ACTA  | (10,000,000)       | -                        | -           |            |            | (10,000,000)       | -               |
| ACCMA Total   | \$ 60,436,492      | \$ 91,557                | 0.61%       | \$ 26,250  | \$ 65,307  | \$ 58,278,584      | \$ 220,078      |
| Approx. ROI   |                    |                          |             |            |            |                    | 0.38%           |
| Alameda CTC TOTAL   | \$ 437,634,545     | \$ 665,010               | 0.61%       | \$ 243,750 | \$ 421,260 | \$ 418,659,932     | \$ 1,915,542    |

## Notes:

- (1) All investments are marked to market on the financial statements at the end of the fiscal year per GASB 31 requirements.
- (2) See attachments for detail of investment holdings managed by Investment Advisor.
- (3) Project funds in deferred revenue are invested in LAIF with interest accruing back to the respective fund which includes TVTC funds.
- (4) Project funds in deferred revenue are invested in LAIF with interest accruing back to the respective fund which include VRF, TVTC, San Leandro Marina, TCRP, PTMISEA and Cal OES.
- (5) Alameda CTC has sufficient cash flow to meet expenditure requirements over the next six months.

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***Alameda County Transportation Commission***  
***Portfolio Review for the Quarter Ending***  
***September 30, 2016***

***Fixed Income Market Review and Outlook***

The Federal Reserve rate stayed put at their September meeting, though made clear a rate increase was likely before year end. Several other central banks cut rates in September including Russia, Turkey and Indonesia. The Bank of Japan decided to change tact, choosing to control the yield curve rather than targeting asset purchases. Meanwhile, the Bank of England and European Central Bank signaled their willingness to do more to support markets.

The trend of the past few months—underperformance by the quality bond sectors—continued in the third quarter. US core bonds were flat for the month and rose modestly for the third quarter, but maintain solid gains for 2016. Longer-dated bonds across the quality spectrum outperformed during the quarter as the yield curve continued to flatten.

***Portfolio Allocation***

As of the end of the quarter, the consolidated Alameda CTC portfolio consisted of 39.6% US Government Agency securities, 29.3% US Treasury securities, 24.5% High Grade Corporate Bonds and 6.6% of cash and cash equivalents.

***Compliance with Investment Policy Statement***

For the quarter ending September 30, 2016 the Alameda CTC portfolio has two compliance items to note:

- (1) Anheuser Busch bonds were purchased for both the 1986 Measure B and 2000 Measure B investment portfolios in May 2015. The invested amounts are \$3,000,000 in each portfolio. The security has a maturity date of 7/15/17. The credit ratings at the time of purchase were A2/A by Moody's and S&P, respectively. In part due to a proposed merger, the security's credit ratings were downgraded to A3/A-. Based on the credit outlook and strong fundamentals, we recommended that Alameda CTC continue to hold the security, and the Alameda CTC investment officer agreed.

- (2) On September 9, 2016, \$1,000,000 of JP Morgan bonds were purchased in the 2000 Measure B investment portfolio. The bonds have a maturity of 8/15/2017 with credit ratings of A3/A- by Moody's and S&P, respectively. The trade was made in error as the credit ratings for Moody and S&P are a half notch below the minimum ratings allowed for purchases of A2/A in the investment policy. The underlying credit is considered stable and expected to maintain its current rating through maturity. The stable outlook is based on the bank's suitable capitalization and stable retail and commercial banking platforms which offset its more volatile investment banking operations. With less than a year to maturity and a competitive yield of 1.37% we recommended that Alameda CTC continue to hold the security to maturity, and the Alameda CTC investment officer agreed that at this juncture that is the best decision for Alameda CTC.

GenSpring will continue to carefully monitor both credits on a monthly basis.

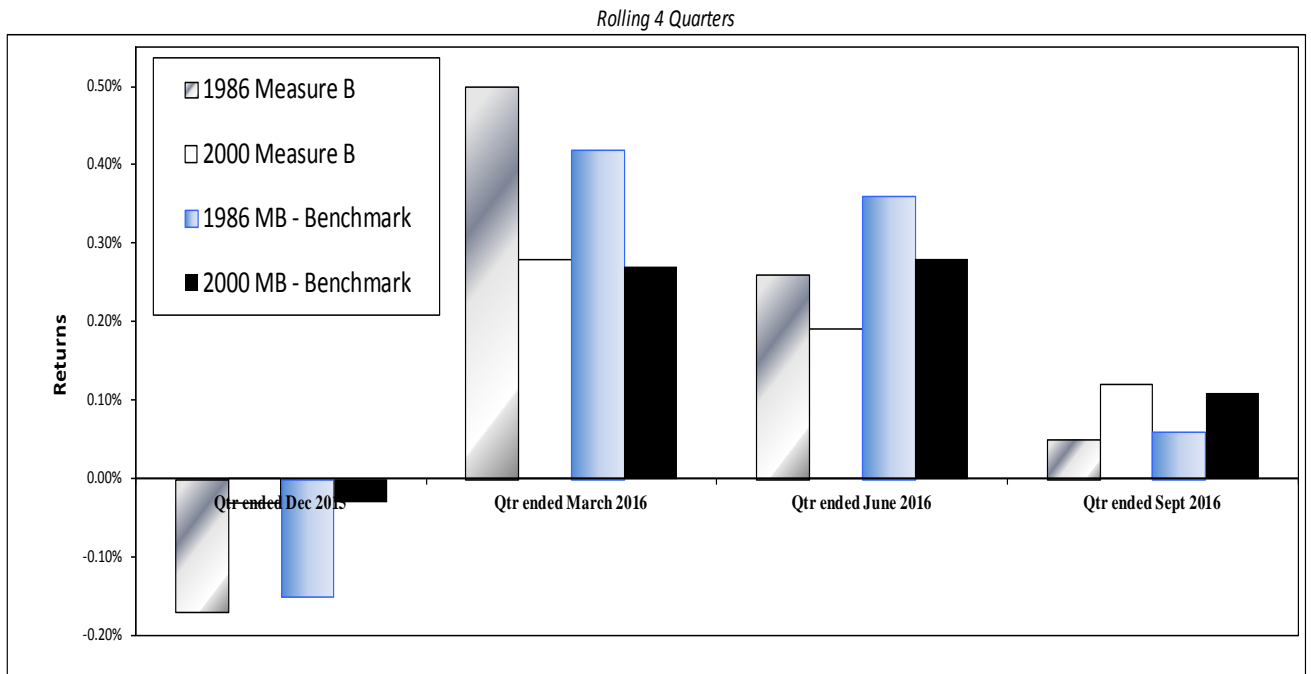
### **Budget Impact**

The portfolio's performance is reported on a total economic return basis. This method includes the coupon interest, amortization of discounts and premiums, capital gains and losses and price changes (i.e., unrealized gains and losses) but does not include the deduction of management fees. For the quarter ending September 30, the 1986 Measure B portfolio returned **0.05%**. This compares to the benchmark return of **0.06%**. For the quarter ending September 30, the 2000 Measure B portfolio returned **0.12%**. This compares to the benchmark return of **0.11%**. The exhibit below shows the performance of the Alameda CTC's portfolios relative to their respective benchmarks.

The portfolio's yield to maturity, the return the portfolio will earn in the future if all securities are held to maturity is also reported. This calculation is based on the current market value of the portfolio including unrealized gains and losses. For the quarter ending September 30, the 1986 Measure B portfolio's yield to maturity or call was **0.73%**. The benchmark's yield to maturity was **0.65%**. For the quarter ending September 30, the 2000 Measure B portfolio's yield to maturity or call was **0.68%**. The benchmark's yield to maturity was **0.54%**.

## Alameda CTC

### Quarterly Review - Account vs. Benchmark



| Trailing 12 Months               | Oct-15 | Nov-15 | Dec-15 | Jan-16 | Feb-16 | Mar-16 | Apr-16 | May-16 | Jun-16 | Jul-16 | Aug-16 | Sep-16 | Trailing 12 Months |
|----------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------------------|
| <b>MONTHLY PERFORMANCE DATA</b>  |        |        |        |        |        |        |        |        |        |        |        |        |                    |
| 1986 Measure B                   | -0.01% | -0.11% | -0.05% | 0.26%  | 0.08%  | 0.16%  | 0.03%  | -0.01% | 0.24%  | 0.02%  | -0.02% | 0.05%  | 0.64%              |
| 2000 Measure B                   | 0.01%  | -0.04% | 0.00%  | 0.12%  | 0.06%  | 0.10%  | 0.05%  | 0.00%  | 0.14%  | 0.04%  | 0.03%  | 0.05%  | 0.56%              |
| Benchmark - 1986 MB <sup>1</sup> | -0.03% | -0.10% | -0.02% | 0.28%  | 0.01%  | 0.13%  | 0.09%  | -0.05% | 0.32%  | 0.01%  | -0.05% | 0.10%  | 0.69%              |
| Benchmark - 2000 MB <sup>2</sup> | -0.01% | -0.04% | 0.02%  | 0.17%  | -0.01% | 0.11%  | 0.10%  | -0.02% | 0.20%  | 0.03%  | -0.01% | 0.09%  | 0.63%              |

Note: Past performance is not an indication of future results. Performance is presented prior to the deduction of investment management fees.

<sup>1</sup> (1986 Measure B) Benchmark is a customized benchmark comprised of 25% ML 1 -3 year Tsy index, 25% ML 6mo. Tsy index and 50% ML 1 year Tsy index

<sup>2</sup> (2000 Measure B) Benchmark is currently a customized benchmark comprised of 50% ML 6mo. Tsy index and 50% ML 1 year Tsy index.

### **Bond Proceeds Portfolios**

On March 4, 2014, in conjunction with the issuance of the Alameda County Transportation Commission Sales Tax Revenue Bonds, Series 2014, (the Series 2014 Bonds), Alameda CTC established both an **Interest Fund** and **Project Fund** at Union Bank of California, the Series 2014 Bond trustee. These portfolios were initially funded with \$108,944,688 in the Project Fund and \$20,335,856 in the Interest Fund, which was an amount net of the initial drawdown for bond related project costs incurred prior to closing.

As of September 30, 2016, \$108,817,090.28 had been distributed from the Project Fund and \$14,205,863.75 had been distributed from the Interest Fund. The quarter end values of the Project and Interest Funds, including unrealized gains and losses, were \$290,539.94 and \$6,382,892.31 respectively.

The portfolios were invested by buying allowable high grade fixed income securities. As of September 30, 2016 the average life of the cash flows for the Interest Fund was roughly **0.7** years while the average life of the cash flows of the Project Fund was anticipated to be approximately 1 week.

One way to measure the anticipated return of the portfolios is their *yield to maturity*. This is the return the portfolio will earn in the future if all securities are held to maturity. This calculation is based on the current market value of the portfolio. As of the end of the quarter the Interest Fund portfolio's yield to maturity was **0.63%** and the Project Fund portfolio's yield to maturity was **0.29%** (including the current yield on cash and cash equivalents). By comparison, an investment in a U.S. Treasury note of comparable average maturity at the end of the month would yield **0.52%** and **0.18%** respectively.

For the quarter ending September 30, 2016, the Alameda CTC Series 2014 Bonds Interest Fund and Project Fund portfolios were invested in compliance with the Bond Indenture dated February 1, 2014.

**FIXED INCOME PORTFOLIO**  
**Alameda County Transportation Commission**  
**ACTA 1986 Measure B**  
**Account # N001**  
September 30, 2016

| Quantity                | Security Symbol          | Security  | Moody | S & P | Unit Cost | Total Cost              | Price  | Market Value            | Accrued Interest | Total Market Value      | Pct Assets   | Yield To Mat | Duration   |
|-------------------------|--------------------------|---|-------|-------|-----------|-------------------------|--------|-------------------------|------------------|-------------------------|--------------|--------------|------------|
| <b>CASH</b>             |                          |   |       |       |           |                         |        |                         |                  |                         |              |              |            |
|                         | 61747c70s<br>pendingcash | MORGAN STANLEY GOVERNMENT INST<br>PENDING SETTLEMENT  |       |       |           | 10,464,672.01<br>408.98 |        | 10,464,672.01<br>408.98 |                  | 10,464,672.01<br>408.98 | 9.14<br>0.00 |              | 0.0<br>0.0 |
|                         |                          |   |       |       |           | 10,465,080.99           |        | 10,465,080.99           |                  | 10,465,080.99           | 9.14         |              | 0.0        |
| <b>CORPORATE BONDS</b>  |                          |   |       |       |           |                         |        |                         |                  |                         |              |              |            |
| 1,000,000.0000          | 191216bd1                | COCA COLA CO<br>0.750% Due 11-01-16                   | AA3   | AA-   | 100.15    | 1,001,500.00            | 99.98  | 999,770.00              | 3,125.00         | 1,002,895.00            | 0.87         | 1.01         | 0.1        |
| 1,000,000.0000          | 742718ed7                | PROCTER & GAMBLE CO<br>0.750% Due 11-04-16            | AA3   | AA-   | 100.23    | 1,002,270.00            | 100.01 | 1,000,077.00            | 3,062.50         | 1,003,139.50            | 0.87         | 0.67         | 0.1        |
| 1,000,000.0000          | 478160bf0                | JOHNSON & JOHNSON<br>0.700% Due 11-28-16              | AAA   | AAA   | 100.13    | 1,001,290.00            | 100.01 | 1,000,051.00            | 2,391.67         | 1,002,442.67            | 0.87         | 0.67         | 0.2        |
| 1,000,000.0000          | 25468pcs3                | DISNEY WALT CO MTNS BE<br>1.125% Due 02-15-17         | A2    | A     | 100.63    | 1,006,290.00            | 100.08 | 1,000,820.00            | 1,437.50         | 1,002,257.50            | 0.87         | 0.90         | 0.4        |
| 1,000,000.0000          | 17275rak8                | CISCO SYS INC<br>3.150% Due 03-14-17                  | A1    | AA-   | 103.34    | 1,033,370.00            | 101.00 | 1,009,975.00            | 1,487.50         | 1,011,462.50            | 0.88         | 0.95         | 0.5        |
| 1,000,000.0000          | 94974bfd7                | WELLS FARGO CO MTN BE<br>2.100% Due 05-08-17          | A2    | A     | 101.77    | 1,017,700.00            | 100.43 | 1,004,320.00            | 8,341.67         | 1,012,661.67            | 0.88         | 1.38         | 0.6        |
| 1,000,000.0000          | 037833bb5                | APPLE INC<br>0.900% Due 05-12-17                      | AA1   | AA+   | 100.10    | 1,001,000.00            | 100.00 | 999,975.00              | 3,450.00         | 1,003,425.00            | 0.87         | 0.90         | 0.6        |
| 1,500,000.0000          | 084664bs9                | BERKSHIRE HATHAWAY FIN CORP<br>1.600% Due 05-15-17    | AA2   | AA    | 101.35    | 1,520,175.00            | 100.34 | 1,505,115.00            | 9,066.67         | 1,514,181.67            | 1.31         | 1.05         | 0.6        |
| 3,000,000.0000          | 91159hhd5                | U S BANCORP MTNS BK ENT<br>1.650% Due 05-15-17        | A1    | A+    | 101.52    | 3,045,480.00            | 100.29 | 3,008,736.00            | 18,700.00        | 3,027,436.00            | 2.63         | 1.18         | 0.6        |
| 1,000,000.0000          | 89233p6d3                | TOYOTA MTR CRD CORP MTN BE<br>1.750% Due 05-22-17     | AA3   | AA-   | 101.32    | 1,013,200.00            | 100.49 | 1,004,915.00            | 6,270.83         | 1,011,185.83            | 0.88         | 0.98         | 0.6        |
| 1,000,000.0000          | 88579yae1                | 3M CO<br>1.000% Due 06-26-17                          | A1    | AA-   | 100.35    | 1,003,500.00            | 100.06 | 1,000,611.00            | 2,638.89         | 1,003,249.89            | 0.87         | 0.92         | 0.7        |
| 3,000,000.0000          | 03523tbn7                | ANHEUSER BUSCH INBEV WORLDWIDE<br>1.375% Due 07-15-17 | A3    | A-    | 100.78    | 3,023,430.00            | 100.22 | 3,006,600.00            | 8,708.33         | 3,015,308.33            | 2.63         | 1.09         | 0.8        |
| 1,000,000.0000          | 911312ap1                | UNITED PARCEL SERVICE INC<br>1.125% Due 10-01-17      | AA3   | A+    | 100.33    | 1,003,320.00            | 100.12 | 1,001,210.00            | 5,625.00         | 1,006,835.00            | 0.87         | 1.00         | 1.0        |
| 2,500,000.0000          | 713448db1                | PEPSICO INC<br>1.000% Due 10-13-17                    | A1    | A     | 100.05    | 2,501,250.00            | 100.02 | 2,500,450.00            | 11,666.67        | 2,512,116.67            | 2.18         | 0.98         | 1.0        |
| 2,500,000.0000          | 22160kae5                | COSTCO WHSL CORP NEW<br>1.125% Due 12-15-17           | A1    | A+    | 100.14    | 2,503,475.00            | 100.20 | 2,505,100.00            | 8,281.25         | 2,513,381.25            | 2.19         | 0.95         | 1.2        |
| 2,500,000.0000          | 458140al4                | INTEL CORP<br>1.350% Due 12-15-17                     | A1    | A+    | 100.55    | 2,513,750.00            | 100.31 | 2,507,805.00            | 9,937.50         | 2,517,742.50            | 2.19         | 1.09         | 1.2        |
| 1,700,000.0000          | 05531fam5                | BB&T CORPORATION<br>1.450% Due 01-12-18               | A2    | A-    | 99.52     | 1,691,806.00            | 100.25 | 1,704,273.80            | 5,409.31         | 1,709,683.11            | 1.49         | 1.25         | 1.3        |
| 1,000,000.0000          | 166764av2                | CHEVRON CORP NEW<br>1.365% Due 03-02-18               | AA2   | AA-   | 99.72     | 997,200.00              | 100.18 | 1,001,760.00            | 1,099.58         | 1,002,859.58            | 0.87         | 1.24         | 1.4        |
| 2,500,000.0000          | 594918as3                | MICROSOFT CORP<br>1.000% Due 05-01-18                 | AAA   | AAA   | 99.70     | 2,492,500.00            | 99.98  | 2,499,527.50            | 10,416.67        | 2,509,944.17            | 2.18         | 1.01         | 1.6        |
|                         |                          |   |       |       |           | 30,372,506.00           |        | 30,261,091.30           | 121,116.53       | 30,382,207.83           | 26.43        | 1.03         | 0.9        |
| <b>GOVERNMENT BONDS</b> |                          |   |       |       |           |                         |        |                         |                  |                         |              |              |            |
| 3,000,000.0000          | 3137eads5                | FEDERAL HOME LN MTG CORP<br>0.875% Due 10-14-16       | AAA   | AA+   | 100.45    | 3,013,500.00            | 100.02 | 3,000,519.00            | 12,177.08        | 3,012,696.08            | 2.62         | 0.43         | 0.0        |

