



## Citizens Watchdog Committee Meeting Agenda

Monday, July 9, 2012, 6 to 9 p.m.

1333 Broadway, Suite 300, Oakland, CA 94612

**\*\*NOTE: EARLIER START TIME AND LATER ENDING TIME\*\***

### Meeting Outcomes:

- Receive public comment on the CWC Annual Report
- Approve the final CWC Annual Report, publication quantities, costs, and press release
- Establish a CWC Audit Subcommittee
- Approve the CWC fiscal year 2012-2013 (FY 12-13) Calendar, the CWC Bylaws, and the project watch list
- Receive an update on the revised sales tax projection for FY 11-12
- Review the final budget for FY 12-13
- Review of Measure B 1998 revenue projections
- Review the final Alameda CTC Strategic Plan
- Receive an update on the Countywide Transportation Plan (CWTP) and Transportation Expenditure Plan (TEP)

### PUBLIC HEARING AGENDA

- 6:00 – 6:05 p.m.    **1. Welcome and Call to Order**
- 6:05 – 6:15 p.m.    **2. Report from Chair/Review of Draft CWC Annual Report**  
*02 CWC Draft 10<sup>th</sup> Annual Report.pdf – Page 1* |
- 6:15 – 6:29 p.m.    **3. Public Comment** |
- 6:30 p.m.            **4. Close Public Hearing on CWC Annual Report**

### REGULAR MEETING AGENDA

- 6:30 – 6:35 p.m.    **5. Welcome and Introductions**
- 6:35 – 6:40 p.m.    **6. Approval of June 11, 2012 Minutes** A  
*06 CWC Meeting Minutes 061112.pdf – Page 11*  
*06A Summary Notes 061112.pdf – Page 15*  
*The CWC will discuss expectations for the summary notes.*

- 
- 6:40 – 7:05 p.m.    **7. Approval of Final CWC Annual Report, Publication Methods, Costs, and Press Release**    A  
*07 CWC Annual Report.pdf* – See Public Hearing Agenda Item 2  
*07A Publication of Costs.pdf* – **Page 17**  
*07B Draft CWC Annual Report Press Release.pdf* – **Page 21**  
*A layout of the CWC Annual Report will be provided at the meeting.*
- 7:05 – 7:15 p.m.    **8. Establish a CWC Audit Subcommittee**    A
- 7:15 – 7:30 p.m.    **9. Approval of CWC FY 12-13 Calendar and Bylaws**    A  
*09 FY12-13 CWC Calendar.pdf* – **Page 23**  
*09A CWC Bylaws.pdf* – **Page 25**
- 7:30 – 7:35 p.m.    **10. Approval of CWC Watch List for FY 12-13**    A  
*10 FY12-13 CWC Watch List.pdf* – **Page 33**
- 7:35 – 7:45 p.m.    **11. CWC Member Reports/Issues Identification**    I/A  
*11 CWC Issues Identification Process and Form.pdf* – **Page 35**
- 7:45 – 9:00 p.m.    **12. Staff Reports/Board Actions**    I
- A. Revised Sales Tax Projection Update for FY 11-12**  
*12A AlamedaCTC Revised Sales Tax Projection for FY11-12.pdf* – **Page 39**
  - B. Update on Final Budget for FY 12-13**  
*12B AlamedaCTC Final Budget for FY12-13.pdf* – **Page 41**
  - C. Update on Measure B 1998 Revenue Projections**  
*12C MB2000-20-YearPlan Staff Recommendations.pdf* – **Page 51**  
*12C1 MB 2000-20 Year Plan Revised Tables.pdf* – **Page 61**  
*12C2 MB 2000 Escalation.pdf* – **Page 65**
  - D. Final Strategic Plan Review**  
*12D 2000 Measure B CapitalProject Commitment Summary.pdf* – **Page 67**  
*12D1 Strategic Plan FY12-13.pdf* – **Page 71**
  - E. Countywide Transportation Plan and Transportation Expenditure Plan Update**  
*12E Memo Final TEP.pdf* – **Page 81**  
Note: Final TEP available online at  
[http://www.alamedactc.org/files/managed/Document/6898/ALAMEDA\\_TEP\\_Final.pdf](http://www.alamedactc.org/files/managed/Document/6898/ALAMEDA_TEP_Final.pdf)  
*12E1 Memo Final CWTP.pdf* – **Page 95**  
Note: CWTP available online at  
[http://www.alamedactc.org/app\\_pages/view/3070](http://www.alamedactc.org/app_pages/view/3070)
  - F. General Items**  
*12F CWC Roster.pdf* – **Page 99**

9:00 p.m.                    **13. Adjournment**

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

**Next Meeting:**

Date: November 12, 2012

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

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

**Staff Liaisons**

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

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

Angie Ayers, Program Management Team, (510) 208-7450, [aayers@alamedactc.org](mailto:aayers@alamedactc.org)

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

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

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

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# DRAFT ANNUAL REPORT CONTENT

## COVER

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

[Alameda CTC logo]

## CITIZENS WATCHDOG COMMITTEE 10th ANNUAL Report to the Public

July 2012

[Multimodal transportation photo]

[table of contents]

### Inside

#### Measure B Projections

2

In FY 12-13, Alameda CTC projects \$112 million in sales tax revenues for transportation improvements.

#### CWC Activities

3

In its "watchdog" role, the CWC reviews expenditures and reports to the public about the consistency of Measure B-funded program and project expenditures with the Expenditure Plan voters approved in 2000.

#### Programs and Projects

6

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

### Citizens Watchdog Committee

## Report on Measure B Sales Tax Activities

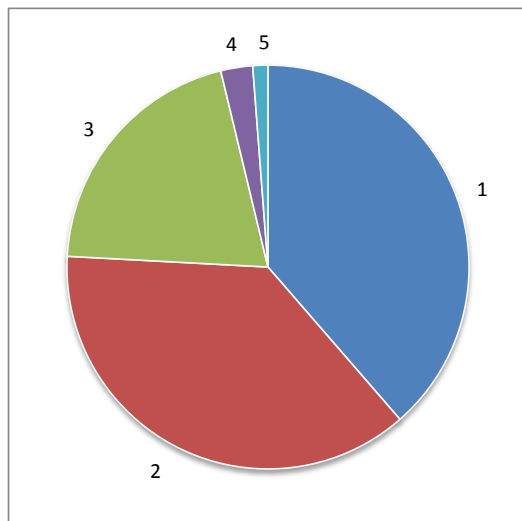
In November 2000, Alameda County voters approved Measure B, which extended the county's half-cent transportation sales tax to 2022 and set forth a 20-year Expenditure Plan. Measure B also established a Citizens Watchdog Committee (CWC) to review all Measure B expenditures on projects, programs and administration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

# REVISED DRAFT ANNUAL REPORT CONTENT

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

[chart 1]

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



[put labels in pie]

1. Public Transit, \$54.4 million
2. Highways & Streets, \$52.4 million
3. Local Transportation, \$28.7 million
4. General Administration, \$3.6 million
5. Programs and Projects Direct Management and Oversight, \$1.7 million

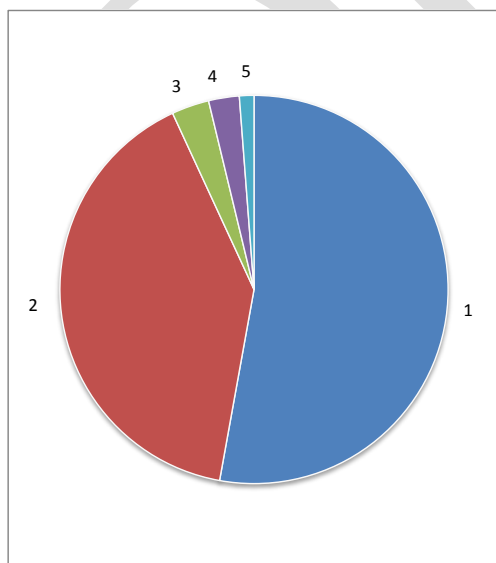
## Financials At-a-Glance

These expenditures include general administration, direct program and project management and oversight expenses, Measure B discretionary grant fund expenditures, project expenditures, and payments to jurisdictions for four main programs: local streets and roads, mass transit, paratransit and bicycle and pedestrian safety. In FY 10-11, audited Measure B expenditures on programs and projects totaled \$140.8 million. Program compliance reports submitted by Measure B fund recipients reported \$63.5 million in expenditures, which includes some Measure B fund balances from previous years.

# REVISED DRAFT ANNUAL REPORT CONTENT

<b>Alameda CTC Financials At-A-Glance</b>		<b>(\$ in millions rounded)</b>	
Public Transit		\$	54.4
Pass-through Funding - Transit Service	\$	21.4	
Pass-through Funding - Paratransit		9.1	
Express Bus Grants		1.4	
Paratransit Grants		1.1	
Transit Center Development Grants		0.2	
Cash Flow Stabilization Grants		0.2	
Public Transit Capital Projects		21.0	
Highways and Streets Capital Projects			52.4
Local Transportation			28.7
Pass-through Funding - Local Streets & Roads		22.5	
Pass-through Funding - Bike & Pedestrian		3.7	
Bike and Pedestrian Grants		1.5	
Local Transportation Capital Projects		1.0	
General Administration			3.6
Programs/Project Management & Oversight			1.7
<b>Total:</b>		<b>\$</b>	<b>140.8</b>

The Alameda County Transportation Commission (Alameda CTC) is responsible for administering the Measure B half-cent transportation sales tax measure as well as congestion management agency functions. In fiscal year 2010-2011 (FY 10-11), Measure B revenues totaled \$105.4 million. The Alameda CTC audited expenditures in FY 10-11 include \$54.4 million for public transit, \$52.4 million for highways and streets, \$28.7 million for local transportation, \$3.6 million for general administration, and \$1.7 million for direct program and project management and oversight.



# REVISED DRAFT ANNUAL REPORT CONTENT

[put labels in pie]

1. Capital Projects, \$74.4 million
2. Pass-through Funding, \$56.7 million
3. Grants, \$4.4 million
4. General Administration, \$3.6 million
5. Direct Management/Oversight, \$1.7 million

Alameda CTC expended \$74.4 million on capital projects, \$56.7 on pass-through funds, \$4.4 million on grants, \$3.6 on general administration and \$1.7 million on direct oversight and management of programs and projects.

In FY 12-13, Alameda CTC projects \$112 million in sales tax revenues.

## Citizens Watchdog Committee Activities

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

As defined by the Expenditure Plan, the CWC:

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

CWC members held public meetings, formed subcommittees as needed and focused on several activities over the past year.