**FIXED INCOME PORTFOLIO**  
**Alameda County Transportation Commission**  
**ACTA 1986 Measure B**  
**Account # N001**  
September 30, 2016

| Quantity               | Security Symbol | Security  | Moody | S & P | Unit Cost             | Total Cost   | Price  | Market Value          | Accrued Interest  | Total Market Value    | Pct Assets    | Yield To Mat | Duration   |
|------------------------|-----------------|---|-------|-------|-----------------------|--------------|--------|-----------------------|-------------------|-----------------------|---------------|--------------|------------|
| 2,500,000.0000         | 3134g3s50       | FEDERAL HOME LN MTG CORP<br>0.625% Due 11-01-16 | AAA   | AA+   | 100.00                | 2,500,000.00 | 100.02 | 2,500,587.50          | 6,510.42          | 2,507,097.92          | 2.18          | 0.35         | 0.1        |
| 2,900,000.0000         | 3135g0gy3       | FEDERAL NATL MTG ASSN<br>1.250% Due 01-30-17    | AAA   | AA+   | 100.68                | 2,919,691.00 | 100.26 | 2,907,528.40          | 6,142.36          | 2,913,670.76          | 2.54          | 0.47         | 0.3        |
| 2,000,000.0000         | 3137eadc0       | FEDERAL HOME LN MTG CORP<br>1.000% Due 03-08-17 | AAA   | AA+   | 100.62                | 2,012,340.00 | 100.23 | 2,004,592.00          | 1,277.78          | 2,005,869.78          | 1.75          | 0.48         | 0.4        |
| 1,000,000.0000         | 3135g0zb2       | FEDERAL NATL MTG ASSN<br>0.750% Due 04-20-17    | AAA   | AA+   | 100.32                | 1,003,180.00 | 100.12 | 1,001,219.00          | 3,354.17          | 1,004,573.17          | 0.87          | 0.53         | 0.6        |
| 10,000,000.0000        | 912828k66       | UNITED STATES TREAS NTS<br>0.500% Due 04-30-17  | AAA   | AA+   | 99.73                 | 9,972,656.25 | 99.98  | 9,997,800.00          | 20,972.22         | 10,018,772.22         | 8.73          | 0.54         | 0.6        |
| 2,000,000.0000         | 3130a6sw8       | FEDERAL HOME LOAN BANKS<br>1.000% Due 12-19-17  | AAA   | AA+   | 99.97                 | 1,999,340.00 | 100.29 | 2,005,884.00          | 5,666.67          | 2,011,550.67          | 1.75          | 0.76         | 1.2        |
| 3,000,000.0000         | 912828hr4       | UNITED STATES TREAS NTS<br>3.500% Due 02-15-18  | AAA   | AA+   | 105.50                | 3,164,882.82 | 103.76 | 3,112,851.00          | 13,416.67         | 3,126,267.67          | 2.72          | 0.74         | 1.3        |
| 2,000,000.0000         | 3137eadp1       | FEDERAL HOME LN MTG CORP<br>0.875% Due 03-07-18 | AAA   | AA+   | 99.52                 | 1,990,460.00 | 100.08 | 2,001,560.00          | 1,166.67          | 2,002,726.67          | 1.75          | 0.82         | 1.4        |
| 3,000,000.0000         | 912828qb9       | UNITED STATES TREAS NTS<br>2.875% Due 03-31-18  | AAA   | AA+   | 104.16                | 3,124,921.89 | 103.16 | 3,094,686.00          | 239.58            | 3,094,925.58          | 2.70          | 0.75         | 1.5        |
| 2,500,000.0000         | 3130a4gj5       | FEDERAL HOME LOAN BANKS<br>1.125% Due 04-25-18  | AAA   | AA+   | 100.02                | 2,500,500.00 | 100.49 | 2,512,150.00          | 12,187.50         | 2,524,337.50          | 2.19          | 0.81         | 1.5        |
| 6,000,000.0000         | 912828xa3       | UNITED STATES TREAS NTS<br>1.000% Due 05-15-18  | AAA   | AA+   | 100.48                | 6,029,062.50 | 100.40 | 6,023,904.00          | 22,663.04         | 6,046,567.04          | 5.26          | 0.75         | 1.6        |
| 5,000,000.0000         | 3135g0wj8       | FEDERAL NATL MTG ASSN<br>0.875% Due 05-21-18    | AAA   | AA+   | 100.20                | 5,010,000.00 | 100.09 | 5,004,450.00          | 15,798.61         | 5,020,248.61          | 4.37          | 0.82         | 1.6        |
| 2,500,000.0000         | 912828qq6       | UNITED STATES TREAS NTS<br>2.375% Due 05-31-18  | AAA   | AA+   | 103.19                | 2,579,687.50 | 102.66 | 2,566,602.50          | 19,956.60         | 2,586,559.10          | 2.24          | 0.76         | 1.6        |
| 5,000,000.0000         | 3137eabp3       | FEDERAL HOME LN MTG CORP<br>4.875% Due 06-13-18 | AAA   | AA+   | 106.92                | 5,346,000.00 | 106.81 | 5,340,690.00          | 73,125.00         | 5,413,815.00          | 4.66          | 0.84         | 1.6        |
| 5,000,000.0000         | 3135g0e33       | FEDERAL NATL MTG ASSN<br>1.125% Due 07-20-18    | AAA   | AA+   | 100.57                | 5,028,500.00 | 100.50 | 5,025,050.00          | 11,093.75         | 5,036,143.75          | 4.39          | 0.84         | 1.8        |
| 3,000,000.0000         | 3130a8pk3       | FEDERAL HOME LOAN BANKS<br>0.625% Due 08-07-18  | AAA   | AA+   | 99.65                 | 2,989,500.00 | 99.61  | 2,988,306.00          | 2,812.50          | 2,991,118.50          | 2.61          | 0.84         | 1.8        |
| 2,500,000.0000         | 912828re2       | UNITED STATES TREAS NTS<br>1.500% Due 08-31-18  | AAA   | AA+   | 101.40                | 2,535,066.98 | 101.35 | 2,533,790.00          | 3,211.33          | 2,537,001.33          | 2.21          | 0.79         | 1.9        |
| 5,000,000.0000         | 3135g0ym9       | FEDERAL NATL MTG ASSN<br>1.875% Due 09-18-18    | AAA   | AA+   | 102.08                | 5,104,000.00 | 102.04 | 5,102,020.00          | 3,385.42          | 5,105,405.42          | 4.46          | 0.83         | 1.9        |
| 5,000,000.0000         | 912828rh5       | UNITED STATES TREAS NTS<br>1.375% Due 09-30-18  | AAA   | AA+   | 101.18                | 5,059,001.10 | 101.13 | 5,056,445.00          | 188.87            | 5,056,633.87          | 4.42          | 0.80         | 2.0        |
|                        |                 |   |       |       | 73,882,290.04         |              |        | 73,780,634.40         | 235,346.23        | 74,015,980.63         | 64.43         | 0.71         | 1.3        |
| <b>TOTAL PORTFOLIO</b> |                 |   |       |       | <b>114,719,877.03</b> |              |        | <b>114,506,806.69</b> | <b>356,462.76</b> | <b>114,863,269.45</b> | <b>100.00</b> | <b>0.73</b>  | <b>1.1</b> |

**FIXED INCOME PORTFOLIO**  
**Alameda County Transportation Commission**  
**ACTIA 2000 Measure B**  
**Account # N001UNB1**  
*September 30, 2016*

| Quantity                | Security Symbol | Security                       | Moody | S & P | Unit Cost | Total Cost    | Price  | Market Value  | Accrued Interest | Total Market Value | Pct Assets | Yield To Mat | Duration |
|-------------------------|-----------------|--------------------------------|-------|-------|-----------|---------------|--------|---------------|------------------|--------------------|------------|--------------|----------|
| <b>CASH</b>             |                 |                                |       |       |           |               |        |               |                  |                    |            |              |          |
|                         | 61747c70s       | MORGAN STANLEY GOVERNMENT INST |       |       |           | 3,973,544.03  |        | 3,973,544.03  |                  | 3,973,544.03       | 3.79       |              | 0.0      |
|                         | pendingcash     | PENDING SETTLEMENT             |       |       |           | 1,298.58      |        | 1,298.58      |                  | 1,298.58           | 0.00       |              | 0.0      |
|                         |                 |                                |       |       |           | 3,974,842.61  |        | 3,974,842.61  |                  | 3,974,842.61       | 3.79       |              | 0.0      |
| <b>CORPORATE BONDS</b>  |                 |                                |       |       |           |               |        |               |                  |                    |            |              |          |
| 2,934,000.0000          | 458140ah3       | INTEL CORP                     | A1    | A+    | 101.56    | 2,979,887.76  | 100.00 | 2,934,000.00  | 28,606.50        | 2,962,606.50       | 2.80       | 1.93         | 0.0      |
|                         |                 | 1.950% Due 10-01-16            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,250,000.0000          | 69353rcg1       | PNC BK N A PITTSBURGH PA       | A2    | A     | 100.00    | 1,249,962.50  | 100.06 | 1,250,775.00  | 2,500.00         | 1,253,275.00       | 1.19       | 0.93         | 0.3      |
|                         |                 | 1.125% Due 01-27-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,500,000.0000          | 17275rat9       | CISCO SYS INC                  | A1    | AA-   | 100.35    | 1,505,280.00  | 100.04 | 1,500,601.50  | 1,283.33         | 1,501,884.83       | 1.43       | 1.00         | 0.4      |
|                         |                 | 1.100% Due 03-03-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 3,000,000.0000          | 87612eap1       | TARGET CORP                    | A2    | A     | 104.18    | 3,125,490.00  | 102.51 | 3,075,213.00  | 67,187.50        | 3,142,400.50       | 2.93       | 1.07         | 0.6      |
|                         |                 | 5.375% Due 05-01-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,000,000.0000          | 94974bfd7       | WELLS FARGO CO MTN BE          | A2    | A     | 100.95    | 1,009,500.00  | 100.43 | 1,004,320.00  | 8,341.67         | 1,012,661.67       | 0.96       | 1.38         | 0.6      |
|                         |                 | 2.100% Due 05-08-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,000,000.0000          | 037833bb5       | APPLE INC                      | AA1   | AA+   | 100.08    | 1,000,790.00  | 100.00 | 999,975.00    | 3,450.00         | 1,003,425.00       | 0.95       | 0.90         | 0.6      |
|                         |                 | 0.900% Due 05-12-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 3,000,000.0000          | 717081dj9       | PFIZER INC                     | A1    | AA    | 100.28    | 3,008,490.00  | 100.07 | 3,002,211.00  | 12,466.67        | 3,014,677.67       | 2.86       | 0.98         | 0.6      |
|                         |                 | 1.100% Due 05-15-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,000,000.0000          | 91159hhd5       | U S BANCORP MTNS BK ENT        | A1    | A+    | 100.56    | 1,005,590.00  | 100.29 | 1,002,912.00  | 6,233.33         | 1,009,145.33       | 0.96       | 1.18         | 0.6      |
|                         |                 | 1.650% Due 05-15-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 3,000,000.0000          | 89233p6d3       | TOYOTA MTR CRD CORP MTN BE     | AA3   | AA-   | 100.82    | 3,024,690.00  | 100.49 | 3,014,745.00  | 18,812.50        | 3,033,557.50       | 2.88       | 0.98         | 0.6      |
|                         |                 | 1.750% Due 05-22-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 3,000,000.0000          | 03523tbn7       | ANHEUSER BUSCH INBEV WORLDWIDE | A3    | A-    | 100.78    | 3,023,430.00  | 100.22 | 3,006,600.00  | 8,708.33         | 3,015,308.33       | 2.87       | 1.09         | 0.8      |
|                         |                 | 1.375% Due 07-15-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,000,000.0000          | 48126eaa5       | JPMORGAN CHASE & CO            | A3    | A-    | 100.77    | 1,007,690.00  | 100.57 | 1,005,723.00  | 2,555.56         | 1,008,278.56       | 0.96       | 1.34         | 0.9      |
|                         |                 | 2.000% Due 08-15-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 1,500,000.0000          | 06406hce7       | BANK NEW YORK MTN BK ENT       | A1    | A     | 100.29    | 1,504,380.00  | 100.22 | 1,503,328.50  | 3,575.00         | 1,506,903.50       | 1.43       | 1.13         | 1.3      |
|                         |                 | 1.300% Due 01-25-18            |       |       |           |               |        |               |                  |                    |            |              |          |
|                         |                 |                                |       |       |           | 23,445,180.26 |        | 23,300,404.00 | 163,720.39       | 23,464,124.39      | 22.23      | 1.17         | 0.6      |
| <b>GOVERNMENT BONDS</b> |                 |                                |       |       |           |               |        |               |                  |                    |            |              |          |
| 10,000,000.0000         | 912828wf3       | UNITED STATES TREAS NTS        | AAA   | AA+   | 100.18    | 10,017,578.10 | 100.05 | 10,005,080.00 | 23,611.11        | 10,028,691.11      | 9.55       | 0.22         | 0.1      |
|                         |                 | 0.625% Due 11-15-16            |       |       |           |               |        |               |                  |                    |            |              |          |
| 3,000,000.0000          | 31359m2d4       | FEDERAL NATL MTG ASSN          | AAA   | AA+   | 103.98    | 3,119,349.00  | 100.94 | 3,028,059.00  | 43,062.50        | 3,071,121.50       | 2.89       | 0.38         | 0.2      |
|                         |                 | 4.875% Due 12-15-16            |       |       |           |               |        |               |                  |                    |            |              |          |
| 2,500,000.0000          | 912828rx0       | UNITED STATES TREAS NTS        | AAA   | AA+   | 100.11    | 2,502,832.03  | 100.15 | 2,503,652.50  | 5,528.19         | 2,509,180.69       | 2.39       | 0.29         | 0.2      |
|                         |                 | 0.875% Due 12-31-16            |       |       |           |               |        |               |                  |                    |            |              |          |
| 5,000,000.0000          | 3137eadt3       | FEDERAL HOME LN MTG CORP       | AAA   | AA+   | 100.24    | 5,011,945.00  | 100.16 | 5,007,955.00  | 4,739.58         | 5,012,694.58       | 4.78       | 0.47         | 0.4      |
|                         |                 | 0.875% Due 02-22-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 5,000,000.0000          | 313313ce6       | FEDL FARM CRED BK CONS DISC NT | AAA   | AA+   | 99.51     | 4,975,458.33  | 99.87  | 4,993,490.00  | 0.00             | 4,993,490.00       | 4.76       | 0.32         | 0.4      |
|                         |                 | 0.000% Due 02-22-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 3,000,000.0000          | 912828sm3       | UNITED STATES TREAS NTS        | AAA   | AA+   | 100.28    | 3,008,320.32  | 100.25 | 3,007,500.00  | 82.42            | 3,007,582.42       | 2.87       | 0.50         | 0.5      |
|                         |                 | 1.000% Due 03-31-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 4,000,000.0000          | 3135g0zb2       | FEDERAL NATL MTG ASSN          | AAA   | AA+   | 100.03    | 4,001,080.00  | 100.12 | 4,004,876.00  | 13,416.67        | 4,018,292.67       | 3.82       | 0.53         | 0.6      |
|                         |                 | 0.750% Due 04-20-17            |       |       |           |               |        |               |                  |                    |            |              |          |
| 4,000,000.0000          | 3135g0ja2       | FEDERAL NATL MTG ASSN          | AAA   | AA+   | 100.37    | 4,014,813.76  | 100.31 | 4,012,460.00  | 19,250.00        | 4,031,710.00       | 3.83       | 0.58         | 0.6      |
|                         |                 | 1.125% Due 04-27-17            |       |       |           |               |        |               |                  |                    |            |              |          |