[callout box:

Citizens Watchdog Committee Chair James Paxson notes, "The ongoing work of the CWC is an important part of regularly demonstrating to the citizens of Alameda County that Measure B will deliver on its original promise. The reviews and analytical work done by the CWC play a key role in making sure that Measure B funds are spent in accordance with the provisions of the measure passed by Alameda County voters; a role made all the more important given the wide support that Measure B originally garnered."]

[photo of committee members in a meeting]



# REVISED DRAFT ANNUAL REPORT CONTENT

[caption:

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

## Overview of CWC Activities

- **Ongoing Programs and Capital Projects Watch (FY 10-11):** The CWC continued to watch specific programs and capital projects and to review any issues of concern.
- **Quarterly Financials (FY 10-11):** The CWC received and reviewed quarterly financial statements.
- **Independent Audits (November 2010, January 2012):** The CWC met with and received presentations from independent auditors. The independent auditors did not identify any Measure B accounting concerns, and the CWC accepted these audits. In addition, the CWC reviewed and accepted the auditors' report on the 4.5 percent ceiling on administrative costs and the 1 percent ceiling on administrative staff costs mandated by Measure B.
- **Review of City of Fremont and City of Oakland Funds (November 2010):** The CWC formed a subcommittee to gather more information about the fund balance that the cities of Fremont and Oakland held. The jurisdictions met with subcommittee members and provided an explanation for the fund balance as well as a plan for spending down fund balances.
- **Audit and Compliance Report Review (January 2011):** CWC members reviewed the FY 09-10 audits and compliance reports and requested more information from agencies and jurisdictions to help clarify expenditures. The CWC found no indication that funds were spent improperly.
- **Compliance Report Process Improvements (May 2011):** The CWC formed a compliance report subcommittee to review the annual compliance report forms and evaluation processes. The subcommittee provided a number of recommendations to staff regarding integrating more specific questions in the forms to ensure transparency and more consistency. Another goal was to gather additional information about fund recipients' Measure B fund balances.
- **Annual Report to the Public (July 2011):** In March 2011, CWC members formed a subcommittee to develop its annual report to the public. At its July meeting, the CWC held a public hearing to receive comments on the report. Public outreach included online ads that linked to the web-based report, print advertisements in East Bay publications, e-mail and print mailings of the report, distribution of the printed report at events, and translation of the advertisements into Chinese and Spanish, along with outreach to Asian and Hispanic community organizations.
- **Master Programs Funding Agreement Review (November 2011):** A subcommittee reviewed and provided input on the Alameda CTC's new Master Programs Funding Agreement for local jurisdictions, transit agencies and Alameda County that receive

# REVISED DRAFT ANNUAL REPORT CONTENT

Measure B and Vehicle Registration Fee funds. CWC member comments informed the process and resulted in agreement modifications.

- **Audit and Compliance Report Review (January 2012):** CWC members reviewed the FY 10-11 audits and compliance reports and requested more information from agencies and jurisdictions to help clarify expenditures. The CWC found no indication that funds were spent improperly; however, committee members did raise concerns about the practice of carrying over large Measure B fund balances into the next fiscal year and formed an ad-hoc committee to look into the Alameda County Public Works Agency's fund balance. This ad-hoc committee met in March as noted below.
- **Review of County Public Works Funds (March 2012):** The CWC formed a subcommittee to gather more information about the fund balance that the Alameda County Public Works Agency held. The agency met with subcommittee members and provided an explanation for the fund balance as well as a plan for spending down the fund balance.
- **Information Received by CWC (ongoing):** The CWC received updates on the progress of the development of a new **Transportation Expenditure Plan** that will augment and extend the county's existing half-cent transportation sales tax, if approved by voters in November 2012. The Transportation Expenditure Plan will fund approximately \$7.8 billion in investments over the next 30 years. Developed with guidance from the public, community and technical advisory committees, including three CWC members, and elected officials, the TEP includes many projects and programs to support a connected and integrated multimodal system that will promote sustainability, access, transit operations, public health and economic opportunities. The TEP has accountability measures governing how the funds can be spent and details the public processes for development of new plans. The TEP requires an Independent Watchdog Committee, similar to the current CWC.

The CWC also received updates on the Alameda CTC **Local Business Contract Equity (LBCE) Program**. The goals for Local Business Enterprises (LBEs) are 70 percent of all contracts, including 30 percent for Small Local Business Enterprises (SLBEs) for professional and administrative services. Contracts are exempt from these goals if they are partially funded by the state or federal government.

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

## Alameda CTC Programs

Alameda CTC allocates approximately 60 percent of Measure B funds, minus general administrative costs, primarily on a monthly, formula basis ("pass-through" funding) and through competitive grants to Alameda County, cities and transit agencies for programs. In FY 10-11, Alameda CTC expended \$61.1 million in Measure B funds on programs.

# REVISED DRAFT ANNUAL REPORT CONTENT

[photo of local street repair project]

[caption:

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

**Local streets and roads** (22.34 percent of net sales tax revenue): All cities and the county receive monthly allocations for local transportation improvements, including street maintenance and repair. Jurisdictions use these flexible Measure B funds to meet their locally determined transportation priorities.

- Payments to jurisdictions: \$22.5 million
- Grant reimbursements: \$0
- **Total: \$22.5 million**

**Mass transit** (21.92 percent of net sales tax revenue): Transit operators including ACE, AC Transit, Union City Transit, WETA and WHEELS receive monthly allocations for operations.

- Payments to local transit operators: \$21.4 million
- Grant reimbursements: \$1.4 million for Countywide Express Bus Service Grants
- **Total: \$22.8 million**

**Special transportation for seniors and people with disabilities** (10.45 percent of net sales tax revenue): Cities and transit operators receive funds on a monthly basis to support their on-going transportation programs for seniors and people with disabilities.

- Payments to local jurisdictions \$9.1 million
- Grant reimbursements: \$1.3 million for Paratransit Gap Grants and stabilization funds
- **Total: \$10.4 million**

**Bicycle and pedestrian safety funds** (5 percent of net sales tax revenue): On a monthly basis, all cities and the county receive these funds for bicycle and pedestrian capital projects, programs and plans.

- Payments to local jurisdictions: \$3.7 million
- Grant reimbursements: \$1.5 million for Countywide Discretionary Fund Grants
- **Total: \$5.2 million**

**Transit center development** (0.19 percent of net sales tax revenues): A small portion of Measure B revenues are awarded through the Transit Oriented Development Grant Program and leverage other funds by becoming a local match for grants and studies.

- Grant reimbursements: \$235,351
- **Total: \$0.2 million** (rounded)

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

# REVISED DRAFT ANNUAL REPORT CONTENT

[caption:

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

## Alameda CTC Projects

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

The local sales tax dollars allow project phases to move forward while project sponsors seek other funding sources to complete construction. By 2012, the midpoint of the current transportation sales tax measure, 95 percent of all projects are complete or in construction. In FY 10-11, Alameda CTC expended \$74.4 million on capital projects.

The chart on the next page shows the project phases, schedule, original and escalated funding commitments, and total project costs for the capital projects.

[photo of I-680 Express Lane]

[caption:

Alameda CTC operates the I-680 express lane, which helps reduce traffic congestion and increases highway capacity.]

[photo of BART Oakland Airport Connector]

[caption:

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

## Project Status as of July 2012

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

# REVISED DRAFT ANNUAL REPORT CONTENT

## CWC Members

### Name

James Paxson, Chair  
Harriette Saunders, Vice Chair  
Pamela Belchamber  
Petra Olivia Brady  
Peter Michael Dubinsky  
Arthur B. Geen  
James Haussener  
Erik Jensen  
Jo Ann Lew  
Hale Zukas

### Vacancy

### Vacancy

### Vacancy

### Vacancy

### Vacancy

### Vacancy

### Vacancy

### Appointer

East Bay Economic Development Alliance  
Paratransit Advisory and Planning Committee  
Alameda County Mayors' Conference, District 5  
Alameda County Mayors' Conference, District 4  
Supervisor Richard Valle, District 2  
Alameda County Taxpayers Association  
Supervisor Nate Miley, District 4  
East Bay Bicycle Coalition  
Alameda County Mayors' Conference, District 2  
Supervisor Keith Carson, District 5  
**Alameda County Mayors' Conference, District 1**  
**Alameda County Mayors' Conference, District 3**  
**Alameda Labor Council AFL-CIO**  
**League of Women Voters**  
**Sierra Club**  
**Supervisor Scott Haggerty, District 1**  
**Supervisor Wilma Chan, District 3**

## How to Get Involved

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

## Further Information

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

## BACK PAGE

[include standard footer with contact information]

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**Alameda CTC Citizens Watchdog Committee Meeting Minutes**  
**Monday, June 11, 2012, 6:30 p.m., 1333 Broadway, Suite 300, Oakland**

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Attendance Key (A = Absent, P = Present)

Members:

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

Staff:

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

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**1. Welcome and Introductions**

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

**2. Public Comment**

There were no public comments.

**3. Approval of January 9, 2012 and March 22, 2012 Minutes**

CWC members requested staff to distribute a summary of the meeting minutes within three weeks after each meeting to allow CWC members the opportunity to provide agenda item suggestions to the chair for upcoming CWC meetings. The following process and timelines were defined to give members a chance to provide agenda item suggestions:

- Three weeks after the meeting, Alameda CTC will distribute the CWC meeting summary notes to CWC member via email.
- Members will notify the chair, James Paxson, and vice chair, Harriette Saunders, of agenda item suggestions for the upcoming CWC meeting. Note that CWC members are requested to copy Tess Lengyel and Angie Ayers on the email as well.
- Three weeks prior to each CWC meeting the CWC chair, vice chair, and staff will hold an agenda review meeting and the suggestions from the members will be discussed at that time. Once the agenda review meeting date is set, CWC members will receive a reminder to submit any proposed agenda items for consideration to the chair by a set deadline.
- The full agenda packet containing the minutes will be mailed to CWC members one week before the meeting.

Staff will modify the CWC Bylaws to incorporate the agenda review meeting.

*Mike Dubinsky moved to approve the minutes. Harriette Saunders seconded the motion. The motion carried unanimously (7-0).*

#### **4. Election of Officers for FY 12-13 and Approval of CWC Bylaws**

Election of officers:

*James Haussener nominated James Paxson for chair and Harriette Saunders as vice chair. Jo Ann Lew seconded the motion. The motion passed unanimously (7-0).*

CWC Bylaws:

Tess Lengyel led the discussion on the CWC bylaws. She mentioned that the CWC reviews its bylaws annually at the organizational meeting and the review process is scheduled each year to allow staff and the CWC to update the bylaws to reflect current practices or to improve the way the committee functions. Members stated that Article 3.5 Attendance should include excusable absences for work-related travel. Staff informed the committee that as a practice, absences are not excused, and this policy is consistent across all community advisory committee bylaws. Staff explained that on a quarterly basis the Alameda CTC writes to the appointers and lets them know the status of their appointments.