**FIXED INCOME PORTFOLIO**  
**Alameda County Transportation Commission**  
**ACTIA 2000 Measure B**  
**Account # N001UNBI**  
*September 30, 2016*

| Quantity               | Security Symbol | Security  | Moody | S & P | Unit Cost             | Total Cost   | Price  | Market Value          | Accrued Interest  | Total Market Value    | Pct Assets    | Yield To Mat | Duration   |
|------------------------|-----------------|---|-------|-------|-----------------------|--------------|--------|-----------------------|-------------------|-----------------------|---------------|--------------|------------|
| 1,300,000.0000         | 3130a5ep0       | FEDERAL HOME LOAN BANKS<br>0.625% Due 05-30-17  | AAA   | AA+   | 99.75                 | 1,296,711.00 | 100.02 | 1,300,222.30          | 2,730.90          | 1,302,953.20          | 1.24          | 0.60         | 0.7        |
| 5,000,000.0000         | 912828ng1       | UNITED STATES TREAS NTS<br>2.750% Due 05-31-17  | AAA   | AA+   | 102.02                | 5,101,171.90 | 101.42 | 5,071,095.00          | 46,215.28         | 5,117,310.28          | 4.84          | 0.61         | 0.7        |
| 4,000,000.0000         | 313379dd8       | FEDERAL HOME LOAN BANKS<br>1.000% Due 06-21-17  | AAA   | AA+   | 100.24                | 4,009,776.00 | 100.29 | 4,011,460.00          | 11,111.11         | 4,022,571.11          | 3.83          | 0.60         | 0.7        |
| 4,000,000.0000         | 3135g0zl0       | FEDERAL NATL MTG ASSN<br>1.000% Due 09-27-17    | AAA   | AA+   | 100.32                | 4,012,960.00 | 100.32 | 4,012,848.00          | 444.44            | 4,013,292.44          | 3.83          | 0.67         | 1.0        |
| 5,000,000.0000         | 3137eadl0       | FEDERAL HOME LN MTG CORP<br>1.000% Due 09-29-17 | AAA   | AA+   | 100.32                | 5,015,900.00 | 100.31 | 5,015,580.00          | 277.78            | 5,015,857.78          | 4.79          | 0.69         | 1.0        |
| 2,000,000.0000         | 3137eadx4       | FEDERAL HOME LN MTG CORP<br>1.000% Due 12-15-17 | AAA   | AA+   | 100.35                | 2,007,000.00 | 100.34 | 2,006,890.00          | 5,888.89          | 2,012,778.89          | 1.92          | 0.71         | 1.2        |
| 1,200,000.0000         | 912828hr4       | UNITED STATES TREAS NTS<br>3.500% Due 02-15-18  | AAA   | AA+   | 105.50                | 1,265,953.13 | 103.76 | 1,245,140.40          | 5,366.67          | 1,250,507.07          | 1.19          | 0.74         | 1.3        |
| 2,000,000.0000         | 912828q45       | UNITED STATES TREAS NTS<br>0.875% Due 03-31-18  | AAA   | AA+   | 100.20                | 2,003,984.38 | 100.20 | 2,004,062.00          | 48.08             | 2,004,110.08          | 1.91          | 0.74         | 1.5        |
| 2,000,000.0000         | 3135g0wj8       | FEDERAL NATL MTG ASSN<br>0.875% Due 05-21-18    | AAA   | AA+   | 100.14                | 2,002,700.00 | 100.09 | 2,001,780.00          | 6,319.44          | 2,008,099.44          | 1.91          | 0.82         | 1.6        |
| 2,000,000.0000         | 3137eabp3       | FEDERAL HOME LN MTG CORP<br>4.875% Due 06-13-18 | AAA   | AA+   | 106.92                | 2,138,400.00 | 106.81 | 2,136,276.00          | 29,250.00         | 2,165,526.00          | 2.04          | 0.84         | 1.6        |
| 2,000,000.0000         | 3130a8pk3       | FEDERAL HOME LOAN BANKS<br>0.625% Due 08-07-18  | AAA   | AA+   | 99.65                 | 1,993,000.00 | 99.61  | 1,992,204.00          | 1,875.00          | 1,994,079.00          | 1.90          | 0.84         | 1.8        |
| 2,000,000.0000         | 912828re2       | UNITED STATES TREAS NTS<br>1.500% Due 08-31-18  | AAA   | AA+   | 101.40                | 2,028,053.58 | 101.35 | 2,027,032.00          | 2,569.06          | 2,029,601.06          | 1.93          | 0.79         | 1.9        |
| 2,000,000.0000         | 3135g0ym9       | FEDERAL NATL MTG ASSN<br>1.875% Due 09-18-18    | AAA   | AA+   | 102.08                | 2,041,600.00 | 102.04 | 2,040,808.00          | 1,354.17          | 2,042,162.17          | 1.95          | 0.83         | 1.9        |
| 3,000,000.0000         | 912828rh5       | UNITED STATES TREAS NTS<br>1.375% Due 09-30-18  | AAA   | AA+   | 101.18                | 3,035,400.66 | 101.13 | 3,033,867.00          | 113.32            | 3,033,980.32          | 2.90          | 0.80         | 2.0        |
| 3,000,000.0000         | 912828rp7       | UNITED STATES TREAS NTS<br>1.750% Due 10-31-18  | AAA   | AA+   | 102.00                | 3,059,892.87 | 101.93 | 3,058,008.00          | 21,970.11         | 3,079,978.11          | 2.92          | 0.81         | 2.0        |
|                        |                 |   |       |       |                       |              |        | 77,520,345.20         | 245,224.72        | 77,765,569.92         | 73.97         | 0.56         | 0.9        |
| <b>TOTAL PORTFOLIO</b> |                 |   |       |       | <b>105,083,902.93</b> |              |        | <b>104,795,591.81</b> | <b>408,945.11</b> | <b>105,204,536.92</b> | <b>100.00</b> | <b>0.68</b>  | <b>0.8</b> |



**FIXED INCOME PORTFOLIO**  
**Alameda County Transportation Commission**  
**Interest Fund**  
**Account # N001UNB2**  
*September 30, 2016*

| Quantity                | Security<br>Symbol | Security                       | Moody | S & P | Unit<br>Cost | Total<br>Cost       | Price  | Market<br>Value     | Accrued<br>Interest | Total Market Value  | Pct<br>Assets | Yield<br>To<br>Mat | Dur-<br>ation |
|-------------------------|--------------------|--------------------------------|-------|-------|--------------|---------------------|--------|---------------------|---------------------|---------------------|---------------|--------------------|---------------|
| <b>CASH</b>             |                    |                                |       |       |              |                     |        |                     |                     |                     |               |                    |               |
|                         | 61747c70s          | MORGAN STANLEY GOVERNMENT INST |       |       |              | 290,470.25          |        | 290,470.25          |                     | 290,470.25          | 4.56          |                    | 0.0           |
|                         | pendingcash        | PENDING SETTLEMENT             |       |       |              | 69.69               |        | 69.69               |                     | 69.69               | 0.00          |                    | 0.0           |
|                         |                    |                                |       |       |              | 290,539.94          |        | 290,539.94          |                     | 290,539.94          | 4.56          |                    | 0.0           |
| <b>CORPORATE BONDS</b>  |                    |                                |       |       |              |                     |        |                     |                     |                     |               |                    |               |
| 1,000,000.0000          | 69353reg1          | PNC BK N A PITTSBURGH PA       | A2    | A     | 100.06       | 1,000,550.00        | 100.06 | 1,000,620.00        | 2,000.00            | 1,002,620.00        | 15.70         | 0.93               | 0.3           |
|                         |                    | 1.125% Due 01-27-17            |       |       |              |                     |        |                     |                     |                     |               |                    |               |
| 950,000.0000            | 478160aq7          | JOHNSON & JOHNSON              | AAA   | AAA   | 115.02       | 1,092,709.00        | 104.07 | 988,694.45          | 6,737.08            | 995,431.53          | 15.52         | 0.87               | 0.9           |
|                         |                    | 5.550% Due 08-15-17            |       |       |              |                     |        |                     |                     |                     |               |                    |               |
|                         |                    |                                |       |       |              | 2,093,259.00        |        | 1,989,314.45        | 8,737.08            | 1,998,051.53        | 31.22         | 0.90               | 0.6           |
| <b>GOVERNMENT BONDS</b> |                    |                                |       |       |              |                     |        |                     |                     |                     |               |                    |               |
| 1,800,000.0000          | 912828b74          | UNITED STATES TREAS NTS        | AAA   | AA+   | 99.75        | 1,795,429.67        | 100.10 | 1,801,746.00        | 1,436.82            | 1,803,182.82        | 28.28         | 0.37               | 0.4           |
|                         |                    | 0.625% Due 02-15-17            |       |       |              |                     |        |                     |                     |                     |               |                    |               |
| 1,540,000.0000          | 912828tm2          | UNITED STATES TREAS NTS        | AAA   | AA+   | 98.58        | 1,518,163.28        | 99.97  | 1,539,579.58        | 824.24              | 1,540,403.82        | 24.16         | 0.65               | 0.9           |
|                         |                    | 0.625% Due 08-31-17            |       |       |              |                     |        |                     |                     |                     |               |                    |               |
| 750,000.0000            | 912828ur9          | UNITED STATES TREAS NTS        | AAA   | AA+   | 98.00        | 734,970.70          | 100.03 | 750,232.50          | 481.70              | 750,714.20          | 11.77         | 0.73               | 1.4           |
|                         |                    | 0.750% Due 02-28-18            |       |       |              |                     |        |                     |                     |                     |               |                    |               |
|                         |                    |                                |       |       |              | 4,048,563.65        |        | 4,091,558.08        | 2,742.76            | 4,094,300.84        | 64.22         | 0.54               | 0.8           |
| <b>TOTAL PORTFOLIO</b>  |                    |                                |       |       |              | <b>6,432,362.59</b> |        | <b>6,371,412.47</b> | <b>11,479.84</b>    | <b>6,382,892.31</b> | <b>100.00</b> | <b>0.63</b>        | <b>0.7</b>    |

**FIXED INCOME PORTFOLIO**  
*Alameda County Transportation Commission*  
*Project Fund*  
*Account # N001UNB3*  
*September 30, 2016*

| Quantity               | Security<br>Symbol | Security                       | Moody | S & P | Unit<br>Cost | Total<br>Cost     | Price | Market<br>Value   | Accrued<br>Interest | Total Market Value | Pct<br>Assets | Yield<br>To<br>Mat | Dur-<br>ation |
|------------------------|--------------------|--------------------------------|-------|-------|--------------|-------------------|-------|-------------------|---------------------|--------------------|---------------|--------------------|---------------|
| <b>CASH</b>            |                    |                                |       |       |              |                   |       |                   |                     |                    |               |                    |               |
|                        | 61747c70s          | MORGAN STANLEY GOVERNMENT INST |       |       |              | 289,633.77        |       | 289,633.77        |                     | 289,633.77         | 99.86         |                    | 0.0           |
|                        | pendingcash        | PENDING SETTLEMENT             |       |       |              | 408.29            |       | 408.29            |                     | 408.29             | 0.14          |                    | 0.0           |
|                        |                    |                                |       |       |              | 290,042.06        |       | 290,042.06        |                     | 290,042.06         | 100.00        |                    | 0.0           |
| <b>TOTAL PORTFOLIO</b> |                    |                                |       |       |              | <b>290,042.06</b> |       | <b>290,042.06</b> | <b>0.00</b>         | <b>290,042.06</b>  | <b>100.00</b> | <b>0.00</b>        | <b>0.0</b>    |



# Memorandum

5.3

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** November 7, 2016

**SUBJECT:** Alameda CTC FY2016-17 First Quarter Financial Report

**RECOMMENDATION:** Approve the Alameda CTC FY2016-17 First Quarter Financial Report

## Summary

The attached FY2016-17 First Quarter Financial Report has been prepared on a consolidated basis by governmental fund type including the General Fund, the I-580 Express Lanes Operations Fund, Special Revenue Funds, the Exchange Fund, the Debt Service Fund, and Capital Projects Funds. This report provides a summary of FY2016-17 actual revenues and expenditures through September 30, 2016 with comparisons to the year-to-date currently adopted budget. Variances from the year-to-date budget are demonstrated as a percentage of the budget used by line item as well as stating either a favorable or unfavorable variance in dollars. Percentages over 100% indicate that the actual revenue or expenditure item is over 25% of the total annual budget through the first quarter of the fiscal year, and percentages under 100% indicate that the actual revenue or expenditure item is under 25% of the total annual budget through the first quarter of the fiscal year. At the end of the first quarter, the Alameda CTC is showing a net increase in fund balance in the amount of \$26.0 million mostly due to sales tax revenues received, but not yet spent primarily in the Capital Projects Funds.