Staff will modify the bylaws as follows:

- Include an article to reflect the agenda review meeting.
- In Article 3.5 Attendance, make clear who is responsible for removing a member from the committee.

The members requested that staff bring the bylaws back to the July CWC meeting for approval.

#### **5. Approval of Draft CWC Annual Report and Discussion of Publication Methods and Costs**

Draft CWC Annual Report:

Tess Lengyel stated that a CWC Annual Report Subcommittee was established during the March 12, 2012 meeting and included the following members:

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

Tess explained that the subcommittee had two meetings to discuss the draft report outline and the content of the Annual Report. After approval of the report text by the subcommittee, staff provided the report in layout format and emailed it to subcommittee members. CWC Subcommittee members agreed that the full committee would review the Annual Report and provide comments on the layout format.



*Questions/feedback from members:*

- The chair informed the committee that the report will be reviewed for consistency so that it speaks as one voice, once all the comments are received.
- The *CWC Members* section should honor the longest-serving member(s). The members suggested to include a quote from that member(s). Staff mentioned that the chair includes a quote in the press release and that quote can be used in this section.
- A member requested that for any photos that feature bicyclists, it is important to make sure the bicyclists are wearing helmets. James Paxson stated that the two guys with the BikeMobile are not on a bicycle.
- A member requested that we show the cities that are using the BikeMobile program. Staff stated that the BikeMobile is a countywide program under the Safe Routes to Schools Program.
- All of the members agreed that the presentation of numbers throughout the report is creating more confusion and we need to review all of the numbers for clarification, accuracy, and to address rounding errors. The pages on the report that were specifically cited are: 46, 47 and 48.
- Under *Financials At-a-Glance* change FY10-12 to FY10-11.
- On page 47, the last sentence in the second paragraph should be a separate paragraph.
- Change the photo under the *Citizens Watchdog Committee Activities* to a photo showing the actual members of the committee.
- Change the word “reserve” to “fund balance” throughout the report.

As part of the CWC Annual Report discussion, a member requested that Alameda CTC present a document showing the 1998 revenue projections for the 2000 Measure B original sales tax revenue projection. The member also had concerns about the accuracy of some staff reports as well as the report made by the independent auditor.

*Summary of discussion and how the Annual Report will change:*

- Ensure the report is consistent throughout and speaks with one voice.
- Ensure that the figures presented in the report are accurate, can be verified, and relate to one another.
- Ensure the report only contains content that applies to the purpose of the CWC, the CWC activities, and the oversight function of the CWC.
- Change the photo under the *Citizens Watchdog Committee Activities* to a photo that contains actual CWC members.
- The CWC Annual Report Subcommittee will meet before the July 9, 2012 meeting to finalize the content of the modified CWC Annual Report to the public.
- James Haussener will be added to the subcommittee.

Publication Methods and Costs:

Tess suggested the members review the publication methods and costs document and bring their comments back to the July 9, 2012 meeting.

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

None

**7. Strategic Plan Review**

Due to time constraints, this item will be included in the July meeting.

**8. Staff Reports/Board Actions**

**A. Revised Sales Tax Projection Update for FY 11-12**

Due to time constraints, this item will be included in the July meeting.

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

Due to time constraints, this item will be included in the July meeting.

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

Due to time constraints, this item will be included in the July meeting.

**D. General Items**

None

**9. Adjournment/Next Meeting**

The meeting adjourned at 8:40 p.m. The next meeting is July 9, 2012 at the Alameda CTC offices.



## **Alameda CTC Citizens Watchdog Committee Meeting Summary Notes Monday, June 11, 2012, 6:30 p.m., 1333 Broadway, Suite 300, Oakland**

On Monday June 11, 2012, the following CWC members and staff met for the regular CWC annual organizational meeting.

**Attendees:** James Paxson, Chair; Harriette Saunders, Vice Chair; Petra Brady; Mike Dubinsky; James Haussener; Jo Ann Lew; Hale Zukas

**Alameda CTC Staff/Consultants:** Arthur L. Dao, Executive Director; Tess Lengyel, Deputy Director of Policy, Public Affairs and Legislation; Patricia Reavey, Director of Finance; Angie Ayers, Public Meeting Coordinator

### **1. Welcome and Introductions**

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

### **2. Public Comment**

There were no public comments.

### **3. Approval of January 9, 2012 and March 22, 2012 Minutes**

- CWC members requested that staff distribute a summary of the minutes within three weeks after the meeting and to notify members when the agenda review meeting is set to allow CWC members to submit agenda item suggestions to the chair
- The CWC Bylaws will be modified to reflect this change in procedure.

*Mike Dubinsky moved to approve the minutes. Harriette Saunders seconded the motion. The motion carried unanimously (7-0).*

### **4. Election of Officers for FY 12-13 and Approval of CWC Bylaws**

Election of officers:

*James Haussener nominated James Paxson for chair and Harriette Saunders as vice chair. Jo Ann Lew seconded the motion. The motion passed unanimously (7-0).*

CWC Bylaws:

- In the bylaws Section 3.5 Attendance, CWC members requested that staff make it clear who is responsible for removing a member from the committee.

- Members requested that staff bring back the bylaws to the July CWC meeting for approval.

#### **5. Approval of Draft CWC Annual Report and Discussion of Publication Methods and Costs**

Discussion took place on the CWC Annual Report to the public, and CWC members would like to modify the report as follows:

- Ensure that the figures presented in the report are accurate and can be verified and relate to one another.
- Ensure the report only contains content that applies to the purpose of the CWC, the CWC activities, and the oversight function of the CWC.
- The CWC Annual Report Subcommittee will meet before the July 9, 2012 meeting to approve the content of the modified CWC Annual Report to the public.

As part of the draft CWC Annual Report discussion, comments were made about the accuracy of some staff reports as well as the report made by the independent auditor. In addition, comments were made about the need for additional supporting documentation for some of the information presented in the draft Annual Report.

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

Due to time constraints, this item will be included in the July meeting.

#### **7. Final Strategic Plan Review**

Due to time constraints, this item will be included in the July meeting.

#### **8. Staff Reports/Board Actions**

##### **A. Revised Sales Tax Projection Update for FY 11-12**

Due to time constraints, this item will be included in the July meeting.

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

Due to time constraints, this item will be included in the July meeting.

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

Due to time constraints, this item will be included in the July meeting.

#### **9. Adjournment**

The meeting adjourned at 8:40 p.m. The next meeting is July 9, 2012 at the Alameda CTC offices.

CWC Annual Report  
Publications Costs

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

\*Page Views: The number of times a user visits a newspaper webpage  
\*\*Click-throughs: The ability to click on the Alameda CTC report from the media banner advertisement

## CWC Annual Report Publications Costs

Affiliation	Newspaper	Newspaper Circulation	Newspaper Website Page Views*	Media/Size	2011 Alameda CTC Page Views	2011 Click-throughs** from Online Media Banners	2011 Cost (Print)	2011 Cost (Web)	2011 Final Costs	Proposed 2012 Cost (Print)	Proposed 2012 Cost (Web)	Proposed 2012 Costs
	Tri-City Voice - Fremont, Newark, Union City, Hayward, and Sunol			Print: 9.25" x 14"  hyperlink send Alameda CTC Logo Title	N/A	N/A	\$735.00		<b>\$735.00</b>	\$735.00		<b>\$735.00</b>
	East Bay Express (eastbayexpress.com)	43,000	265,000	Print: 10.125"x 7.1"  Online: 728 x 90 Leader Board	22,220	23	\$1,800.00	\$225.00	<b>\$2,025.00</b>	\$1,800.00	\$225.00	<b>\$2,025.00</b>
	SFGate.com front page banner hyperlink to ACTIA website - final cost			Print: 4.792" x 9.83  Online: 728 x 90 Leaderboard	43,183	32	\$2,304.60	\$700.00	<b>\$3,004.60</b>	\$575.00	\$2,500.00	<b>\$3,075.00</b>
	www.asianweek.com - web banner only (linked to the english version)			Online: 728 x 90 jpeg Leaderboard				\$336.00	<b>\$336.00</b>		\$406.00	<b>\$406.00</b>
	www.asianweek.com - web banner only (linked to the Chinese version)			Online: 468 x 60 jpeg Banner				\$322.00	<b>\$322.00</b>		\$336.00	<b>\$336.00</b>
PATCH News/AOL Publications in Alameda County Banner Only	Alameda		51,023	Online: 300 X 250 jpeg Banner				\$0.00	<b>\$0.00</b>		\$108.00	<b>\$108.00</b>
	Albany		71,788	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$157.50	<b>\$157.50</b>
	Berkeley		67,442	Online: 300 X 250 jpeg Banner				\$0.00	<b>\$0.00</b>		\$103.50	<b>\$103.50</b>

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## CWC Annual Report Publications Costs

Affiliation	Newspaper	Newspaper Circulation	Newspaper Website Page Views*	Media/Size	2011 Alameda CTC Page Views	2011 Click-throughs** from Online Media Banners	2011 Cost (Print)	2011 Cost (Web)	2011 Final Costs	Proposed 2012 Cost (Print)	Proposed 2012 Cost (Web)	Proposed 2012 Costs
PATCH News/AOL Publications in Alameda County Banner Only	Castro Valley		48,860	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$126.00	<b>\$126.00</b>
	Dublin		63,200	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$157.50	<b>\$157.50</b>
	Livermore		397,154	Online: 300 X 60 jpeg Banner				\$0.00	<b>\$0.00</b>		\$85.50	<b>\$85.50</b>
	Newark		62,902	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$126.00	<b>\$126.00</b>
	Piedmont		25,055	Online: 300 X 250 jpeg Banner				\$0.00	<b>\$0.00</b>		\$103.50	<b>\$103.50</b>
	Pleasanton Weekly		153,005	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$157.50	<b>\$157.50</b>
	San Leandro		60,542	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$126.00	<b>\$126.00</b>
	Union City		79,483	Online: 728 x 90 jpeg Leaderboard				\$0.00	<b>\$0.00</b>		\$126.00	<b>\$126.00</b>

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CWC Annual Report  
Publications Costs

Affiliation	Newspaper	Newspaper Circulation	Newspaper Website Page Views*	Media/Size	2011 Alameda CTC Page Views	2011 Click-throughs** from Online Media Banners	2011 Cost (Print)	2011 Cost (Web)	2011 Final Costs	Proposed 2012 Cost (Print)	Proposed 2012 Cost (Web)	Proposed 2012 Costs
	Other Costs											
	Legal Notice of Public Hearing								\$0.00		\$748.65	\$748.65
	Publications Design			PDF			\$2,940.00		\$2,940.00	\$2,940.00		\$2,940.00
	Language 411 (translation from English to Chinese and Spanish)						\$1,033.50		\$1,033.50	\$1,033.00		\$1,033.00
	Autumn Press Printing for 2,000 in full color			PDF			\$2,989.43		\$2,989.43	\$2,989.43		\$2,989.43
TOTALS:		381,411	1,789,454				\$32,479	\$3,049	\$35,528	\$30,491	\$9,460	\$39,951
												-\$4,423
Yellow = Cost Estimates												Difference

\*Page Views: The number of times a user visits a newspaper webpage  
\*\*Click-throughs: The ability to click on the Alameda CTC report from the media banner advertisement



# Press Release

1333 Broadway, Suites 220 & 300 • Oakland, CA 94612 • (510) 208-7400 • [www.AlamedaCTC.org](http://www.AlamedaCTC.org)



## FOR IMMEDIATE RELEASE

August **TBD**, 2012

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

T: (510) 208-7428

E: [tlengyel@alamedactc.org](mailto:tlengyel@alamedactc.org)

[www.alamedactc.org](http://www.alamedactc.org)

## Watchdog Committee's 10th Annual Report Highlights Transportation Sales Tax Activities

In fiscal year 2012-2013, Alameda CTC projects \$112 million in sales tax revenues for transportation improvements.

*Alameda County - California.* On August **TBD**, 2012, the Citizens Watchdog Committee (CWC) of the Alameda County Transportation Commission (Alameda CTC) released its 10th Annual Report to the Public. The report describes the committee's activities and provides an update on the delivery of programs and projects funded by Measure B, Alameda County's voter-approved half-cent sales tax for transportation improvements. The Alameda CTC is responsible for allocating Measure B tax dollars for a wide range of transportation programs and projects that expand access and improve mobility, and the CWC is responsible for providing independent oversight of Alameda County's half-cent sales tax expenditures.

The annual report prepared by the CWC covers fiscal year 2010-2011 reporting as well as recent activities undertaken by the committee. In fiscal year 2010-2011, Alameda CTC received \$105.4 million in revenue, and expended \$140.8 million as follows:

- \$54.4 million for public transit, including operations, capital investments and special transportation for seniors and people with disabilities.
- \$52.4 million for highway and streets projects.
- \$28.7 million for cities and the County for local transportation improvements, including local streets and roads, and bike and pedestrian projects.

MORE

- \$3.6 million for general administration.
- \$1.7 million for direct program and project management and oversight.

The CWC Annual Report provides an update on the progress of transportation programs and projects and notes that audited income and expenditures were in compliance with specific caps, and that the auditors did not identify any accounting concerns. The Alameda CTC projects \$112 million in sales tax revenues in fiscal year 2012-2013 for transportation improvements. Approximately 60 percent of these revenues, minus administrative costs, will fund programs, and approximately 40 percent will fund capital projects.

The Citizens Watchdog Committee was created in 2002, after reauthorization of the local sales tax measure in 2000, to review agency financial audits and reports as well as the deadlines for program and project completion. Part of the committee's responsibility is to issue an annual report to voters and taxpayers to report on the sales tax fund expenditures. Citizens Watchdog Committee Chair James Paxson notes, "The ongoing work of the CWC is an important part of regularly demonstrating to the citizens of Alameda County that Measure B will deliver on its original promise. The reviews and analytical work done by the CWC play a key role in making sure that Measure B funds are spent in accordance with the provisions of the measure passed by Alameda County voters; a role made all the more important given the wide support that Measure B originally garnered."

The CWC has kept watch on all projects, programs, and administrative costs and the progress in meeting Local Business Contract Equity Program goals. The CWC Annual Report is available to the public on the Alameda CTC website, <http://www.alamedactc.org>. Copies of the report, the Expenditure Plan, and audits for each agency receiving Measure B funds are available on the website and at Alameda CTC offices at 1333 Broadway, Suites 220 and 300, Oakland, CA 94612, telephone 510.208.7400.

#### **About the Alameda County Transportation Commission**

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. Alameda CTC coordinates countywide transportation planning and delivers the expenditure plan for the half-cent sales tax approved by 81.5% of county voters in 2000. For more information, visit [www.alamedactc.org](http://www.alamedactc.org).

# # #

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

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

**July 9, 2012 CWC Meeting**

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

**October 2012**

- CWC Post-Audit Subcommittee Meeting

**November 12, 2012 CWC Meeting**

- Audited Financials for Prior Fiscal Year End
- Quarterly Investment Report
- CWC Annual Report Outreach Summary and Publication Costs Update
- Update on Program Compliance Workshop
- Quarterly Alameda CTC Commission Action Items

**January 14, 2013 CWC Meeting**

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

**March 11, 2013 CWC Meeting**

- Summary of Sponsor Audits/Programs – Report Card to CWC
- Approval of Draft Annual Report Outline
- Draft Compliance Summary and Audit Report
- Mid Year Budget Update
- Quarterly Investment Report
- Quarterly Alameda CTC Commission Action Items
- Project Sponsor Presentations – if requested

**April 2013 CWC Annual Report Subcommittee Meeting**

- Prepare Draft Annual Report

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

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

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

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

### **July 2013**

- CWC Pre-Audit Subcommittee Meeting



## Citizens Watchdog Committee Bylaws

### Article 1: Definitions

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

**1.1.1** All five Alameda County Supervisors.

**1.1.2** Two City of Oakland representatives.

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

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

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

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

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

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

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

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

**1.7 Citizens Advisory Committee (CAC).** The Alameda CTC Committee that serves as a liaison group between the Alameda CTC and the members' respective communities. Appointed by the ACTIA Board or the Commission, the CAC keeps the Commission informed of the progress of Measure B programs and projects, and discusses and brings local community transportation concerns to the Commission, as well as provides feedback to members' respective communities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Article 3: Members**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



## **Article 4: Officers**

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

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

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

## **Article 5: Meetings**

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

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

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

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

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

**5.6 Agenda.** All meetings shall have a published agenda. Action may be taken only on items indicated on the agenda as action items. Items for a regular meeting agenda may be submitted by any member to the chair and committee staff. The Commission and/or Committee staff may also submit items for the agenda. Agenda planning meetings are held three weeks prior to each CWC meeting. Alameda CTC staff will notify all CWC members when this meeting is established and remind members to submit any agenda item requests to the chair one-day prior to the agenda planning meeting date. Any agenda items submitted to the chair and committee staff will be discussed. Every agenda shall include provision for members of the public to address the Committee. The chair and the vice chair shall review the agenda in advance of distribution. Copies of the agenda, with supporting material and the past meeting minutes, shall be mailed to members and any other interested parties who request it. The agenda shall be posted on the Alameda CTC website and office and provided at the meeting, all in accordance with the Brown Act.

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

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

## **Article 6: Subcommittees**

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

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

## Article 7: Records and Notices

**7.1 Minutes.** Minutes of all meetings, including actions and the time and place of holding each meeting, shall be kept on file at the Alameda CTC office. Alameda CTC staff will prepare summary notes for each meeting and distribute them for informational purposes only within twenty-one days of the CWC meeting. Full minutes will be included in meeting packets prior to each regular CWC meeting.

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

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

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

## Article 8: General Matters

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

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

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

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

**8.5 Conflict with Governing Documents.** In the event of any conflict between these bylaws and the July 2000 Alameda County Transportation Expenditure Plan, California state law, or any action

lawfully taken by ACTIA or the Alameda CTC, the Expenditure Plan, state law or the lawful action of ACTIA or the Alameda CTC shall prevail.

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

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

Alameda CTC Capital Projects  
FY 2012-2013

CWC Member Capital  
Projects Monitoring  
Responsibilities

CWC Member Capital Projects Monitoring Responsibilities		ACTIA No. 1 - ACE Capital Improvements Alameda County; Construction																												ACTIA No. 2 - BART Warm Springs Ext. Fremont; Construction																												ACTIA No. 3 - BART Oakland Airport Conn. Oakland; Construction																												ACTIA No. 4 - Downtown Streetscape Project Complete (4A, 4B); 4C Const; 4D Complete																												ACTIA No. 5 - BART Fruitvale Transit Village Union City; Closeout																												ACTIA No. 6 - Union City Intermodal Station Oakland (7A; PE/ENV); 7B & 7C Complete (Scoping/PE/ENV)																												ACTIA No. 7 - Bus Rapid Transit -Tel. Corridor 8A Southbound (Construction); 8B Northbound Dublin																												ACTIA No. 8 - I-680 Express Lane Dublin																												ACTIA No. 9 - Ironhorse Trail; Design Oakland, Alameda; PE/Env. Study																												ACTIA No. 10 - I-880/Broadway-Jackson I/C San Leandro; Complete																												ACTIA No. 11 - I-880/Washington Avenue I/C Alameda County, Castro Valley; Closeout																												ACTIA No. 12 - Lewelling/E. Lewelling Widening Livermore; 14C Design; 14A Complete Hayward; PE/Env																												ACTIA No. 13 - I-580 Castro Valley I/C Alameda County; Construction																												ACTIA No. 14 - I-580 Auxiliary Lanes; Dublin, Complete																												ACTIA No. 15 - Rte. 92/Clawiter Whitesell I/C San Leandro, AC; Construction; 17A Complete																												ACTIA No. 16 - I-580 Westgate Extension San Leandro; Design/Right of Way																												ACTIA No. 17 - I-580/Hesperian/150th Complete																												ACTIA No. 18 - I-580 Local Streets Fremont; Scoping																												ACTIA No. 19 - I-680/I-880 Cross Conn. Study Livermore; Closeout																												ACTIA No. 20 - I-680/Route 84/I-580 I/C North Segment (Construction); South Segment PE/ENV																												ACTIA No. 21 - I-680/BART Dublin, Pleasanton, Livermore; PE/ENV																												ACTIA No. 22 - I-680/Vasco Road; Complete Mobility; Construction																												ACTIA No. 23 - I-80 Integrated Corridor Oakland, San Leandro; Design/Right of Way Scoping																												ACTIA No. 24 - I-80 Corridor Improvements Segments and Locations on the CMP Network Scoping																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Member's Names	Appointed By																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			

The projects marked with an "X" above are those I am interested in monitoring.