## Activity

The following are highlights of actual revenues and expenditures compared to budget as of September 30, 2016 by fund type:

### *General Fund*

In the General Fund, the Alameda CTC's revenues are less than budget by \$0.75 million or 12.7%, and expenditures are under budget by \$1.6 million or 45.3% (see attachment A). These variances are mainly due to the timing of costs for the Safe Routes to School Programs and Transportation Planning activities which were less than anticipated through the first quarter of the fiscal year. Expenditures for the Safe Routes to School Program and Transportation Planning activities in the General Fund correspond directly to revenues as the grant funds are received on a reimbursement basis; therefore, as expenditures increase through the end of the fiscal year, the revenues also will increase.

#### *I-580 Express Lanes Operations Fund*

The I-580 Express Lanes Operations Fund reports on the activity of the I-580 Express Lanes which opened for full operations on February 19, 2016. As of September 30, 2016, the I-580 Express Lanes Operations Fund revenues were more than budget by \$0.88 million or 73.6% and expenditures were less than budget by \$0.05 million or 4.8% which is very close to the projected budget (see attachment B).

#### *Special Revenue Funds*

The Special Revenue Funds group is made up of various Measure B and Measure BB Program subfunds including subfunds for express bus; paratransit service; bike and pedestrian; transit oriented development; transit operations, maintenance and safety including affordable transit programs; freight and economic development; community development; technology development; and direct local distributions as well as congestion management program funds including Transportation Fund for Clean Air (TFCA) funds and Vehicle Registration Fee (VRF) funds. In the Special Revenue Funds, revenues are more than budget by \$2.0 million or 4.3% mainly due to actual collections of both sales tax and VRF revenues which were slightly higher than projected in the budget (see attachment C). Expenditures in the Special Revenue Funds are \$4.1 million or 9.2% less than budget mostly attributable to the timing of discretionary programming versus invoices received on discretionary grants in the TFCA, VRF and sales tax funds which were lower than projected through the first quarter of the fiscal year. Many programming agreements cover multiple years so invoices are frequently received later in the agreement period.

#### *Exchange Fund*

As of September 30, 2016, Exchange Fund revenues were less than budget by \$1.4 million or 72.5% and expenditures also were less than budget by \$1.4 million or 73.8% (see attachment D). Budget in this fund is generally utilized on an as needed basis as exchanges are established to accommodate governmental agencies' needs. The recognition of revenue corresponds with the expenditures; therefore as expenditures increase, revenue also will increase.

#### *Debt Service Fund*

The Government Accounting Standards Board requires debt service, or principal and interest payments on bonds to be recorded when paid; per the bond documents, interest payments are required to be made to bondholders on a semi-annually basis on September 1 and March 1 of each year, and principal payments are required annually on March 1 of each year beginning in 2017. Expenditures appear to be under budget by 56.9%, however, the year-to-date budget amount represents 25% of the annual total principal and interest whereas the actual amount includes only one interest payment. Actual expenditures in the debt service fund will equal 100% of the budget by the end of the fiscal year once all required principal and interest payments for the fiscal year have been made on March 1, 2017 (see attachment E).

### *Capital Projects Funds*

The Capital Projects Funds incorporate all Alameda CTC capital projects whether they were originally projects of the Alameda County Transportation Improvement Authority (ACTIA) or 2000 Measure B, the Alameda County Transportation Authority (ACTA) or 1986 Measure B or the Alameda County Congestion Management Agency (ACCOMA) and now also includes 2014 Measure BB capital projects. Alameda CTC utilizes a rolling capital budget system in which any unused approved budget from prior years is available to pay for costs in subsequent fiscal years. Additional budget authority is requested by project only as needed in accordance with the budget process. The year to date budget amount used for comparisons is a straight line amortization of the total approved project budget including unspent funds rolled over from the prior year. Expenditures planned through September 30, 2016 in the budget process generally will differ from the straight line budgeted amount used for the comparison. However, presenting the information with this comparison helps financial report users, project managers, and the project control team to review year-to-date expenditures to give them an idea of how the project is progressing as compared to the approved budget.

In the Capital Projects Funds, the Alameda CTC's revenues are less than budget by \$44.6 million or 57.2% and expenditures are less than budget by \$37.4 million or 63.4% (see attachment F). Grant revenue corresponds directly to expenditures for capital projects. The following are some major factors contributing to project expenditure variances from budget.

#### 1986 Measure B

The 1986 Measure B capital project expenditures were less than budget mostly related to the I-880 to Mission Blvd. East/West Connector project and the I-580 Interchange Improvements project in Castro Valley. The I-880 to Mission Blvd. East/West Connector project has major deliverables under review, and work is expected to commence once approval is obtained. The I-580 Interchange Improvements project is in the final closeout stage so budget is available for all expenditures through final closeout if needed.

#### 2000 Measure B

2000 Measure B capital project expenditures were less than budget due in part to the I-680 Express Lane project which had expenditures below projections because there was a delay in execution of the final design contract while several adjacent projects were combined into one construction bid package. Also, there was a delay in the funding agreements on the Iron Horse Trail project which would authorize invoicing on the project. In addition, expenditures for the Route 84 Expressway project were under budget due to a delay in invoicing from Caltrans, although construction is in progress. These shortfalls as compared to budget were partially offset by expenditures for the Route 92/Clawiter-Whitesell Interchange project which were over budget as the project is anticipated to be completed by the end of the year and the I-580 Corridor Improvements project which had expenditures over projections as the project is reaching the closeout stage.

## 2014 Measure BB

2014 Measure BB capital project expenditures were less than budget as the Measure BB program agreements are being executed which would authorize invoicing from agencies who were allocated initial grants funds in the Capital Investment Plan to develop a detailed project delivery strategy for their projects.

## ACCMA

ACCMA capital project expenditures were less than budget partly due to the I-580 HOV/HOT/AUX Lanes, the I-880 Southbound HOV Lane and the I-80 Integrated Corridor Mobility projects which are in their close out stages so budget for these projects include all remaining contingency amounts through the life of the project. Expenditures for projects nearing closeout will vary when working with outside agencies such as Caltrans.

## *Limitations Calculations*

Staff has completed the limitations calculations required for both 2000 Measure B and 2014 Measure BB related to salary and benefits and administration costs, and Alameda CTC is in compliance with all limitation requirements.

**Fiscal Impact:** There is no fiscal impact.

## **Attachments**

- A. Alameda CTC General Fund Revenues/Expenditures Actual vs. Budget as of September 30, 2016
- B. Alameda CTC I-580 Express Lanes Operations Fund Revenues/Expenditures Actual vs. Budget as of September 30, 2016
- C. Alameda CTC Special Revenue Funds Revenues/Expenditures Actual vs. Budget as of September 30, 2016
- D. Alameda CTC Exchange Fund Revenues/Expenditures Actual vs. Budget as of September 30, 2016
- E. Alameda CTC Debt Service Fund Revenues/Expenditures Actual vs. Budget as of September 30, 2016
- F. Alameda CTC Capital Projects Funds Revenues/Expenditures Actual vs. Budget as of September 30, 2016

## **Staff Contact**

[Patricia Reavey](#), Deputy Executive Director of Finance and Administration

[Yoana Navarro](#), Accounting Manager

**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**General Fund Revenues/Expenditures**  
**September 30, 2016**

|  | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|--|--------------------|-------------------|---------------|---|
| <b><u>REVENUES</u></b>                                     |                    |                   |               |   |
| Sales Tax Revenue  | 3,242,178          | 2,939,125         | 110.31        | 303,053   |
| Investment Income  | 67,091             | 28,750            | 233.36        | 38,341  |
| Member Agency Fees   | 348,705            | 348,705           | 100.00        | -   |
| Other Revenues   | 2                  | 3,292             | 0.06          | (3,290)   |
| Regional/State/Federal Grants                              | 1,351,936          | 1,858,687         | 72.74         | (506,751)                                       |
| Local and Other Grants                                     | 162,131            | 745,131           | 21.76         | (583,000)                                       |
| Total Revenues   | 5,172,043          | 5,923,690         |               | (751,647)                                       |
| <b><u>EXPENDITURES</u></b>                                 |                    |                   |               |   |
| <b><u>Administration</u></b>                               |                    |                   |               |   |
| Salaries and Benefits                                      | 623,441            | 432,346           | 144.20        | (191,095)                                       |
| General Office Expenses                                    | 391,751            | 360,616           | 108.63        | (31,135)  |
| Travel Expense   | 454                | 7,875             | 5.77          | 7,421   |
| Other Administration                                       | 368,443            | 582,013           | 63.30         | 213,570   |
| Commission and Community Support                           | 65,729             | 61,763            | 106.42        | (3,966)   |
| Contingency  | -                  | 47,500            | 0.00          | 47,500  |
| <b><u>Planning</u></b>                                     |                    |                   |               |   |
| Salaries and Benefits                                      | 253,895            | 234,781           | 108.14        | (19,114)  |
| Planning Management and Support                            | 5,595              | 157,987           | 3.54          | 152,392   |
| Transportation Planning                                    | 85,452             | 720,944           | 11.85         | 635,492   |
| Congestion Management Program                              | 19,888             | 113,750           | 17.48         | 93,862  |
| <b><u>Programs</u></b>                                     |                    |                   |               |   |
| Salaries and Benefits                                      | 131,355            | 98,779            | 132.98        | (32,576)  |
| Programs Management and Support                            | (13,044)           | 61,612            | (21.17)       | 74,656  |
| Safe Routes to School Programs                             | 105,428            | 791,236           | 13.32         | 685,808   |
| Other Programming  | 6,501              | 33,750            | 19.26         | 27,249  |
| <b><u>Indirect Cost Recovery/Allocation</u></b>            |                    |                   |               |   |
| Indirect Cost Recovery from Capital, Spec Rev & Exch Funds | (49,546)           | (57,953)          | 85.49         | (8,407)   |
| Total Expenditures   | 1,995,341          | 3,646,999         |               | 1,651,658                                       |
| Net revenue over / (under) expenditures                    | 3,176,702          | 2,276,691         |               |   |

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**I-580 Express Lanes Operations Fund Revenues/Expenditures**  
**September 30, 2016**

|   | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|---|--------------------|-------------------|---------------|---|
| <u>REVENUES</u>                         |                    |                   |               |   |
| Toll Revenues                           | 2,080,162          | 1,200,000         | 173.35        | 880,162   |
| Investment Income                       | 3,464              | -                 | 0.00          | 3,464   |
| Total Revenues                          | <u>2,083,626</u>   | <u>1,200,000</u>  |               | <u>883,626</u>                                  |
| <u>EXPENDITURES</u>                     |                    |                   |               |   |
| <u>Operations</u>                       |                    |                   |               |   |
| Salaries and Benefits                   | 31,872             | 56,044            | 56.87         | 24,172  |
| Project Management and Support          | 47,517             | 78,750            | 60.34         | 31,233  |
| Other Operating Expenditures            | 878,577            | 871,250           | 100.84        | (7,327)   |
| Total Expenditures                      | <u>957,966</u>     | <u>1,006,044</u>  |               | <u>48,078</u>                                   |
| Net revenue over / (under) expenditures | <u>1,125,660</u>   | <u>193,956</u>    |               |   |

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**Special Revenue Fund Revenues/Expenditures**  
**September 30, 2016**

|   | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|---|--------------------|-------------------|---------------|---|
| <u>REVENUES</u>                         |                    |                   |               |   |
| Sales Tax Revenue                       | 43,910,198         | 42,170,702        | 104.12        | 1,739,496                                       |
| Investment Income                       | 69,666             | 43,750            | 159.24        | 25,916  |
| VRF Funds                               | 3,330,576          | 3,000,000         | 111.02        | 330,576   |
| Other Revenues                          | 2,353              | 7,813             | 30.12         | (5,460)   |
| Regional/State/Federal Grants           | 449,112            | 552,817           | 81.24         | (103,705)                                       |
| Local and Other Grants                  | 569                | 1,941             | 29.31         | (1,372)   |
| Total Revenues                          | <u>47,762,474</u>  | <u>45,777,023</u> |               | <u>1,985,451</u>                                |
| <u>EXPENDITURES</u>                     |                    |                   |               |   |
| <u>Administration</u>                   |                    |                   |               |   |
| General Office Expenses                 | 1,053              | 750               | 140.41        | (303)   |
| Commission and Community Support        | 1,300              | 7,063             | 18.41         | 5,763   |
| <u>Programs</u>                         |                    |                   |               |   |
| Salaries and Benefits                   | 275,391            | 357,918           | 76.94         | 82,527  |
| Programs Management                     | 548,990            | 724,500           | 75.77         | 175,510   |
| VRF Programming and Other Costs         | 2,234,028          | 3,170,000         | 70.47         | 935,972   |
| Measure B/BB Direct Local Distribution  | 37,064,217         | 35,741,643        | 103.70        | (1,322,574)                                     |
| Grant Awards                            | 46,385             | 2,941,572         | 1.58          | 2,895,187                                       |
| Other Programming                       | 10,310             | 1,298,202         | 0.79          | 1,287,892                                       |
| Total Expenditures                      | <u>40,181,674</u>  | <u>44,241,648</u> |               | <u>4,059,974</u>                                |
| Net revenue over / (under) expenditures | <u>7,580,800</u>   | <u>1,535,375</u>  |               |   |

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**Exchange Fund Revenues/Expenditures**  
**September 30, 2016**

|   | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|---|--------------------|-------------------|---------------|---|
| <u>REVENUES</u>                         |                    |                   |               |   |
| Investment Income                       | 27,009             | 6,250             | 432.14        | 20,759  |
| Exchange Program Funds                  | 513,983            | 1,962,948         | 26.18         | (1,448,965)                                     |
| Total Revenues                          | 540,992            | 1,969,198         |               | (1,428,206)                                     |
| <u>EXPENDITURES</u>                     |                    |                   |               |   |
| Salaries & Benefits                     | 8,156              | 15,661            | 52.08         | 7,505   |
| Programs Management and Support         | 31,503             | 9,339             | 337.33        | (22,164)  |
| Programming of Funds                    | 474,324            | 1,937,948         | 24.48         | 1,463,624                                       |
| Total Expenditures                      | 513,983            | 1,962,948         |               | 1,448,965                                       |
| Net revenue over / (under) expenditures | 27,009             | 6,250             |               |   |

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**Debt Service Funds Revenues/Expenditures**  
**September 30, 2016**

|   | <u>YTD Actuals</u> | <u>YTD Budget</u>  | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|---|--------------------|--------------------|---------------|---|
| <u>REVENUES</u>                         |                    |                    |               |   |
| Investment Income                       | 23,101             | 18,750             | 123.21        | 4,351   |
| Other Income                            | <u>5,192,500</u>   | <u>5,192,500</u>   | 100.00        | <u>-</u>  |
| Total Revenues                          | 5,215,601          | 5,211,250          |               | 4,351   |
| <u>EXPENDITURES</u>                     |                    |                    |               |   |
| Bond Interest Expense                   | <u>2,850,675</u>   | <u>6,617,838</u>   | 43.08         | <u>3,767,163</u>                                |
| Total Expenditures                      | <u>2,850,675</u>   | <u>6,617,838</u>   |               | <u>3,767,163</u>                                |
| Net revenue over / (under) expenditures | <u>2,364,926</u>   | <u>(1,406,588)</u> |               |   |