Signature

Alameda CTC Programs  
FY 2012-2013

CWC Member Program Monitoring Responsibilities																													
Member's Name	Appointed By	Alameda (BP, LSR)	Albany (BP, LSR, P)	Berkeley (BP, LSR, P)	Dublin (BP, LSR, P)	Emeryville (BP, LSR)	Fremont (BP, P)	Hayward (BP, LSR, P)	Livermore (BP, LSR, P)	Newark (BP, LSR)	Oakland (BP, LSR, P)	Piedmont (BP, LSR, P)	Pleasanton (BP, LSR)	San Leandro (BP, LSR, P)	Union City (BP, LSR, P)	Ala. County North (LSR, M, P)	Ala. County Central (LSR)	Ala. County East (LSR)	25 % County South (LSR)	Paratransit (City Programs)	Paratransit - BART	AC Transit - AC Transit	AC Transit - Transit Operations	Alameda (Ferry Services)	Altamont Commuter Express	Union City Transit Express	LAVTA Transit Operations	Countywide Express Bus	Transit-oriented Development
Belchamber, Pamela	Alameda County Mayor's Conference, D-5		X																X		X	X							
Brady, Petra	Alameda County Mayors' Conference, D-4																												
Dubinsky, Mike	Supervisor Nadia Lockyer, D-2					X																		X	X				
Geen, Arthur B.	Alameda County Taxpayers Association										X												X						
Haussener, James	Supervisor Nate Miley, D-4						X						X		X			X											
Jensen, Erik	East Bay Bicycle Coalition																	X			X		X				X	X	
Lew, Jo Ann	Alameda County Mayors' Conference, D-2													X								X							
Paxson, James	East Bay Economic Development Alliance		X									X												X		X		X	
Saunders, Harriette	Paratransit Advisory and Planning Committee																					X	X						
Zukas, Hale	Supervisor Keith Carson, D-5																												
Vacancy	Alameda County Mayors' Conference, D-1																												
Vacancy	Alameda County Mayors' Conference, D-3																												
Vacancy	Alameda Labor Council AFL-CIO																												
Vacancy	League of Women Voters																												
Vacancy	Sierra Club																												
Vacancy	Supervisor Scott Haggerty, D-1																												
Vacancy	Supervisor Wilma Chan, D-3																												

BP = Bicycle and Pedestrian  
LSR = Local Streets and Roads  
M = Mass Transit  
P = Paratransit (special transportation for seniors and people with disabilities)

Signature \_\_\_\_\_



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

### **Summary**

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

### **CWC Responsibilities**

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

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

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

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

### **Review Process**

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

## **CWC Issues Identification Process**

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

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

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

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

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



**CITIZENS WATCHDOG COMMITTEE ISSUES FORM**

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

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

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

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

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

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

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

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

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

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

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

(Please check one)

☐ Capital Project    ☐ Program    ☐ Program Grant    ☐ Administration

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

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**PROCESS -**

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**PROTECTION -**

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

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## Memorandum

**DATE:** May 15, 2012

**TO:** Alameda County Transportation Commission

**FROM:** Finance and Administration Committee

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

### Recommendation

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

### Summary

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

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

### Fiscal Impacts

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

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## Memorandum

**DATE:** May 29, 2012

**TO:** Citizens Watchdog Committee

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

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

### Recommendations

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

### Summary

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

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

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

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

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

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

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

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

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

### **Discussion/ Background**

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

### **Major Line Item Detail**

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

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

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

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

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

#### Limitation Ratios

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

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

#### **Fiscal Impacts**

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

#### **Attachments**

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

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

**Attachment A**

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

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

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

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

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

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

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MEMORANDUM

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**TO:** Expenditure Plan Development Steering Committee

**FROM:** Christine Monsen, Executive Director  
Steve Castleberry, Deputy Director

**DATE:** January 14, 1999

**SUBJECT:** *20 Year Plan Staff Recommendations*

**Recommendation**

Staff recommends that the Committee adopt a plan on January 24<sup>th</sup> in order to allow adequate review by City Councils, the Board of Supervisors, and the Community.

**Introduction**

In October 1999, the Steering Committee approved a conceptual Expenditure Plan that extended the 1998 Plan from 15 to 20 years. Over the past several months, staff has continued to try to resolve issues in the plan, as well as identify ways to increase support for the plan. This plan reflects staff's recommended changes. In addition, in a separate section, staff identified further changes to the plan that should only be included if they result in support for the Plan from the transit/environmental/social justice coalition, and do not jeopardize support from other groups.

While the details of the plan are key, it is important to recognize the overall features and benefits of the revised plan.

- The basic components of this plan were developed by a committee of 40 concerned citizens representing a cross section of Alameda County interests. That plan secured almost 60% voter support in June 1998.
- The changes to the 1998 plan reflect extensive public input. They are based on comments received from City Councils, the Board of Supervisors, extensive public comment, the Economic Development Alliance for Business' (EDAB) Transportation Task Force and Focus Groups, and many community and special interest groups over the last year. For example, the Steering Committee received extensive and detailed input from a coalition of transit, environmental and social justice organizations requesting additional funding for transit, paratransit, and non-motorized modes. This plan increases funding for those programs. Similarly, extensive public input was received regarding the importance of addressing congestion in the Dumbarton and I-580 corridors. This plan now provides funding for those corridors. A major concern identified in the EDAB focus groups was bus access to jobs in central county. This was also a major concern to a local social justice organization. This recommendation provides additional funds to improve public transit access to jobs in central county. The Business and Labor for Better Transportation Coalition requested a minimum of 40% for capital projects. This plan honors that request.

January 17, 2000

## Expenditure Plan Development Steering Committee

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- The revised plan provides a balance between capital investments in transit, roadways, highway, and non-motorized projects that address congestion, and the critical need to maintain and expand the commitment to the existing roads, bridges, and transit systems that currently serve Alameda County.
- The revised plan reflects the differing needs facing different areas in the county, by providing unique solutions in each area.
- The revised plan expands upon the key elements of the Countywide Transportation Plan, and provides new funds to addresses nearly every congested corridor in the County, including I-680, I-80, SR 92, SR 84, I-238, and I-580.
- The revised plan maintains a critical commitment to those most in need of public transit. Seniors and people with disabilities will see a substantial increase in funds for paratransit services from the City-based programs and the paratransit services provided by public operators under the requirements of the Americans with Disabilities Act (ADA). No longer will our public transit operators be faced with reducing fixed route services because they cannot afford to meet the requirements of the ADA. This plan will allow an expansion of fixed-route service, a double benefit to those who rely on paratransit.
- The revised plan provides a nearly 40% increase in operating funding for A.C. Transit over the 1986 plan, in addition to providing funding for other public transit operators in the county: Union City Transit, Alameda Ferries, LAVTA, and ACE.

Following are tables that describe the recommended plan, comparisons to the 1998 Plan that went before voters in June 1998, and the Conceptual Plan approved by the Steering Committee in October 1999, followed by a detailed description of the proposed changes. A one page summary of staff's recommendation is attached at the end of this memo.

**Staff's Recommended 20 Year Plan\***

Category	1998 Plan		Conceptual 20-Year Plan		Staff Recommendation 20-Year Plan	
Local Transportation	\$263,277,527	23%	\$323,352,426	23%	\$323,352,426	23%
Transit	\$217,330,170	19%	\$281,920,760	20%	\$296,920,760	21%
Paratransit	104,452,500	9%	\$156,143,224	11%	\$148,643,224	10%
Non-Motorized	\$18,500,000	2%	\$71,148,506	5%	\$71,148,506	5%



Transit Oriented Development	\$26,999,600 (Growth Management)	2%	\$17,844,552	1%	\$7,844,552	1%
Capital	\$528,040,000	46%	\$569,940,000	40%	\$572,440,000	40%
Total	\$1,158,599,797		\$1,420,349,468		\$1,420,349,468	

*\*Dollar amounts are estimates, based on 1998 dollars; percentages are rounded.*

Capital projects included in staff's recommended 20 year plan are shown in the following table.

Project	1998 Plan	Conceptual 20 Year	Staff Recommended 20-Year Plan
ACE Capital	\$10,000,000	\$10,000,000	\$10,000,000
Phase 1: BART to San Jose	\$165,500,000	\$165,500,000	\$165,500,000
BART Oakland Airport Connector	\$65,800,000	\$65,800,000	\$65,800,000
Broadway/14th Transit Improvements	\$2,500,000	\$2,500,000	\$5,000,000
Fruitvale Transit Village	\$3,500,000	\$3,500,000	\$3,500,000
Union City Intermodal Facility	\$4,700,000	\$4,700,000	\$9,200,000
AC Transit - San Pablo/Telegraph Corridor	\$20,000,000	\$20,000,000	\$20,000,000
I- 680 HOV Lane	\$25,800,000	\$25,800,000	\$25,800,000
Iron Horse Trail	\$2,500,000	\$2,500,000	\$4,500,000
I- 880/Jackson Interchange	\$6,000,000	\$6,000,000	\$6,000,000
Washington Interchange	\$1,100,000	\$1,100,000	\$1,100,000
I- 580 Interchange in Castro Valley	\$9,200,000	\$9,200,000	\$9,200,000
Lewelling/E. Lewelling Improvements in San Leandro	\$9,800,000	\$9,800,000	\$9,800,000
I-580 Auxiliary Lane in Pleasanton/Livermore	\$10,000,000	\$10,000,000	\$10,000,000
I-880/92 Reliever Route Improvements	\$19,500,000	\$19,500,000	\$19,500,000
Oakland Local Street Improvements	\$4,000,000	\$4,000,000	\$4,000,000

Hesperian/Lewelling Improvements in San Leandro	\$1,000,000	\$1,000,000	\$1,000,000
Westgate Extension in San Leandro	\$8,610,000	\$8,610,000	\$8,610,000
E 14 <sup>th</sup> /Hesperian Improvements in San Leandro	\$830,000	\$830,000	\$830,000
Newark Local Street Improvements	\$1,200,000	\$1,200,000	\$1,200,000
I-238 Widening	\$66,000,000	\$66,000,000	\$66,000,000
I-680/I-880 Study	\$1,000,000	\$1,000,000	\$1,000,000
Isabel/I-580 Interchange	\$20,000,000	\$20,000,000	\$20,000,000
Route 84 Widening and Safety Improvements	\$69,500,000	\$70,000,000	\$70,000,000
I-580 Corridor/BART Major Investment Study		\$6,700,000	\$8,700,000
Dumbarton Corridor Improvements		\$6,700,000	\$14,700,000
Studies		\$4,000,000	\$4,000,000
Emerging Projects		\$15,000,000	\$7,500,000
<b>Capital Subtotal</b>	<b>\$528,040,000</b>	<b>\$569,940,000</b>	<b>\$572,440,000</b>

Staff is also recommending three additions to the Tier 2 list: a top priority for paratransit, and inclusion of the Dumbarton and I-580/BART Corridors.

#### **Potential Additional Changes from the Transit/environmental/social justice coalition**

After additional discussions with members of the environmental coalition, staff understands that following additional changes, may result in support from the coalition. Members of this coalition were the sole organized opponents to the 1998 plan. However, the Business and Labor for Better Transportation Coalition has consistently reiterated their requirement of a minimum of 40% for capital projects. Staff is in the process of trying to resolve these issues prior to the Steering Committee meeting. If that is possible, staff will bring this to the meeting.

*These changes should only be included in the plan if they secure support from the transit/environmental/social justice coalition, and do not jeopardize support from other groups.*

- Increase Central County Transit to \$30 million, by reducing capital projects or local transportation in Hayward and the County.
- Restore the funding for Express Buses to \$15 million.
- Eliminate the Studies Category, and reduce Emerging Projects.

In addition, the transit/environmental/social justice coalition is requesting additional changes to the project descriptions for the following projects, as described below. Staff has not had an opportunity to discuss these revisions yet with the project sponsors.

- Modify the project description of the Oakland Airport Connector to require repayment of all or part of the funds, to fund additional transit services in the vicinity of the project.
- Modify the project description of the BART/Rail Extension to Warm Springs to allow funds to be used for improvements that benefit both the BART and VTA Rail project.

**Revisions to Funding**

The following table shows staff's proposed changes in funding between the conceptual 20 Year Plan and this proposed expenditure plan. These changes and each of the programs are discussed in more detail in the following paragraphs. *The additional possible changes that are requested by the transit/environmental/social justice coalition are shown in italics.*

Program or Project	Funding from Conceptual Plan	Change	Proposed Plan Funding
Central County Transit	\$40,589,658	+\$15,000,000 <i>+\$30,000,000</i>	\$55,589,658 <i>\$70,589,658</i>
ACE Operations	\$25,149,767	\$5,000,000	\$30,149,767
Dumbarton Corridor	\$0	\$14,700,000	\$14,700,000
580/BART - Livermore Corridor	\$0	\$8,700,000	\$8,700,000
Paratransit	\$156,143,224 (Unspecified)	-\$7,500,000	\$148,643,224 (Specified)
South County Capital	\$6,700,000	-\$6,700,000 to ACE and Dumbarton Corridor	\$0
East County Capital	\$6,700,000	-\$6,700,000 to ACE and 580/BART Corridor	\$0
Transit Oriented Development	\$17,844,552	-\$10,000,000	\$7,844,552
Express Buses	\$15,000,000	-\$5,000,000 <i>no reduction</i>	\$10,000,000 <i>\$15,000,000</i>
Emerging Projects	\$15,000,000	-\$7,500,000 <i>combine with Studies and reduce</i>	\$7,500,000 <i>\$2,500,000</i>
<i>Hayward/County Capital</i>		<i>-\$15,000,000</i>	<i>-\$15,000,000</i>
<i>Studies</i>	\$4,000,000	<i>-\$4,000,000 combine with Emerging Projects</i>	<i>\$0</i>

Following are detailed descriptions of the various changes.

**Local Streets and Roads**

Staff proposes no changes to the funding amounts for local streets and roads. However, the plan will now clarify that cities obtain competitive bids for work over \$5,000 unless the work is maintenance.

**Transit Operations**

Central County: Over the past year, the Steering Committee has received many comments regarding the need for improved transit services in Central County. Transit service in Central County currently does not provide good access to the growing job sector in central county. While Measure B cannot solve all the transportation needs in the County, additional funding from sales tax revenues would provide a significant improvement in service levels. This staff recommendation therefore proposes an increase of \$15 million over 20 years to be allocated for improved transit access to job locations in Central County. While A.C. Transit is the primary transit provider, the San Leandro Chamber of Commerce has proposed a shuttle service to provide this improved access in that city. Staff is recommending that this would be eligible for these funds.

*In addition to the \$15 million staff recommends, members of the transit/environmental/social justice coalition have suggested an additional \$15 million increase for transit from capital projects in Hayward and the County.*

ACE: Since ACE began operations, service demands have consistently increased. Over the past year, Alameda County CMA staff has been trying to identify funding that would allow expansion of ACE service to include a third train. In order to provide Alameda County's share of the operations for all three trains, over the twenty years of the program, an additional \$5,000,000 has been added for ACE service.

Express Buses: The 1998 Plan allocated funds to specific transit agencies but did not provide flexibility for adjusting funding between transit agencies. Staff attempted to address that problem by allocating \$15 million for express bus service countywide in the conceptual plan. While staff believes this is an important need, funding for emerging projects such as the Dumbarton corridor may give the public greater assurance about the benefits of the sales tax expenditures. Therefore, funding for express buses has been reduced from \$15 million to \$10 million.

*This category is very important to the transit/environmental/social justice coalition; they would prefer that the funds for this program be restored.*

**Paratransit**

The 1998 plan set aside 9% of the net revenues to fund specifically identified geographic

paratransit needs. This compares to a 1.5% set-aside in the 1986 measure. The conceptual 20 Year Plan recommended an increase to 11% of the total be set aside for paratransit. In addition, the 20 Year Plan consolidated paratransit funding into non-geographic categories, to be distributed countywide. The intent of these changes was to eliminate disparities between paratransit service in different parts of the county. After extensive discussions with paratransit users and providers, it was identified that the original distributions were acceptable if there was flexibility to fund gaps in service between various parts of the county. This staff recommendation maintains the geographic distributions in the same percentage as the 1998 Plan. In addition, it provides an additional 1.5% to address any gaps or additional needs in paratransit services, to attempt to make the system operate in a seamless manner for those who rely on these critical services. This is a reduction in the funding level from the conceptual plan. However, the proposed level of funding addresses the needs identified in the 1998 plan, as well as provides a significant safety net to fill gaps in service. We are also recommending that paratransit be included at the top of the Tier 2 list. PAPCO has reviewed this, and reluctantly agreed to it.

#### **Non-Motorized Transportation**

The staff recommendation for non-motorized transportation is to maintain the 5% funding level included in the conceptual 20 year plan. Funding for these alternative modes have not had a designated revenue stream, and while they are eligible to compete for state and federal funds, the strings attached to those fund sources make it difficult to implement them in a cost-effective manner. In addition, funds for these improvements were well supported in the recent poll.

As in the conceptual plan, staff recommends that the majority of the funds be distribution to the Cities and the County -- 75% -- with the additional recommendation that these funds be used to fund priority projects identified from their bicycle or pedestrian plans. The remaining funds would be for high priority/regional projects and for regional bicycle planning.

#### **Transit Oriented Development**

The staff recommendation reduces funding for transit oriented development from 1.3 % to 0.5 % of net revenues, but does maintain the program as part of the expenditure plan. In staff's fact finding visits with the business community and Chambers of Commerce, transit oriented development funding is one of the least supported programs. However, it does have significant support with some of the cities and within the environmental community. It also provides the Expenditure Plan's best opportunity to affect the link between land use and traffic congestions.

#### **Capital Projects**

Several changes are being proposed to capital projects in the expenditure plan. However, none of the projects in the 1998 Plan are being eliminated. Two new corridors are recommended for funding consideration: the Dumbarton Corridor and the I-580 corridor near Livermore. In the Conceptual Plan, it was anticipated that improvements in this corridor would be funded from the Studies and Emerging Projects categories. Since funding is now specifically proposed for those corridors, staff is recommending reducing the \$15 million set aside for emerging projects to \$7.5

million. Descriptions of those corridors are as follows.

Dumbarton Corridor Projects - A number of potential projects have been identified to relieve congestion and promote transit usage in the Dumbarton Bridge corridor. Those projects include widening local streets and coordinating signals to provide parallel and alternative routes, improvements at the toll booths, improvement of the Thornton/Paseo Parkway Interchange/Route 84 ramps, development of park and ride lots, expansion of express bus service, and implementation of a Dumbarton rail connection to the peninsula. Since the Dumbarton corridor rail improvements have not undergone the same scrutiny as other expenditure plan projects, full funding for the operations and capital costs will need to be secured before Measure B funds can be spent to implement this project.

I-580/BART Corridor Projects - Potential improvements in the I-580 corridor could include highway improvements, a BART extension, or other parallel route construction. This funding would allow for studies and environmental documentation to identify the preferred mode and method of expenditure.

In addition to those new funding categories, three project descriptions have been modified.

The BART/Rail Extension to Warm Springs project title has been revised to Phase 1: BART to San Jose. The project description has been modified to clarify that sales tax funds may not be used for any BART-type construction until the BART project secures full funding for a rail connection between BART Fremont Station and the Santa Clara VTA system.

The I-680 HOV Lane project description has been revised to incorporate the possibility of using these funds for Express Lanes, if a study by the CMA prove them feasible.

The Broadway/14th Transit Center project description has been modified by the City of Oakland, the project sponsor, to include improvements along 14<sup>th</sup>, Telegraph, and Broadway.

Finally, paratransit and two projects have been added to the Tier 2 list for funding eligibility if revenues exceed projections. The two projects are the Dumbarton Corridor and I-580/BART Corridor projects discussed above. These additions to the Tier 2 Project list do not guarantee funding, but would make them eligible for future funding.

*January 17, 2000*

*Expenditure Plan Development Steering Committee*

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*If the Steering Committee adopts the compromise funding plan submitted by the transit/environmental/social justice coalition, staff recommends adding the Central County capital projects to the Tier 2 list of projects. They would then be eligible for additional funding to restore the reductions.*



**M E M O R A N D U M**

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**TO:** Expenditure Plan Development Steering Committee

**FROM:** Christine Monsen, Executive Director  
Steve Castleberry, Deputy Director

**DATE:** January 23, 1999

**SUBJECT:** *20 Year Plan Staff Recommendations - Revised Tables*

The tables in the January 14, 2000 Staff recommendation regarding the 20 year plan have been revised to correct several discrepancies. Those changes are shown in bold in the following revised tables.

**AGENDA ITEM 3 Revised Tables**  
**MEETING: 01/24/00**

Staff's Recommended 20 Year Plan\*

Category	1998 Plan		Conceptual 20-Year Plan		Staff Recommendation 20-Year Plan	
Local Transportation	\$263,277,527	23%	\$323,352,426	23%	\$323,352,426	23%
Transit	\$217,330,170	19%	\$281,920,760	20%	\$296,920,760	21%
Paratransit	104,452,500	9%	\$156,143,224	11%	\$148,643,224	10%
Non-Motorized	<b>\$45,499,600</b> <b>(includes Growth Management and Capital)</b>	<b>4%</b>	\$71,148,506	5%	\$71,148,506	5%
Transit Oriented Development	<b>\$0</b>	<b>0%</b>	\$17,844,552	1%	\$7,844,552	1%
Capital	\$528,040,000	46%	\$569,940,000	40%	\$572,440,000	40%
Total	\$1,158,599,797		\$1,420,349,468		\$1,420,349,468	

\*Dollar amounts are estimates, based on 1998 dollars; percentages are rounded.