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**Capital Projects Funds Revenues/Expenditures**  
**September 30, 2016**

|  | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|--|--------------------|-------------------|---------------|---|
| <b><u>REVENUES</u></b>                                   |                    |                   |               |   |
| Sales Tax Revenue  | 24,580,186         | 24,065,173        | 102.14        | 515,014   |
| Investment Income  | 446,302            | 146,250           | 305.16        | 300,052   |
| VRF Funds  | (7,310)            | 671,726           | (1.09)        | (679,036)                                       |
| Other Revenues   | -                  | 366               | 0.00          | (366)   |
| Regional/State/Federal Grants                            | 1,734,648          | 5,442,631         | 31.87         | (3,707,983)                                     |
| Local and Other Grants                                   | 6,588,338          | 47,606,331        | 13.84         | (41,017,993)                                    |
| Total Revenues   | 33,342,164         | 77,932,476        |               | (44,590,312)                                    |
| <b><u>EXPENDITURES</u></b>                               |                    |                   |               |   |
| Administration   |                    |                   |               |   |
| Salaries & Benefits                                      | 47,321             | 19,641            | 240.93        | (27,680)  |
| General Office Expenses                                  | 40,019             | 36,559            | 109.47        | (3,461)   |
| Travel Expense   | 151                | 875               | 17.31         | 724   |
| Debt Service   | 5,192,500          | 5,192,500         | 100.00        | 0   |
| Other Administration                                     | 84,625             | 42,113            | 200.95        | (42,512)  |
| Contingency  | -                  | 2,500             | 0.00          | 2,500   |
| Capital Projects   |                    |                   |               |   |
| <u>1986 Measure B</u>                                    |                    |                   |               |   |
| Salaries and Benefits                                    | 18,390             | 37,252            | 49.37         | 18,862  |
| Capital Expenditures                                     | -                  | 286,958           | 0.00          | 286,958   |
| I-880/Mission Blvd Interchange                           | -                  | 124,625           | 0.00          | 124,625   |
| I-880 to Mission Blvd East-West Connector                | 40,901             | 5,333,509         | 0.77          | 5,292,608                                       |
| Route 238/Mission-Foothill-Jackson Corridor Improve      | -                  | 35,500            | 0.00          | 35,500  |
| I-580 Interchange Improvements in Castro Valley          | -                  | 3,424,231         | 0.00          | 3,424,231                                       |
| Central Alameda County Freeway System Op. Analysis       | 19,246             | 250,149           | 7.69          | 230,903   |
| Castro Valley Local Area Traffic Circulation Improvement | -                  | 495,485           | 0.00          | 495,485   |
| <u>2000 Measure B</u>                                    |                    |                   |               |   |
| Salaries and Benefits                                    | 36,673             | 47,512            | 77.19         | 10,838  |
| Project Management/Close Out                             | 108,475            | -                 | 0.00          | (108,475)                                       |
| ACE Capital Improvements                                 | -                  | 642,538           | 0.00          | 642,538   |
| BART Warm Springs Extension                              | -                  | 903,382           | 0.00          | 903,382   |
| Downtown Oakland Streetscape                             | -                  | 782,236           | 0.00          | 782,236   |
| I-680 Express Lane                                       | 326,557            | 2,673,204         | 12.22         | 2,346,646                                       |
| Iron Horse Trail   | -                  | 1,566,750         | 0.00          | 1,566,750                                       |
| I-880/Broadway-Jackson Interchange                       | 19,066             | 245,899           | 7.75          | 226,833   |
| Lewelling/East Lewelling Blvd Widening                   | -                  | 140,095           | 0.00          | 140,095   |
| I-580 Auxiliary Lanes                                    | -                  | 308               | 0.00          | 308   |
| I-580 Aux Lane-WB Fallon to Tassajara                    | -                  | 1,803             | 0.00          | 1,803   |
| I-580 Aux Lane-WB Airway to Fallon                       | -                  | 344,761           | 0.00          | 344,761   |
| Rte 92/Clawiter -Whitesell Interchange                   | 2,082,449          | 925,000           | 225.13        | (1,157,449)                                     |
| Hesperian Blvd/Lewelling Blvd Widening                   | -                  | 149,906           | 0.00          | 149,906   |
| Westgate Parkway Extension                               | 17,693             | 105,742           | 16.73         | 88,049  |
| E. 14th/Hesperian/150th Improvements                     | -                  | 505,144           | 0.00          | 505,144   |
| I-238 Widening   | -                  | 19,960            | 0.00          | 19,960  |
| I-680/I-880 Cross Connector Study                        | (508)              | 92,875            | (0.55)        | 93,383  |
| Isabel Avenue - 84/I-580 Interchange                     | 7,527              | 419,250           | 1.80          | 411,723   |
| Route 84 Expressway                                      | 1,235,786          | 3,181,118         | 38.85         | 1,945,332                                       |
| Dumbarton Corridor - Central Avenue Overpass             | -                  | 662,500           | 0.00          | 662,500   |
| I-580 Corridor Improvements                              | 3,834,084          | 1,408,608         | 272.19        | (2,425,476)                                     |
| I-80 Integrated Corridor Mobility                        | (1,383)            | 41,260            | (3.35)        | 42,643  |
| I-880 Corridor Improvements in Oakland and San Leandro   | -                  | 425,530           | 0.00          | 425,530   |
| Studies at Congested Seg/Loc on CMP                      | -                  | 68,953            | 0.00          | 68,953  |
| <u>2014 Measure BB</u>                                   |                    |                   |               |   |
| Salaries and Benefits                                    | 7,641              | 10,080            | 75.80         | 2,439   |

**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**Capital Projects Funds Revenues/Expenditures**  
**September 30, 2016**

|   | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|---|--------------------|-------------------|---------------|---|
| Alameda to Fruitvale BART Rapid Bus   | -                  | 25,000            | 0.00          | 25,000  |
| Grand/MacArthur BRT   | -                  | 25,000            | 0.00          | 25,000  |
| College/Broadway Corridor Transit Priority                                    | -                  | 25,000            | 0.00          | 25,000  |
| Irvington BART Station  | -                  | 25,000            | 0.00          | 25,000  |
| Bay Fair Connector/BART METRO   | -                  | 25,000            | 0.00          | 25,000  |
| BART Station Modernization and Capacity Program                               | -                  | 25,000            | 0.00          | 25,000  |
| BART to Livermore Extension, Phase 1  | -                  | 6,250             | 0.00          | 6,250   |
| Dumbarton Corridor Area Transportation Improvements                           | -                  | 25,000            | 0.00          | 25,000  |
| Union City Intermodal Station   | -                  | 25,000            | 0.00          | 25,000  |
| Railroad Corridor Right of Way Preservation and Track Improvements            | -                  | 25,000            | 0.00          | 25,000  |
| Oakland Broadway Corridor Transit   | -                  | 25,000            | 0.00          | 25,000  |
| Capitol Corridor Service Expansion  | -                  | 25,000            | 0.00          | 25,000  |
| Congestion Relief, Local Bridge Seismic Safety                                | 42,168             | 5,025,000         | 0.84          | 4,982,832                                       |
| Countywide Freight Corridors  | 205,645            | 1,187,500         | 17.32         | 981,855   |
| I-80 Gilman Street Interchange Improvements                                   | 184,269            | 425,385           | 43.32         | 241,115   |
| I-80 Ashby Interchange Improvements   | -                  | 25,000            | 0.00          | 25,000  |
| SR-84/I-680 Interchange and SR-84 Widening                                    | -                  | 1,000,000         | 0.00          | 1,000,000                                       |
| SR-84 Expressway Widening (Pigeon Pass to Jack London)                        | 99,237             | -                 | 0.00          | (99,237)  |
| I-580/I-680 Interchange Improvements  | -                  | 25,000            | 0.00          | 25,000  |
| I-580 Local Interchange Improvement Program                                   | -                  | 75,000            | 0.00          | 75,000  |
| I-680 HOT/HOV Lane from SR-237 to Alcosta                                     | 215,381            | 500,000           | 43.08         | 284,619   |
| I-880 NB HOV/HOT Extension from A Street to Hegenberger                       | -                  | 25,000            | 0.00          | 25,000  |
| I-880 Broadway/Jackson Multimodal Transportation and Circulation Improvements | -                  | 6,250             | 0.00          | 6,250   |
| I-880 Whipple Road/Industrial Parkway Southwest Interchange Improvements      | -                  | 25,000            | 0.00          | 25,000  |
| I-880 Industrial Parkway Interchange Improvements                             | -                  | 25,000            | 0.00          | 25,000  |
| I-880 Local Access and Safety Improvements                                    | -                  | 2,512,500         | 0.00          | 2,512,500                                       |
| Gap Closure on Three Major Trails   | 190,302            | 849,893           | 22.39         | 659,591   |
| <b>ACCMA</b>  |                    |                   |               |   |
| Salaries and Benefits   | 5,163              | 27,307            | 18.91         | 22,145  |
| I-580 San Leandro Soundwall/Landscape   | 663                | 9,456             | 7.02          | 8,792   |
| Grand MacArthur   | -                  | 5,380             | 0.00          | 5,380   |
| I-680 HOT Lane  | 51,802             | 714,416           | 7.25          | 662,613   |
| I-680 Northbound HOV / Express Lane   | 1,311,398          | 2,206,689         | 59.43         | 895,291   |
| I-80 Gilman Interchange Improvements  | 78,868             | 484,411           | 16.28         | 405,543   |
| Smart Corridors Operation and Maintenance                                     | (10,361)           | 634,791           | (1.63)        | 645,152   |
| Caldecott Tunnel  | 793,564            | 655,415           | 121.08        | (138,149)                                       |
| I-880 North Safety & Op Improv 23rd&29th                                      | 161,632            | 1,021,567         | 15.82         | 859,934   |
| I-580 Eastbound HOV Lane  | -                  | 667               | 0.00          | 667   |
| I-580 Environmental Mitigation  | -                  | 49,299            | 0.00          | 49,299  |
| I-580 Eastbound Express (HOT) Lane  | (7,745)            | 539,634           | (1.44)        | 547,379   |
| I-580 Eastbound Auxiliary (AUX) Lane  | 17,226             | 1,242,320         | 1.39          | 1,225,094                                       |
| I-580 Right of Way Preservation   | -                  | 146,333           | 0.00          | 146,333   |
| I-580 Westbound HOV Lane  | 10,375             | 574,230           | 1.81          | 563,855   |
| I-580 Westbound HOT Lane  | 3,855,401          | 1,961,672         | 196.54        | (1,893,729)                                     |
| Altamont Commuter Express Operations  | 925                | 9,829             | 9.41          | 8,904   |
| Altamont Commuter Express   | -                  | 425,102           | 0.00          | 425,102   |
| I-880 Southbound HOV Lane   | 430,992            | 2,107,028         | 20.45         | 1,676,036                                       |
| I-880 Southbound HOV Lane Landscaping/Hardscaping                             | -                  | 162,980           | 0.00          | 162,980   |
| Webster Street Smart Corridor   | 885                | 16,738            | 5.29          | 15,853  |
| Marina Boulevard/I-880 PSR  | -                  | 2,419             | 0.00          | 2,419   |
| I-680/880 Cross Connector PSR   | -                  | 85,123            | 0.00          | 85,123  |
| I-680 SB HOV Lane   | -                  | 963,409           | 0.00          | 963,409   |
| Route 84 Widening Project - Pigeon Pass to Interstate 680                     | 645,817            | 440,692           | 146.55        | (205,125)                                       |

**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**Capital Projects Funds Revenues/Expenditures**  
**September 30, 2016**

|   | <u>YTD Actuals</u> | <u>YTD Budget</u> | <u>% Used</u> | <u>Favorable<br/>(Unfavorable)<br/>Variance</u> |
|---|--------------------|-------------------|---------------|---|
| I-80 Integrated Corridor Mobility       | 189,441            | 1,893,887         | 10.00         | 1,704,446                                       |
| Total Expenditures                      | <u>21,590,261</u>  | <u>59,014,876</u> |               | <u>37,424,615</u>                               |
| Net revenue over / (under) expenditures | <u>11,751,903</u>  | <u>18,917,601</u> |               |   |

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# Memorandum

5.4

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** November 7, 2016

**SUBJECT:** Alameda CTC Staff and Retiree Benefits for Calendar Year 2017

**RECOMMENDATION:** Approve Alameda CTC Staff and Retiree Benefits for Calendar Year 2017 and adopt Resolution No. 16-009 for Calendar Year 2017 Benefits for Staff Members.

## Summary

The Administrative Code calls for the Executive Director to prepare and submit an annual salary and benefits plan to the Commission for approval. This memorandum seeks the Commission's approval of Alameda CTC Staff and Retiree Benefits for Calendar Year 2017. The Executive Director intends to bring a plan for FY2017-18 salaries to the Commission for approval at a later date. The calendar year 2017 benefits outlined in Resolution 16-009 Includes: holiday, vacation and sick leave policies, health insurance and other benefits for staff members. The calendar year 2017 benefits generally remain unchanged from Resolution 15-009, which was approved by the Commission in December 2015. Key changes in this calendar year's benefits include:

1. A decrease in the Cafeteria Plan benefit allowance of 1.5% from \$2,128 to \$2,097 for active employees; and
2. An increase in the Public Employees' Medical and Hospital Care Act (PEMHCA) monthly minimum required contribution of 2.4% from \$125 to \$128.

## Background

The attached Resolution No. 16-009 (Attachment A) is consistent with the Public Employees' Pension Reform Act of 2013 (AB 340), as it pertains to the agency. The details of the agency's retirement system are contained in the agency's pension plan. The most significant changes from AB 340 apply to new employees hired on or after January 1, 2013. For employees hired prior to January 1, 2013 (Classic Employees), the major features of the agency's pension plan includes a "2.5%@55" benefit and employer paid member contribution (EPMC) cost sharing of 5% by the agency and 3% by the employee. For employees hired on or after January 1, 2013 (New Employees), the major features of the agency's pension plan includes a "2%@62" benefit, but does not include cost sharing of the required employee contribution as it is not

allowed per AB 340 which is effective for New Employees. The plan does not include any optional features, payout conversions or optional benefits that have been characterized as “spiking” of the pension benefit.

Alameda CTC Retiree Health Benefit Amount for the 2017 calendar year is reimbursed to retirees through the Health Reimbursement Arrangement (HRA) Plan. The HRA Plan is a premium reimbursement plan for retiree health care premiums. Alameda CTC will contribute only the required minimum contribution amount directly to CalPERS for retirees (\$128 per month in 2017). CalPERS requires that the remaining premium costs be deducted directly from the retiree's monthly retirement check under the CalPERS pension plan. Once CalPERS takes this deduction, Alameda CTC's HRA will reimburse each retiree for the deduction, up to the annually determined amount. The HRA contribution amount recommended for 2017 is \$1,339 per retiree per month (\$1,466.78 Kaiser Bay Area +1 Rate, less \$128 PEMHCA-required minimum contribution). Similar to active employees, if a retiree's elected health coverage costs exceed the amount approved by the Commission, the retiree will be required to pay for the additional amount from his or her own funds.

**Fiscal Impact:** There is no significant fiscal impact to the approval of this item.

### **Attachments**

A. Resolution No. 16-009 Calendar Year 2017 Benefits for Staff Members

### **Staff Contact**

[Arthur L Dao](#), Executive Director

**ALAMEDA COUNTY TRANSPORTATION COMMISSION****RESOLUTION 16-009****Calendar Year 2017 Benefits for Staff Members**

**Commission Chair**  
Supervisor Scott Haggerty, District 1

**Commission Vice Chair**  
Councilmember Rebecca Kaplan,  
City of Oakland

**AC Transit**  
Director Elsa Ortiz

**Alameda County**  
Supervisor Richard Valle, District 2  
Supervisor Wilma Chan, District 3  
Supervisor Nate Miley, District 4  
Supervisor Keith Carson, District 5

**BART**  
Director Thomas Blalock

**City of Alameda**  
Mayor Trish Spencer

**City of Albany**  
Mayor Peter Maass

**City of Berkeley**  
Councilmember Laurie Capitelli

**City of Dublin**  
Mayor David Haubert

**City of Emeryville**  
Mayor Ruth Atkin

**City of Fremont**  
Mayor Bill Harrison

**City of Hayward**  
Mayor Barbara Halliday

**City of Livermore**  
Mayor John Marchand

**City of Newark**  
Councilmember Luis Freitas

**City of Oakland**  
Councilmember Dan Kalb

**City of Piedmont**  
Mayor Margaret Fujioka

**City of Pleasanton**  
Mayor Jerry Thorne

**City of San Leandro**  
Mayor Pauline Russo Cutter

**City of Union City**  
Mayor Carol Dutra-Vernici

**Executive Director**  
Arthur L. Dao

**WHEREAS**, Alameda County Transportation Commission, hereinafter referred to as Alameda CTC, was created pursuant to a joint powers agreement ("Joint Powers Agreement") entered into among the 14 cities in Alameda County, the County of Alameda, the Bay Area Rapid Transportation District, the Alameda-Contra Costa Transit District, the Alameda County Transportation Improvement Authority ("ACTIA"), and the Alameda County Congestion Management Agency ("ACCMA");

**WHEREAS**, Alameda CTC is empowered by the Joint Powers Agreement to carry out numerous transportation planning, programming and construction functions and responsibilities, including all functions and powers of ACTIA and ACCMA;

**WHEREAS**, Alameda CTC is authorized under Sections 11 and 13 of the Joint Powers Agreement to appoint and retain staff as necessary to fulfill its powers, duties and responsibilities;

**WHEREAS**, Alameda CTC previously adopted Resolution 15-009, thereby establishing a consistent set of benefits and leave policies, and this Resolution is intended to supersede and replace such Resolution 15-009; and

**NOW, THEREFORE, BE IT RESOLVED** that the employment benefits for staff of Alameda CTC for January 1, 2017 through December 31, 2017, are hereby adopted, and are herein set forth.

**1. Appointment and Performance Management**

1.1 Original appointments of new employees shall be tentative and subject to a probationary period of one (1) year of actual service.

1.1.1 Every six (6) months during the probationary period new employees may meet with their supervisor to discuss performance to date. At the time of the discussion the supervisor may complete a written evaluation for the employee's personnel records.

1.1.2 Upon completion of the probationary period, the employee shall be given a written evaluation. If this evaluation shows that the employee has satisfactorily demonstrated the qualifications for the position, the employee shall gain regular status, and shall be so informed.

- 1.1.3 At any time during the probationary period, a probationary employee may be terminated with or without cause and with or without notice. Employee shall be notified in writing by the Executive Director of such termination.
- 1.1.4 The probationary period may be extended once by the Executive Director at his/her sole discretion in order to further evaluate the performance of the probationary employee.
- 1.1.5 The probationary period is automatically extended by a period of time equal to the time the employee is absent due to any type of leave, including time absent while receiving workers' compensation.
- 1.2 Following successful completion of the probationary period, written performance reviews for employees shall be conducted at least once a year by the employee's supervisor and reviewed and approved by the Executive Director or his/her designee. In addition, a review of an employee's progress in meeting annual goals and objectives may be conducted at the end of six months by the employee and his or her supervisor.
- 1.3 On the basis of the performance reviews, increases or decreases in compensation may be granted at that time by the Executive Director at his/her sole discretion consistent with the Board approved annual budget.

## **2. Holidays**

- 2.1 The following eleven (11) paid holidays shall be observed by Alameda CTC:

|                        |   |                             |
|------------------------|---|-----------------------------|
| New Year's Day         | - | January 2, 2017, Monday     |
| Martin Luther King Day | - | January 16, 2017, Monday    |
| Presidents' Day        | - | February 20, 2017, Monday   |
| Memorial Day           | - | May 29, 2017, Monday        |
| Independence Day       | - | July 4, 2017, Tuesday       |
| Labor Day              | - | September 4, 2017, Monday   |
| Veterans Day           | - | November 10, 2017, Friday   |
| Thanksgiving Day       | - | November 23, 2017, Thursday |
| Day after Thanksgiving | - | November 24, 2017, Friday   |
| Christmas Day          | - | December 25, 2017, Monday   |
| Day after Christmas    | - | December 26, 2017, Tuesday  |
- 2.2 **Holiday Policy.** When a holiday falls on a Sunday, the following Monday shall be observed as the holiday date. When a holiday falls on a Saturday, the preceding Friday shall be observed.
- 2.2 **Floating Holidays.** Regular full-time employees are entitled to two (2) floating holidays per fiscal year. Employees shall be granted such holidays at the beginning of each fiscal year (i.e., effective on July 1 of each year). Floating Holidays are not accruable and those unused at the end of the fiscal year will be eliminated from the employee's available leave bank.
- 2.3 **Holiday Time.** Regular full-time employees shall receive eight (8) hours of holiday pay for each of the above holidays at their regular base rate. Regular part-time employees shall receive paid holiday time prorated based on actual hours worked should their regular work schedule fall on one of the above listed holidays.
- 2.4 **Administrative Procedure.** The Executive Director shall establish holiday procedures governing employees of Alameda CTC.



### 3. Leaves of Absence

#### 3.1 Vacation

3.1.1 **Accrual Rates.** Alameda CTC shall provide vacation leave with pay for regular employees (including probationary employees) based on accrual guidelines shown in the table below. Vacation leave earned shall accrue upon completion of each pay period beginning upon completion of the pay period following that in which the employee commences service.

**Accrual Rates Based on Years of Service:**

| <b>Years of Service</b> | <b>Vacation Days<br/>Accrued Per Year</b> | <b>Maximum Hours<br/>Accrued Per Year</b> |
|-------------------------|---|---|
| 0-3 Years               | 10 Days                                   | 120 Hours                                 |
| 3.1-10 Years            | 15 Days                                   | 240 Hours                                 |
| 10.1-15 Years           | 20 Days                                   | 320 Hours                                 |
| 15.1+ Years             | 25 Days                                   | 400 Hours                                 |

Part-time employees shall earn vacation leave on a pro rata basis based on actual hours worked. The maximum accrual will also be prorated.

3.1.2 **Maximum Vacation Benefits.** Once an employee reaches the maximum accrual, the employee will cease accruing any additional vacation leave until such time as vacation leave hours fall below the maximum.

3.1.3 **Payment of Vacation upon Separation.** Accrued vacation pay that has not been used will be paid at the time of resignation or termination. An employee terminating employment with Alameda CTC for reasons other than paid retirement from Alameda CTC shall be paid at such employee's current rate of pay for all unused accrued vacation up to the maximum amount of permissible accumulated vacation time as set forth above, in one (1) lump sum less applicable taxes. An employee separating from service with Alameda CTC for paid retirement will be paid at the employee's current rate of pay for vacation up to the ceiling amount as set forth above, in one lump sum. At the Executive Director's discretion, Alameda CTC may allow an employee separating from service with Alameda CTC for paid retirement to elect to take time off for vacation prior to the employee's date of retirement.

3.2 **Management Leave.** Regular full-time exempt employees may receive paid management leave of up to 80 hours per year at the sole discretion of the Executive Director. The leave is intended to compensate exempt employees who are required to attend work-related meetings outside of normal working hours. The amount of leave will be determined by the Executive Director based on each employee's function and the number of off hour meetings he/she is required to attend. No employee shall be eligible to accrue more than the amount of their annual Management Leave. Use of Management Leave shall be at the discretion of the Executive Director.

3.3 **Sick Leave.** Regular employees (including probationary employees) shall receive sick leave, accumulating at the rate of one day per calendar month up to four hundred eighty (480) hours (prorated for part-time employees based on actual hours worked). Up to sixty (60) days of accrued but unused sick leave may be

used toward service credit for CalPERS retirement benefits. Sick leave is available only for the actual illness or injury of an employee or the employee's spouse, registered domestic partner, children, parents, or other dependents.

In compliance with the City of Oakland's Measure FF, temporary employees are eligible to utilize accrued sick leave 90 days after their first day of employment. Sick leave will accumulate at the rate of one hour for every 30 hours worked up to 72 hours and can be used for actual illness, injury, preventive care and other purposes as defined in Measure FF of an employee or covered family member.

- 3.4 **Family and Medical Leave.** Alameda CTC may grant regular employees (including probationary employees) up to twelve (12) workweeks of time off in a 12-month period (whether paid or unpaid) for the employee's own serious health condition or that of the employee's immediate family member, i.e., child, parent, spouse, or registered domestic partner, or for baby/child bonding after the birth, adoption, or foster care placement of an employee's child.

Employees may exhaust any accrued vacation time and/or sick leave (if the leave is due to the employee's own serious health condition or to care for the serious health condition of an immediate family member as described above) while on unpaid leave. Employees taking family/medical leave due to the birth of a child to that employee's spouse or registered domestic partner, or the adoption or foster placement of a child, or to care for such child, may utilize accrued sick leave and/or vacation time during such leave. Such use of accrued vacation time and/or sick leave is the only pay such employee will receive from Alameda CTC while on family/medical leave.

- 3.5 **Leave Due to Pregnancy, Child Birth or Related Conditions.** Alameda CTC shall comply with California's Pregnancy Disability Leave Law. Employees may, but are not required to, utilize accrued vacation and sick leave during any pregnancy leave so as to receive pay during some or all such leave.
- 3.6 **Military Leave.** Military leave shall be granted in accordance with federal and state law.
- 3.7 **Bereavement Leave.** In the event of a death in the immediate family of a regular full-time employee, paid leave not chargeable to sick or vacation leave will be granted for a period up to three (3) consecutive scheduled work days for the purpose of making arrangements for, or to attend, the funeral. Employees shall receive one (1) day to attend a funeral for a friend or relative outside their immediate family. Immediate family is defined as spouse, registered domestic partner, child, sister, brother, mother, father, legal guardian, any other person sharing the relationship of in loco parentis, legal dependent, current mother- or father-in-law, grandparents, or grandchildren.
- 3.8 **Jury and Witness Duty Leave.** All regular full-time employees will be granted a leave of absence with pay for all or any part of the time required for jury duty in the manner prescribed by law. The employee must return to work on the same day he or she is excused from service. The employee shall be paid the difference between his/her full salary and any payment received for such duty, except travel pay. All regular full-time employees will be granted a leave of absence with pay for their appearance as a witness in a civil or criminal proceeding (other than as

an accused) for any appearance that is solely attributable to the employee's work for Alameda CTC.

- 3.9 **Administrative Procedure.** The Executive Director shall establish specific guidelines and procedures to implement all of the leave policies.

**4. Health Insurance and Other Benefits**

- 4.1 **Cafeteria Plan.** Alameda CTC provides a Cafeteria Plan for its eligible employees, into which Alameda CTC will pay \$2,097 per month per employee. This amount is in addition to the Public Employees' Medical and Hospital Care Act (PEMHCA) minimum required contribution of \$128. With these funds, each participating employee is able to choose the following coverage:

- Health Insurance (through the State of California's Public Employees' Retirement System (CalPERS));
- Dental Insurance;
- Vision Care Insurance;
- Life Insurance;
- Dependent Life Insurance;
- Accidental Death and Dismemberment Insurance;
- Long-term Disability Insurance; and
- Short-term Disability Insurance.

When an employee is required to work on a less than full-time basis due to medical or other valid reasons, the accrual for the cafeteria plan contribution amount may be prorated by dividing the actual hours worked plus any accrued sick/vacation hours used during the pay period, by the fulltime equivalent hours in the same pay period.

Regular full-time employees who elect not to use the CalPERS health care benefit and can prove alternate coverage shall receive \$400 per month which will be paid with each paycheck (\$200 per pay-period) and is subject to all applicable payroll taxes.

Regular part-time employees will receive a prorated amount of the monthly contribution based on actual hours worked.

**5. Additional Benefits Programs**

- 5.1 **Transit Subsidy.** All regular full-time employees of Alameda CTC are eligible for the federally approved transit benefit for 2017 (elected to be received by the employee).

- 5.2 **Tuition Assistance.** Following completion of their probationary period, regular full-time employees are eligible for reimbursement of 90% of tuition fees for job-related courses, subject to budget availability up to \$500 per academic year at an accredited institution each fiscal year, at the sole discretion of the Executive Director.

6. **Other benefits.** Alameda CTC will also provide: (1) A Flexible Spending Account (FSA) program which will be administered through the cafeteria plan for both dependent care expense up to \$5,000 per calendar year and medical expenses

up to \$2,600 per calendar year consistent with the new IRS limit for 2017. To participate in and receive benefits in the form of reimbursements for dependent and/or medical care expenses from the FSA, an employee can elect to pay his or her contribution for FSA benefits on a pre-tax salary reduction basis; and, (2) an optional deferred compensation program, CalPERS 457 Supplemental Income Plan

7. **Administrative Procedure.** The Executive Director shall establish specific guidelines and procedures to implement all benefit policies.
8. **Retirement.** All employees of Alameda CTC shall be entitled to membership with the California Public Employees' Retirement System (CalPERS) according to the guidelines established in the CalPERS Retirement Benefits Policy and the applicable contract with CalPERS. Alameda CTC shall contribute to CalPERS each pay period 5% of the 8% employee contribution on behalf of all "Classic" employees (Classic employees are those hired before January 1, 2013). Such contribution shall be reported to CalPERS as "employee contribution being made by the contracting agency" and shall not be deemed to be "compensation" reportable to CalPERS. This same benefit is not provided for new employees hired on or after January 1, 2013 per the requirements of the Public Employees' Pension Reform Act of 2013 (AB340).
9. **Reimbursement of Expenses.** Alameda CTC will reimburse employees of the Agency for reasonable and normal expenses associated with Alameda CTC business approved by the Executive Director or his designee. An employee may be offered a fixed taxable monthly allowance in lieu of actual expenses, which may be adjusted annually by the Executive Director.
10. **Office Hours.** The offices of Alameda CTC shall be open to the public between 8:30 a.m. and 5:00 p.m. each weekday, except on Alameda CTC holidays as defined in Paragraph 2.1. Employees are required to be at Alameda CTC's offices during business hours Monday through Friday.
11. All provisions of this Resolution shall be effective and pertain to all employees of Alameda CTC as of the date of hire of the employee, or January 1, 2017, whichever is later, unless otherwise provided.
12. The Executive Director is authorized to execute the necessary contracts for the benefits and insurance coverage described herein.
13. This resolution is intended to and shall replace and supersede in its entirety that certain Resolution 15-009 adopted by the Commission on December 4, 2015.