Capital projects included in staff's recommended 20 year plan are shown in the following table.

Project	1998 Plan	Conceptual 20 Year	Staff Recommended 20-Year Plan
ACE Capital	\$10,000,000	\$10,000,000	\$10,000,000
Phase 1: BART to San Jose	\$165,500,000	\$165,500,000	\$165,500,000
BART Oakland Airport Connector	\$65,800,000	\$65,800,000	\$65,800,000
Broadway/14th Transit Improvements	\$2,500,000 *	<b>\$5,000,000</b>	\$5,000,000
Fruitvale Transit Village	\$3,500,000	\$3,500,000	\$3,500,000
Union City Intermodal Facility	\$4,700,000 *	<b>\$9,200,000</b>	\$9,200,000
AC Transit - San Pablo/Telegraph Corridor	\$20,000,000	\$20,000,000	\$20,000,000
I- 680 HOV Lane	\$25,800,000	\$25,800,000	\$25,800,000
Iron Horse Trail	\$2,500,000 *	<b>\$4,500,000</b>	\$4,500,000
I- 880/Jackson Interchange	\$6,000,000	\$6,000,000	\$6,000,000
Washington Interchange	\$1,100,000	\$1,100,000	\$1,100,000

**AGENDA ITEM 3 Revised Tables**  
**MEETING: 01/24/00**

I- 580 Interchange in Castro Valley	\$9,200,000	\$9,200,000	\$9,200,000
Lewelling/E. Lewelling Improvements in San Leandro	\$9,800,000	\$9,800,000	\$9,800,000
I-580 Auxiliary Lane in Pleasanton/Livermore	\$10,000,000	\$10,000,000	\$10,000,000
I-880/92 Reliever Route Improvements	\$19,500,000	\$19,500,000	\$19,500,000
Oakland Local Street Improvements	\$4,000,000	\$4,000,000	\$4,000,000
Hesperian/Lewelling Improvements in San Leandro	\$1,000,000	\$1,000,000	\$1,000,000
Westgate Extension in San Leandro	\$8,610,000	\$8,610,000	\$8,610,000
E 14 <sup>th</sup> /Hesperian Improvements in San Leandro	\$830,000	\$830,000	\$830,000
Newark Local Street Improvements	\$1,200,000	\$1,200,000	\$1,200,000
I-238 Widening	\$66,000,000	\$66,000,000	\$66,000,000
I-680/I-880 Study	\$1,000,000	\$1,000,000	\$1,000,000
Isabel/I-580 Interchange	\$20,000,000	\$20,000,000	\$20,000,000
Route 84 Widening and Safety Improvements	\$69,500,000	\$70,000,000	\$70,000,000
I-580 Corridor/BART Major Investment Study		\$6,700,000	\$8,700,000
Dumbarton Corridor Improvements		\$6,700,000	\$14,700,000
Studies		\$4,000,000	\$4,000,000
Emerging Projects		\$15,000,000	\$7,500,000
<b>Capital Subtotal</b>	<b>\$528,040,000</b>	<b>\$569,940,000</b>	<b>\$572,440,000</b>
<b>* A portion of the funding was included under “Non-Motorized” in 1998. The 20 Year Plan does not increase project funding, but consolidates it under “Capital”.</b>			

**AGENDA ITEM 3 Revised Tables**  
**MEETING: 01/24/00**

**Revisions to Funding**

Program or Project	Funding from Conceptual Plan	Change	Proposed Plan Funding	<i>Additional changes from Coalition</i>	<i>Resulting Funding</i>
Central County Transit	\$40,589,658	+\$15,000,000	\$55,589,658	+\$15,000,000	\$70,589,658
ACE Operations	\$25,149,767	+\$5,000,000	\$30,149,767 <b>(1)</b>	\$0	
Dumbarton Corridor	\$0	+\$10,000,000	\$14,700,000 <b>(2)</b>	\$0	
580/BART - Livermore Corridor	\$0	+\$5,000,000	\$8,700,000 <b>(3)</b>	\$0	
Paratransit	\$156,143,224 (Unspecified)	-\$7,500,000	\$148,643,224 (Specified)	\$0	
South and East County Capital	\$13,400,000	-\$5,000,000	\$0 <b>(1) (2) (3)</b>	\$0	
Transit Oriented Development	\$17,844,552	-\$10,000,000	\$7,844,552	+\$4,000,000	\$11,800,000
Express Buses	\$15,000,000	-\$5,000,000	\$10,000,000	+\$5,000,000 (no reduction)	\$15,000,000
Emerging Projects	\$15,000,000	-\$7,500,000	\$7,500,000	-\$5,000,000	\$2,500,000
<i>Hayward/ County Capital</i>				-\$15,000,000	
<i>Studies</i>	\$4,000,000			-\$4,000,000	\$0
<p><b>1) Amount includes an additional \$2 mil transferred from “South County Capital” and \$3 mil transferred from “East County Capital. Those categories have been eliminated.</b></p> <p><b>2) Amount includes an \$4.7 mil previously categorized as “South County Capital”.</b></p> <p><b>3) Amount includes an additional \$3.7 mil previously categorized as “East County Capital.</b></p>					

### 2000 Measure B Baseline Revenue Projection (Escalated Dollars)

The 2000 Measure B Transportation Expenditure Plan included a revenue estimate of \$1,420,870,122 over the life of the Measure. The revenue estimate was developed during FY 97/98 before the first appearance on the ballot. Table 1 below shows the escalated value of the total revenue estimate for each fiscal year until the projected end of the Program in FY 21/22. The escalated total baseline revenue estimate using a 3% growth rate is \$2,888,336,408.

<b>Table 1: 2000 Measure B Baseline Revenues – Escalated</b>		
<b>Fiscal Year</b>	<b>Growth Rate</b>	<b>Dollars In FY Shown</b>
FY 97/98	Base	\$ 1,420,870,122
FY 98/99	3%	\$ 1,463,496,226
FY 99/00	3%	\$ 1,507,401,113
FY 00/01	3%	\$ 1,552,623,146
FY 01/02	3%	\$ 1,599,201,840
FY 02/03	3%	\$ 1,647,177,895
FY 03/04	3%	\$ 1,696,593,232
FY 04/05	3%	\$ 1,747,491,029
FY 05/06	3%	\$ 1,799,915,760
FY 06/07	3%	\$ 1,853,913,233
FY 07/08	3%	\$ 1,909,530,630
FY 08/09	3%	\$ 1,966,816,549
FY 09/10	3%	\$ 2,025,821,045
FY 10/11	3%	\$ 2,086,595,676
FY 11/12	3%	\$ 2,149,193,546
FY 12/13	3%	\$ 2,213,669,352
FY 13/14	3%	\$ 2,280,079,433
FY 14/15	3%	\$ 2,348,481,816
FY 15/16	3%	\$ 2,418,936,270
FY 16/17	3%	\$ 2,491,504,358
FY 17/18	3%	\$ 2,566,249,489
FY 18/19	3%	\$ 2,643,236,974
FY 19/20	3%	\$ 2,722,534,083
FY 20/21	3%	\$ 2,804,210,105
FY 21/22	3%	\$ 2,888,336,408
<b>Total Revenues Escalated to FY 21/22 \$ 2,888,336,408</b>		

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**FY 2012/13 Measure B Capital Program Strategic Plan Update**  
**2000 Measure B Capital Project Commitment Summary**

June 2012

		Total Measure B Commitment (\$ x 1,000)	Total Amount Allocated To Date (\$ x 1,000)	Remaining Programmed (Un-Allocated) Balance (\$ x 1,000)
01	ACE Capital Improvements	\$ 13,184	\$ 7,671	\$ 5,513
02	BART Warm Springs Extension	\$ 224,448	\$ 224,448	\$ -
03	BART Oakland Airport Connector	\$ 89,052	\$ 89,052	\$ -
04	Oakland Downtown Streetscape Project	\$ 6,358	\$ 6,358	\$ -
05	Fruitvale Transit Village - 5A/5B	\$ 4,435	\$ 4,435	\$ -
06	Union City Intermodal Station	\$ 12,561	\$ 12,561	\$ -
07A	Telegraph Avenue Corridor Transit Project	\$ 11,510	\$ 10,182	\$ 1,328
07B	San Pablo Avenue Corridor Transit Improvement Project	\$ 2,262	\$ 2,262	\$ -
07C	Telegraph Avenue Corridor Transit Project - Stage 2	\$ 10,672	\$ 10,672	\$ -
08A	I-680 Express Lane - Southbound	\$ 15,197	\$ 15,197	\$ -
08B	I-680 Express Lane - Northbound	\$ 20,000	\$ 5,500	\$ 14,500
09	Iron Horse Transit Route	\$ 6,267	\$ -	\$ 6,267
10	I-880/Broadway-Jackson Interchange	\$ 8,101	\$ 8,101	\$ -
11	I-880/Washington Avenue Interchange	\$ 1,335	\$ 1,335	\$ -
12	I-580 Interchange Improvements in Castro Valley (Note 1)	\$ 11,525	\$ 11,525	\$ -
13	Lewelling Boulevard/East Lewelling Boulevard (Note 2)	\$ 13,104	\$ 13,104	\$ -
14A	I-580 Auxiliary Lane Westbound (Fallon Road to Tassajara Road)	\$ 2,500	\$ 2,500	\$ -
14B	I-580 Auxiliary Lane Westbound (Airway Blvd to Fallon Road)	\$ 2,686	\$ 2,686	\$ -
14C	I-580 Auxiliary Lane Eastbound (El Charro Road to Airway Blvd) (Note 3)	\$ 7,843	\$ 7,843	\$ -
15	I-880/Route 92/Whitesell Drive Interchange	\$ 27,037	\$ 12,605	\$ 14,432