Duly passed and adopted by the Alameda CTC at the regular meeting of the Commission held on Thursday, December 1, 2016, in Oakland, California by the following votes:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**SIGNED:**

**ATTEST:**

\_\_\_\_\_  
Rebecca Kaplan, Chairperson

\_\_\_\_\_  
Vanessa Lee, Clerk of the Commission

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# Memorandum

5.5

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

|                        |  |
|------------------------|--|
| <b>DATE:</b>           | November 7, 2016   |
| <b>SUBJECT:</b>        | Alameda CTC Annual Local Business Contract Equity Program Utilization Report for FY2015-16   |
| <b>RECOMMENDATION:</b> | Approve the Annual Local Business Contract Equity Program Utilization Report for payments processed between July 1, 2015 and June 30, 2016 |

## Summary

This report provides an update of business utilization on active professional services and construction contracts awarded and administered by the Commission and sponsoring agencies in fiscal year 2015-2016 (FY2015-16). Business utilization is reported for Local Business Enterprise (LBE), Small Local Business Enterprise (SLBE), and Very Small Local Business Enterprise (VSLBE) firm participation on locally-funded contracts subject to the Local Business Contract Equity (LBCE) Program that were awarded and administered by the Commission. Utilization data is also included for locally-funded contracts that are exempt from the LBCE Program due to having additional state, regional, or non-local funds, or being less than \$50,000 in contract value. Additionally, an update on the Local Business Contract Equity (LBCE) Program certification activities within the same timeframe is presented for informational purposes only.

### *Local Business Contract Equity Program Summary*

For contracts subject to the LBCE Program, historical data over the past eight years reveals that a total of \$60.9 million or 86% of contract payments went to certified LBE firms, while \$29.8 million or 42% of contract payments went to certified SLBE firms, substantially exceeding LBCE Program goals (see Attachment B - Local Business Contract Equity Program Goals Attainment Summary for Contracts with LBCE Program Goals – FY2008-09 to FY2015-16). In the current reporting period there were a total of 22 active professional services contracts with LBCE Program goals. On these contracts, 92% of payments (\$5.7 million) went to certified LBE firms and 27% of payments (\$1.7 million) went to certified SLBE firms. There were no active construction contracts funded with local funds in FY2015-16. While the LBCE Program goal of 30% SLBE was nearly met (short by less than 3%) during this reporting period, the LBE goal of 70% was exceeded by 21% in FY2015-16. This information is shown in the following Table 1 .

| <b>TABLE 1 – Contracts with LBCE Program Goals</b><br><b>Goals = 70% for LBE; 30% for SLBE</b> |                            |   |              |               |                |
|--|----------------------------|---|--------------|---------------|----------------|
| <b>Contract Type</b>   | <b>Number of Contracts</b> | <b>Payments in FY2015-16</b><br><b>(July 1, 2015 through June 30, 2016)</b> |              |               |                |
|  |                            | <b>Payment Amount</b>   | <b>LBE %</b> | <b>SLBE %</b> | <b>VSLBE %</b> |
| Professional Services  | 22                         | \$6,219,416   | 92%          | 27%           | 18%            |
| Construction   | 0                          | \$0   | n/a          | n/a           | n/a            |
| <b>All Industries</b>  | <b>22</b>                  | <b>\$6,219,416</b>  | <b>92%</b>   | <b>27%</b>    | <b>18%</b>     |

There were 23 active contracts exempt from the LBCE Program in this reporting period, of which 21 were in the professional services category and 2 were in the construction category. For contracts exempt from LBCE Program goals, in aggregate, approximately 37% of payments (\$3,044,258) went to LBE certified firms and 3% of payments (\$246,832) went to SLBE certified firms. This information is shown in Table 2 below.

| <b>TABLE 2 – Contracts Exempt from LBCE Program Goals</b> |                            |   |              |               |                |
|---|----------------------------|---|--------------|---------------|----------------|
| <b>Contract Type</b>                                      | <b>Number of Contracts</b> | <b>Payments in FY2015-16</b><br><b>(July 1, 2015 through June 30, 2016)</b> |              |               |                |
|   |                            | <b>Payment Amount</b>   | <b>LBE %</b> | <b>SLBE %</b> | <b>VSLBE %</b> |
| Professional Services                                     | 21                         | \$6,710,571   | 45%          | 4%            | 0%             |
| Construction  | 2                          | \$1,517,154   | 0%           | 0%            | 0%             |
| <b>All Industries</b>                                     | <b>23</b>                  | <b>\$8,227,725</b>  | <b>37%</b>   | <b>3%</b>     | <b>0%</b>      |

## Background

In 1989, a contract equity program for the procurement of professional services was established which set goals of 70% for Local Business Enterprise (LBE), 25% for Minority Business Enterprise (MBE), and 5% for Women Business Enterprise (WBE).

In 1995, a program for construction contracts that set overall participation goals of 60% for LBE, 33% for MBE, and 9% for WBE was approved. Those goals were based on a disparity study and extensive public input from both the prime and minority contracting communities. Specific goals were set for each construction contract, based on biddable items and the availability of local MBE/WBE firms.

As a result of the passage of Proposition 209 in 1996 and the United States Department of Transportation's issuance of the final ruling on the Disadvantaged Business Enterprise program in 2000, the MBE/WBE program and goal requirements were suspended. In lieu of the suspended MBE/WBE program, two new programs were adopted: the LBE/SLBE Program for contracts funded with local dollars and the DBE program for contracts funded with



federal dollars. In January 2008, a Revised LBE/SLBE Program was adopted and renamed as the Local Business Contract Equity (LBCE) Program.

Revisions to the LBCE Program were aimed at increasing SLBE participation in all areas of Agency contracting opportunities, particularly in construction contracting. The revised program became effective for eligible Agency-led contracts as of February 2008 and for all eligible Sponsor-led projects awarded after July 2008.

Utilization of local dollars is determined annually by collecting and analyzing financial data relative to the amounts paid to LBE, SLBE, VSLBE, and DBE prime and subcontractors in two contract categories:

- Professional Services – includes both administrative contracts to assist in the administration of the Alameda CTC's Projects and Programs, as well as engineering services contracts to assist the Alameda CTC in the development and delivery of its Capital Program.
- Construction – contracts in this group are specific to construction contracts awarded to builders of transportation facilities such as roadway and transit improvements.

#### *Reporting Process*

Data collection on all active and open contracts began on July 1, 2016, by surveying prime contractors and subcontractors for verification of payment amounts and other invoice details. For the current reporting period, 161 payment verification survey forms were sent to prime and subcontractors. Approximately 82% of the prime and subcontractors responded by completing and submitting survey forms.

Staff utilized a method of reporting similar to the prior period, July 1, 2014 through June 30, 2015, which included an automated summary report of processed payments by vendor and LBCE Program utilization report generated from an in-house database.

The participation data and statistics, which serve as a basis for this report, have been independently reviewed and verified by L. Luster & Associates, Inc. As stated in the attached memorandum from L. Luster and Associates, Inc., this report was found to be materially accurate and complete. (See Attachment C – Letter of Independent Review of Alameda CTC's Contract Equity Annual Utilization Report for the Period of July 1, 2015 through June 30, 2016).

## Certification Update

| Table 3 – Certified Firms by Contract Types |                  |                   |           |  |
|---|------------------|-------------------|-----------|--|
| Contract Type                               | LBE <sup>1</sup> | SLBE <sup>2</sup> | VSLBE     | # of Firms Certified this Reporting Period |
| Professional Services                       | 86               | 54                | 40        | 86   |
| Commodities/Vendors                         | 13               | 9                 | 5         | 13   |
| Construction                                | 37               | 25                | 8         | 37   |
| <b>Total</b>                                | <b>136</b>       | <b>88</b>         | <b>53</b> | <b>136</b>                                 |

<sup>1</sup> Includes SLBE and VSLBE certified firms

<sup>2</sup> Includes VSLBE certified firms

**Fiscal Impact:** There is no fiscal impact.

## Attachments

- A. FY2015-16 Contract Equity Utilization Report
- B. Local Business Contract Equity Program Goals Attainment Summary for Contracts with LBCE Program Goals – FY2008-09 to FY2015-16
- C. Letter of Independent Review of Alameda CTC's Contract Equity Annual Utilization Report for the Period of July 1, 2015 through June 30, 2016

## Staff Contact

[Seung Cho](#), Director of Budgets and Administration



# Contract Equity Utilization Report

Fiscal Year: 2016

5.5A

Current Reporting Period Start Date: 7/1/2015

End Date: 6/30/2016

| Contract Number/Company Name | Contract Amount | Total Payment to Date | Payment Current Reporting Period | Goal Attainment (Current Reporting Period) |      |       |     | Goal Attainment (Cumulative) |      |       |     |
|------------------------------|-----------------|-----------------------|----------------------------------|--|------|-------|-----|------------------------------|------|-------|-----|
|                              |                 |                       |                                  | LBE  | SLBE | VSLBE | DBE | LBE                          | SLBE | VSLBE | DBE |

## Contract Type: PSA (Professional Services Agreement)

### Goal Requirements for LBCE (70% for LBE and 30% for SLBE)

|  |                 |                 |                |         |         |         |         |         |         |         |         |
|--|-----------------|-----------------|----------------|---------|---------|---------|---------|---------|---------|---------|---------|
| 2001-05 - Parsons Brinckerhoff Quade & Douglas, In | \$13,115,000.00 | \$13,093,105.48 | \$137,100.49   | 100.00% | 0.00%   | 0.00%   | 0.00%   | 94.92%  | 31.58%  | 0.00%   | 0.00%   |
| A05-0004 - URS Corporation                         | \$15,750,000.00 | \$15,064,944.57 | \$505,811.85   | 81.64%  | 9.03%   | 4.41%   | 0.08%   | 91.21%  | 29.30%  | 5.86%   | 0.00%   |
| A10-0026 - HQE, Inc.                               | \$1,055,659.00  | \$1,050,026.22  | \$9,210.60     | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 61.79%  | 60.91%  | 61.79%  |
| A11-0034 - WMH Corporation                         | \$7,261,365.54  | \$7,261,362.52  | \$751,074.93   | 87.59%  | 80.82%  | 80.82%  | 0.00%   | 95.79%  | 60.77%  | 57.16%  | 3.61%   |
| A11-0058 - Vavrinek, Trine, Day & Co., LLP         | \$377,500.00    | \$296,500.00    | \$76,000.00    | 100.00% | 0.00%   | 0.00%   | 0.00%   | 100.00% | 0.00%   | 0.00%   | 0.00%   |
| A12-0035 - The PFM Group                           | \$300,000.00    | \$18,793.58     | \$2,200.00     | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   |
| A13-0004 - GenSpring Family Offices                | \$470,000.00    | \$223,897.19    | \$83,885.60    | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   |
| A13-0026 - Cambridge Systematics                   | \$1,449,833.64  | \$1,449,833.64  | \$621,506.34   | 100.00% | 2.75%   | 2.75%   | 0.00%   | 100.00% | 2.06%   | 2.06%   | 0.00%   |
| A13-0089 - Parsons Brinckerhoff                    | \$1,500,000.00  | \$1,462,671.09  | \$540,960.13   | 87.91%  | 17.95%  | 17.95%  | 15.43%  | 92.83%  | 14.59%  | 14.59%  | 9.46%   |
| A14-0002 - MV Transportation, Inc.                 | \$140,000.00    | \$45,434.98     | \$20,390.33    | 100.00% | 0.00%   | 0.00%   | 0.00%   | 100.00% | 0.00%   | 0.00%   | 0.00%   |
| A14-0011 - Fehr & Peers Associates                 | \$799,999.00    | \$792,048.58    | \$333,461.90   | 100.00% | 13.36%  | 13.36%  | 0.00%   | 100.00% | 22.24%  | 22.24%  | 8.56%   |
| A14-0018 - L. Luster & Associates                  | \$300,000.00    | \$282,385.00    | \$187,417.50   | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |
| A14-0021 - Kittelson & Associates, Inc.            | \$75,000.00     | \$51,820.56     | \$19,619.44    | 100.00% | 10.24%  | 10.24%  | 0.00%   | 100.00% | 16.67%  | 16.67%  | 0.00%   |
| A14-0023 - Nelson/Nygaard Consulting Associates    | \$760,500.00    | \$696,775.29    | \$301,487.78   | 100.00% | 34.46%  | 0.00%   | 0.00%   | 99.62%  | 30.98%  | 0.00%   | 0.00%   |
| A14-0024 - Koff & Associates Inc                   | \$60,000.00     | \$31,733.55     | \$935.00       | 100.00% | 100.00% | 100.00% | 0.00%   | 100.00% | 100.00% | 100.00% | 0.00%   |
| A14-0051 - HNTB                                    | \$4,900,000.00  | \$1,194,746.43  | \$1,154,117.44 | 95.70%  | 33.42%  | 9.81%   | 35.02%  | 95.84%  | 32.64%  | 9.63%   | 34.06%  |
| A14-0052 - AECOM Technical Services, Inc.          | \$4,640,624.00  | \$1,996,242.60  | \$512,625.94   | 100.00% | 5.30%   | 0.00%   | 0.00%   | 100.00% | 12.94%  | 0.00%   | 0.00%   |
| A14-0077 - ComputerWorks NFP Solutions             | \$73,000.00     | \$55,654.52     | \$46,104.52    | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   |
| A15-0009 - Koff & Associates Inc                   | \$75,000.00     | \$47,801.64     | \$47,641.64    | 100.00% | 100.00% | 0.00%   | 100.00% | 100.00% | 100.00% | 0.00%   | 100.00% |
| A15-0044 - Novani, LLC                             | \$70,500.00     | \$19,500.00     | \$14,625.00    | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   | 0.00%   |
| A16-0027 - Nelson/Nygaard Consulting Associates    | \$2,000,000.00  | \$364,890.29    | \$131,856.86   | 100.00% | 5.50%   | 0.00%   | 5.50%   | 100.00% | 18.78%  | 0.00%   | 18.78%  |
| AA07-0001 - TY Lin International/CCS               | \$19,684,919.00 | \$16,208,198.47 | \$721,383.03   | 88.92%  | 14.71%  | 0.00%   | 0.00%   | 81.36%  | 21.86%  | 0.00%   | 0.00%   |

### Total PSA (Professional Services Agreement) - Goal Requirements for LBCE (70% for LBE and 30% for SLBE)

|  |                        |                        |                       |               |               |               |               |               |               |               |              |
|--|------------------------|------------------------|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------|
|  | <b>\$74,858,900.18</b> | <b>\$61,708,366.20</b> | <b>\$6,219,416.32</b> | <b>91.51%</b> | <b>27.15%</b> | <b>17.70%</b> | <b>11.89%</b> | <b>90.61%</b> | <b>30.59%</b> | <b>10.58%</b> | <b>1.20%</b> |
|--|------------------------|------------------------|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------|

### Exempt from Goal Requirements

|   |                 |                 |                |         |         |       |        |         |        |       |        |
|---|-----------------|-----------------|----------------|---------|---------|-------|--------|---------|--------|-------|--------|
| A07-011.BKF.PH2 - BKF                           | \$15,350,780.00 | \$15,298,666.62 | \$402,312.35   | 100.00% | 8.95%   | 0.00% | 8.95%  | 98.15%  | 24.27% | 0.00% | 9.02%  |
| A09-028 - Novani, LLC                           | \$293,900.00    | \$292,955.00    | \$5,713.00     | 0.00%   | 0.00%   | 0.00% | 40.92% | 0.00%   | 0.00%  | 0.00% | 96.93% |
| A10-0008 - S&C Engineers                        | \$1,990,750.00  | \$1,991,572.10  | \$93,271.81    | 100.00% | 100.00% | 0.00% | 0.00%  | 86.31%  | 85.91% | 0.00% | 0.00%  |
| A10-010 - Harris & Associates                   | \$197,000.00    | \$195,882.75    | \$9,200.00     | 0.00%   | 0.00%   | 0.00% | 0.00%  | 0.68%   | 0.68%  | 0.00% | 0.68%  |
| A11-0038 - Delcan Corporation                   | \$7,375,523.00  | \$4,331,335.31  | \$1,047,240.49 | 0.00%   | 0.00%   | 0.00% | 0.00%  | 6.43%   | 0.00%  | 0.00% | 0.00%  |
| A11-0039 - Kimley-Horn and Associates, Inc.     | \$2,696,870.00  | \$2,023,299.42  | \$647,142.30   | 100.00% | 0.00%   | 0.00% | 0.00%  | 100.00% | 0.00%  | 0.00% | 0.00%  |
| A12-0027 - Nelson/Nygaard Consulting Associates | \$350,970.00    | \$271,094.46    | \$26,526.36    | 100.00% | 0.00%   | 0.00% | 0.00%  | 95.99%  | 0.00%  | 0.00% | 0.00%  |



# Contract Equity Utilization Report

Fiscal Year: 2016

Current Reporting Period Start Date: 7/1/2015

End Date: 6/30/2016

| Contract Number/Company Name   | Contract Amount         | Total Payment to Date   | Payment Current Reporting Period | Goal Attainment (Current Reporting Period) |               |              |              | Goal Attainment (Cumulative) |               |              |              |
|--|-------------------------|-------------------------|----------------------------------|--|---------------|--------------|--------------|------------------------------|---------------|--------------|--------------|
|  |                         |                         |                                  | LBE  | SLBE          | VSLBE        | DBE          | LBE                          | SLBE          | VSLBE        | DBE          |
| A12-0028 - Aegis ITS, Inc.   | \$1,050,000.00          | \$334,170.85            | \$78,068.48                      | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A13-0016 - Platinum Advisors, LLC  | \$300,000.00            | \$200,000.00            | \$60,000.00                      | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A13-0017 - CJ Lake, LLC  | \$315,000.00            | \$192,975.88            | \$57,784.62                      | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A13-0092 - ETC - Electronic Transaction Consultants                                | \$3,337,500.00          | \$3,305,249.35          | \$2,007,727.08                   | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A14-0001 - Wilson, Sparling & Associates, Inc.                                     | \$999,519.00            | \$564,601.73            | \$353,890.83                     | 16.66%                                     | 0.00%         | 0.00%        | 0.49%        | 14.61%                       | 0.00%         | 0.00%        | 0.49%        |
| A14-0049 - Alameda County Public Works Agency                                      | \$100,000.00            | \$57,057.34             | \$40,394.56                      | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A14-0060 - Fehr & Peers Associates   | \$14,900.00             | \$14,839.92             | \$14,839.92                      | 100.00%                                    | 0.00%         | 0.00%        | 0.00%        | 100.00%                      | 0.00%         | 0.00%        | 0.00%        |
| A15-0033 - Kittelson & Associates, Inc.  | \$15,595.00             | \$13,731.32             | \$13,731.32                      | 100.00%                                    | 0.00%         | 0.00%        | 0.00%        | 100.00%                      | 0.00%         | 0.00%        | 0.00%        |
| A15-0035 - WMH Corporation   | \$10,225,405.00         | \$4,202,991.48          | \$1,748,680.09                   | 100.00%                                    | 6.97%         | 0.00%        | 2.59%        | 100.00%                      | 7.44%         | 0.00%        | 2.18%        |
| A15-0041 - East Bay Bicycle Coalition  | \$24,999.00             | \$24,999.00             | \$24,999.00                      | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A15-0042 - Van Iwaarden Associates   | \$5,800.00              | \$5,800.00              | \$5,800.00                       | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A16-0001 - Roberts Consulting Group, Inc.  | \$25,000.00             | \$25,000.00             | \$25,000.00                      | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| A99-0003 - Parsons Brinckerhoff  | \$8,340,000.00          | \$8,009,285.00          | \$45,750.59                      | 72.73%                                     | 0.00%         | 0.00%        | 0.00%        | 82.54%                       | 16.81%        | 0.02%        | 0.00%        |
| ACTC_A10-013 - Alameda County Public Works Agency                                  | \$215,000.00            | \$210,532.21            | \$2,498.25                       | 0.00%                                      | 0.00%         | 0.00%        | 0.00%        | 0.00%                        | 0.00%         | 0.00%        | 0.00%        |
| <b>Total PSA (Professional Services Agreement) - Exempt from Goal Requirements</b> |                         |                         |                                  |  |               |              |              |                              |               |              |              |
|  | <b>\$53,224,511.00</b>  | <b>\$41,566,039.74</b>  | <b>\$6,710,571.05</b>            | <b>45.28%</b>                              | <b>3.74%</b>  | <b>0.00%</b> | <b>1.27%</b> | <b>72.71%</b>                | <b>17.04%</b> | <b>0.00%</b> | <b>0.21%</b> |
| <b>Total PSA (Professional Services Agreement)</b>                                 |                         |                         |                                  |  |               |              |              |                              |               |              |              |
|  | <b>\$128,083,411.18</b> | <b>\$103,274,405.94</b> | <b>\$12,929,987.37</b>           | <b>67.52%</b>                              | <b>15.00%</b> | <b>8.51%</b> | <b>6.38%</b> | <b>83.41%</b>                | <b>25.14%</b> | <b>6.33%</b> | <b>0.80%</b> |

## Contract Type: CC (Construction Contract)

|   |                        |                        |                       |              |              |              |              |              |              |              |              |
|---|------------------------|------------------------|-----------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b>Exempt from Goal Requirements</b>                                    |                        |                        |                       |              |              |              |              |              |              |              |              |
| A11-0026 - Steiny & Company, Inc.                                       | \$11,259,616.36        | \$10,760,451.29        | \$428,994.48          | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        |
| A12-0019 - Telegra, Inc.  | \$4,540,542.82         | \$4,275,910.91         | \$1,088,159.35        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        |
| <b>Total CC (Construction Contract) - Exempt from Goal Requirements</b> |                        |                        |                       |              |              |              |              |              |              |              |              |
|   | <b>\$15,800,159.18</b> | <b>\$15,036,362.20</b> | <b>\$1,517,153.83</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> |
| <b>Total CC (Construction Contract)</b>                                 |                        |                        |                       |              |              |              |              |              |              |              |              |
|   | <b>\$15,800,159.18</b> | <b>\$15,036,362.20</b> | <b>\$1,517,153.83</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> | <b>0.00%</b> |

## Contract Type: PSFA (Project Specific Funding Agreement)

|                                      |                |                |              |       |       |       |       |        |        |       |       |
|--------------------------------------|----------------|----------------|--------------|-------|-------|-------|-------|--------|--------|-------|-------|
| <b>Exempt from Goal Requirements</b> |                |                |              |       |       |       |       |        |        |       |       |
| 2003-02 - City of Oakland            | \$6,358,000.00 | \$3,243,088.41 | \$689,546.72 | 0.00% | 0.00% | 0.00% | 0.00% | 13.12% | 10.94% | 0.00% | 0.00% |



# Contract Equity Utilization Report

Fiscal Year: 2016

Current Reporting Period Start Date: 7/1/2015

End Date: 6/30/2016

| Contract Number/Company Name   | Contract Amount         | Total Payment to Date   | Payment Current Reporting Period | Goal Attainment (Current Reporting Period) |              |              |              | Goal Attainment (Cumulative) |              |              |              |
|--|-------------------------|-------------------------|----------------------------------|--|--------------|--------------|--------------|------------------------------|--------------|--------------|--------------|
|  |                         |                         |                                  | LBE  | SLBE         | VSLBE        | DBE          | LBE                          | SLBE         | VSLBE        | DBE          |
| A05-0005 - A C Transit District  | \$11,509,964.00         | \$11,509,964.00         | \$350,736.45                     | 87.31%                                     | 18.50%       | 18.03%       | 9.27%        | 75.95%                       | 7.63%        | 5.00%        | 8.06%        |
| A05-0051 - ACCMA   | \$571,593.05            | \$571,593.05            | \$5,068.34                       | 0.00%                                      | 0.00%        | 0.00%        | 0.00%        | 65.20%                       | 35.23%       | 0.00%        | 0.00%        |
| A07-0058 - City of Livermore   | \$8,413,000.00          | \$7,429,962.56          | \$1,199,806.43                   | 9.65%                                      | 5.70%        | 0.00%        | 0.23%        | 25.38%                       | 20.66%       | 0.00%        | 1.17%        |
| A08-0048 - Bay Area Rapid Transit  | \$6,316,531.60          | \$6,316,449.83          | \$708,139.27                     | 25.02%                                     | 0.00%        | 0.00%        | 0.00%        | 24.77%                       | 2.50%        | 0.00%        | 0.00%        |
| A09-0012 - City of San Leandro   | \$564,000.00            | \$408,628.28            | \$4,196.74                       | 0.00%                                      | 0.00%        | 0.00%        | 0.00%        | 10.88%                       | 0.00%        | 0.00%        | 0.27%        |
| A09-0013 - Bay Area Rapid Transit  | \$56,130,430.00         | \$54,979,696.29         | \$107,615.48                     | 25.48%                                     | 2.06%        | 2.06%        | 2.62%        | 6.20%                        | 2.08%        | 0.21%        | 12.39%       |
| A10-0027 - Bay Area Rapid Transit  | \$120,326,570.00        | \$109,869,880.86        | \$32,114,760.10                  | 10.66%                                     | 0.12%        | 0.03%        | 4.04%        | 16.19%                       | 2.36%        | 1.74%        | 9.93%        |
| A12-0050 - City of Hayward   | \$26,437,000.00         | \$24,697,964.22         | \$13,578,404.34                  | 6.04%                                      | 0.81%        | 0.51%        | 0.30%        | 9.81%                        | 1.79%        | 0.93%        | 0.86%        |
| <b>Total PSFA (Project Specific Funding Agreement) - Exempt from Goal Requirements</b> |                         |                         |                                  |  |              |              |              |                              |              |              |              |
|  | <b>\$236,627,088.65</b> | <b>\$219,027,227.50</b> | <b>\$48,758,273.87</b>           | <b>9.99%</b>                               | <b>0.58%</b> | <b>0.30%</b> | <b>2.82%</b> | <b>16.74%</b>                | <b>3.33%</b> | <b>1.29%</b> | <b>0.63%</b> |
| <b>Total PSFA (Project Specific Funding Agreement)</b>                                 |                         |                         |                                  |  |              |              |              |                              |              |              |              |
|  | <b>\$236,627,088.65</b> | <b>\$219,027,227.50</b> | <b>\$48,758,273.87</b>           | <b>9.99%</b>                               | <b>0.58%</b> | <b>0.30%</b> | <b>2.82%</b> | <b>16.74%</b>                | <b>3.33%</b> | <b>1.29%</b> | <b>0.63%</b> |
| <b>Total for All Contracts</b>   |                         |                         |                                  |  |              |              |              |                              |              |              |              |
|  | <b>\$380,510,659.01</b> | <b>\$337,337,995.64</b> | <b>\$63,205,415.07</b>           | <b>21.52%</b>                              | <b>3.52%</b> | <b>1.97%</b> | <b>3.48%</b> | <b>36.40%</b>                | <b>9.86%</b> | <b>2.78%</b> | <b>0.65%</b> |

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Local Business Contract Equity (LBCE) Program Goals Attainment Summary  
for Contracts with LBCE Program Goals  
FY2008-09 to FY2015-16

| Contract Type                                       | Reporting Period | Number of Contracts | Total \$            | LBE \$              | LBE %      | SLBE \$             | SLBE %     |
|---|------------------|---------------------|---------------------|---------------------|------------|---------------------|------------|
| Professional Services                               | FY 2008-09       | 84                  | \$14,671,927        | \$12,954,839        | 88%        | \$6,531,596         | 45%        |
|   | FY 2009-10       | 74                  | \$14,561,106        | \$13,393,718        | 92%        | \$7,775,840         | 53%        |
|   | FY 2010-11       | 80                  | \$13,365,337        | \$11,848,462        | 89%        | \$5,611,082         | 42%        |
|   | FY 2011-12       | 55                  | \$5,538,448         | \$4,146,151         | 75%        | \$2,139,857         | 39%        |
|   | FY 2012-13       | 33                  | \$6,994,351         | \$5,052,417         | 72%        | \$2,875,224         | 41%        |
|   | FY 2013-14       | 25                  | \$3,780,242         | \$2,995,804         | 79%        | \$1,687,257         | 45%        |
|   | FY 2014-15       | 24                  | \$4,729,816         | \$4,369,404         | 92%        | \$1,246,779         | 26%        |
|   | FY 2015-16       | 22                  | \$6,219,416         | \$5,691,388         | 92%        | \$1,688,572         | 27%        |
| <b>Subtotal for Professional Services Contracts</b> |                  |                     | <b>69,860,643</b>   | <b>60,452,181</b>   | <b>87%</b> | <b>29,556,207</b>   | <b>42%</b> |
| Construction  | FY 2008-09       | 7                   | 479,672             | 414,389             | 86%        | 278,066             | 58%        |
|   | FY 2009-10       | 0                   | -                   | -                   | 0%         | -                   | 0%         |
|   | FY 2010-11       | 0                   | -                   | -                   | 0%         | -                   | 0%         |
|   | FY 2011-12       | 2                   | 43,173              | -                   | 0%         | -                   | 0%         |
|   | FY 2012-13       | 1                   | 58,220              | -                   | 0%         | -                   | 0%         |
|   | FY 2013-14       | 1                   | 90,526              | -                   | 0%         | -                   | 0%         |
|   | FY 2014-15       | 0                   | -                   | -                   | 0%         | -                   | 0%         |
|   | FY 2015-16       | 0                   | -                   | -                   | 0%         | -                   | 0%         |
| <b>Subtotal for Construction Contracts</b>          |                  |                     | <b>671,591</b>      | <b>414,389</b>      | <b>62%</b> | <b>278,066</b>      | <b>41%</b> |
| <b>Total (All Industries)</b>                       |                  |                     | <b>\$70,532,234</b> | <b>\$60,866,570</b> | <b>86%</b> | <b>\$29,834,273</b> | <b>42%</b> |

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To: Seung Cho, Director of Budgets and Administration, Alameda CTC  
CTC

From: Joan Fisher Quillio, L. Luster & Associates  
Brooklyn Moore-Green, L. Luster & Associates

CC: Patricia Reavey, Deputy Executive Director of Finance  
and Administration, Alameda CTC  
Dr. Laura Luster, L. Luster & Associates

Date: October 31, 2016

RE: Independent Review of Alameda County Transportation Commission's Contract  
Equity Annual Utilization Report for the period July 1, 2015 through June 30, 2016

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L. Luster & Associates (LLA) has reviewed Alameda CTC payment and vendor data provided by Alameda CTC staff for the period July 1, 2015 through June 30, 2016.

LLA staff was given full access to the Project Control System (PCS) database, as well as contract/agreement files, payment invoices, and responses to vendor survey. LLA utilized these resources in conducting a thorough review to provide quality control and to assure data integrity for all payments made to vendors on contracts with Local Business Contract Equity goals within the above referenced period. Additionally, LLA followed up with respondent vendors to ensure that all vendor concerns were addressed and issues resolved.

LLA met with staff and presented its findings. Staff satisfactorily responded to all issues identified and presented.

Having completed the review process, L. Luster & Associates finds no material defects in the Alameda CTC Contract Equity Annual Utilization Report for the period July 1, 2015 through June 30, 2016.

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