# **FY 2012/13 Measure B Capital Program Strategic Plan Update** **2000 Measure B Capital Project Commitment Summary**

June 2012

	Total Measure B Commitment (\$ x 1,000)	Total Amount Allocated To Date (\$ x 1,000)	Remaining Programmed (Un-Allocated) Balance (\$ x 1,000)
16 Oakland Local Streets and Roads	\$ 5,278	\$ 5,278	\$ -
17A Hesperian Boulevard/Lewelling Boulevard Widening (Stage 1)	\$ 578	\$ 578	\$ -
17B Hesperian Boulevard/Lewelling Boulevard Widening (Stage 2) (Note 2)	\$ 686	\$ 686	\$ -
18A Westgate Parkway Extension (Wal-Mart to Williams Street)	\$ 7,918	\$ 7,918	\$ -
18B Westgate Parkway Extension (Davis Street) (Note 4)	\$ 600	\$ 503	\$ 97
19 East 14th St/Hesperian Blvd/150th St Improvements (Note 4)	\$ 3,218	\$ 1,030	\$ 2,188
20 Newark Local Streets	\$ 1,422	\$ 1,422	\$ -
21 I-238 Widening (Note 3)	\$ 81,022	\$ 81,022	\$ -
22 I-680/I-880 Cross Connector Studies	\$ 1,233	\$ 1,233	\$ -
23 Isabel Avenue - Route 84/I-580 Interchange	\$ 26,529	\$ 26,529	\$ -
24 Route 84 Expressway Widening	\$ 96,459	\$ 96,459	\$ -
25 Dumbarton Corridor Improvements (Newark and Union City)	\$ 19,367	\$ 6,078	\$ 13,289
26 I-580 Corridor/BART to Livermore Studies	\$ 11,831	\$ 9,699	\$ 2,132
27A Vasco Road Safety Improvements	\$ 1,500	\$ 1,500	\$ -
27B I-80 Integrated Corridor Mobility Project	\$ 2,800	\$ 2,800	\$ -
27C I-880 Corridor Improvements in Oakland and San Leandro (Note 5)	\$ 2,250	\$ 2,250	\$ -
27D CWTP/TEP Development	\$ 50	\$ 50	\$ -
27E Studies for Congested Segments/Locations on the CMP Network	\$ 3,651	\$ 3,651	\$ -
<b>Totals</b>	<b>\$ 756,469</b>	<b>\$ 696,723</b>	<b>\$ 59,746</b>



# **FY 2012/13 Measure B Capital Program Strategic Plan Update** **2000 Measure B Capital Project Commitment Summary**

June 2012

**Notes:**

1. The I-580 Castro Valley Interchanges Improvements project is included in both the 1986 MB Program (MB 239) and the 2000 MB Program (ACTIA No. 12). The 1986 MB commitment is treated as a contribution to the 2000 MB project.
2. The second stage of the Hesperian Boulevard/Lewelling Boulevard Widening project (ACTIA No. 17B) is being implemented with the Lewelling/East Lewelling Blvd Widening project (ACTIA No. 13) by Alameda County.
3. The 2000 MB commitment for ACTIA No. 14C was exchanged for other funds in the I-580 Corridor. The ACTIA 14C commitment is treated as a contribution to the I-238 Widening Project included in the 2000 MB Program, ACTIA No. 21.
4. The FY 2012/13 SPU reflects the transfer of a portion of the 2000 MB commitment for the second stage of the Westgate Parkway Extension project (ACTIA 18B) to the East 14th St/Hesperian Blvd/150th St Improvements project (ACTIA 19) per the request of the City of San Leandro with the concurrence of the other agencies in the same Planning Area, i.e. the City of Hayward and Alameda County.
5. The I-880 North Safety and Operational Improvements at 23rd and 29th Avenues project and the North and South Segments of the I-880 Southbound HOV Lane project, including follow on landscaping, are eligible for the 2000 MB commitment to the I-880 Corridor Improvements in Oakland and San Leandro project (ACTIA No. 27 C).

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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

## PURPOSE OF STRATEGIC PLAN

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



Citizens Watchdog Committee (CWC) July 9, 2012

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## BACKGROUND

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



## CAPITAL PROJECT FUNDING PROCESS

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

**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**1986 MEASURE B**

**BALANCE / REVENUE ASSUMPTIONS**

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



Citizens Watchdog Committee (CWC)

July 9, 2012



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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**1986 MEASURE B**

**REMAINING CAPITAL PROJECT COMMITMENTS**

Proj. No.	Project Title	Total 1986 Measure B Commitment (\$ x 1,000)	Expended Prior to FY 12/13 (\$ x 1,000)	FY 12/13 (\$ x 1,000)	FY 13/14 (\$ x 1,000)	FY 14/15 (\$ x 1,000)	FY 15/16 (\$ x 1,000)
MB226	I-880 to Mission Boulevard East West Connector	88,871	14,492	20,000	15,000	30,000	9,379
MB238	Route 238/Mission-Foothill-Jackson Corridor Improvement	80,000	65,709	13,000	1,291	-	-
MB239	I-580/Redwood Road Interchange (contribution to ACTIA 12)	15,000	9,124	300	1,000	1,000	3,576
MB240	Central Alameda County Freeway System Operational Analysis	5,000	1,822	975	2,203	-	-
MB241	Castro Valley Local Area Traffic Circulation Improvement	5,000	50	2,100	2,285	-	-
MB Var	Program-wide and Project Closeout Costs	10,161	161	2,500	2,500	2,500	2,500
<b>Totals</b>		<b>\$ 204,032</b>	<b>\$ 91,358</b>	<b>\$ 38,875</b>	<b>\$ 24,844</b>	<b>\$ 33,500</b>	<b>\$ 15,455</b>

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

Citizens Watchdog Committee (CWC)

July 9, 2012



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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**1986 MEASURE B**

**ANTICIPATED CAPITAL PROJECT EXPENDITURES**

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

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

Citizens Watchdog Committee (CWC)

July 9, 2012



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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**2000 MEASURE B**

**BALANCE / REVENUE ASSUMPTIONS**

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



Citizens Watchdog Committee (CWC)

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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**2000 MEASURE B**

**CAPITAL PROJECT COMMITMENTS**

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

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

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

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



Citizens Watchdog Committee (CWC)

July 9, 2012



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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**2000 MEASURE B**

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

Proj. No.	Project Title	FY 2012/13 Beginning Programmed Balance (\$x1000)	Allocation Amount per FY (\$x1000)					Total Future Allocations (\$x1000)
			FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	
01	ACE Capital Improvements	5,513	3,513	-	-	-	2,000	5,513
07A	Telegraph Avenue Corridor Bus Rapid Transit	1,328	-	1,328	-	-	-	1,328
08A	I-680 Express Lane - Northbound	14,500	5,000	5,000	-	-	4,500	14,500
09	Iron Horse Transit Route	6,267	1,000	5,267	-	-	-	6,267
15	I-880/Route 92/Whitesell Drive Interchange	14,432	-	1,500	12,932	-	-	14,432
18B	Westgate Parkway Extension	97	97	-	-	-	-	97
19	East 14 <sup>th</sup> St/Hesperian Blvd/ 150 <sup>th</sup> St. Improvements	2,188	2,188	-	-	-	-	2,188
25	Dumbarton Corridor Improvements (Newark and Union City)	13,289	1,000	3,000	-	9,289	-	13,289
26	I-580 Corridor/BART Livermore Studies	2,132	1,000	1,132	-	-	-	2,132
<b>2000 Measure B Allocation Totals</b>		<b>59,746</b>	<b>\$ 13,798</b>	<b>\$ 17,227</b>	<b>\$ 12,932</b>	<b>\$ 9,289</b>	<b>\$ 6,500</b>	<b>59,746</b>

Citizens Watchdog Committee (CWC)

July 9, 2012



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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**2000 MEASURE B  
PROJECTS ALLOCATION PLAN**

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

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

Citizens Watchdog Committee (CWC)

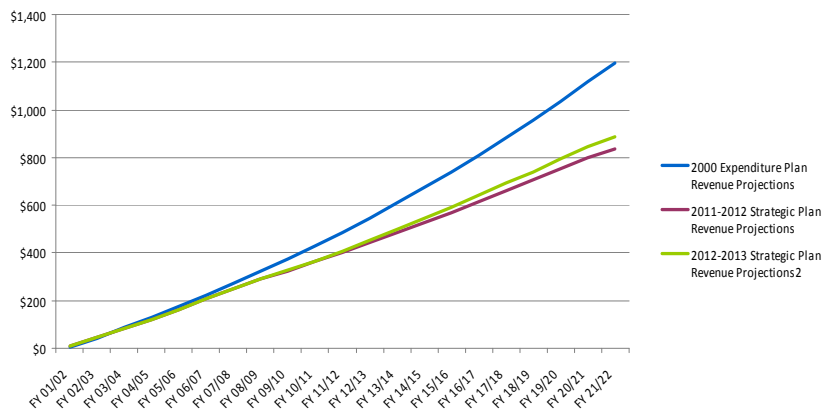
July 9, 2012



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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

**2000 MEASURE B  
CAPITAL ACCOUNT REVENUES  
(MILLIONS)**



Citizens Watchdog Committee (CWC)

July 9, 2012

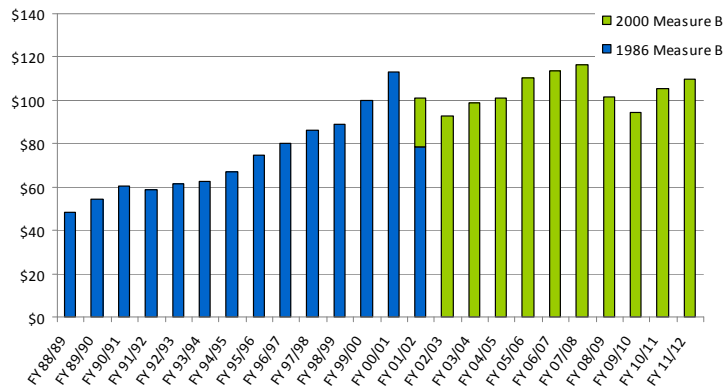


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**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

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



Citizens Watchdog Committee (CWC)

July 9, 2012

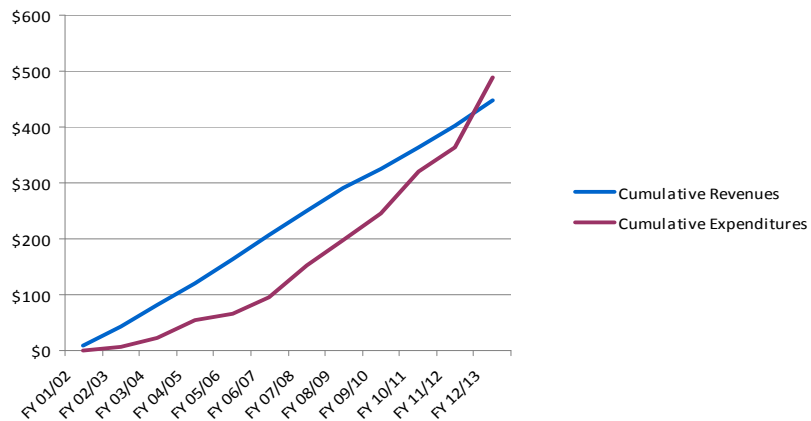


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### 2000 MEASURE B

**FY 2012/13 Measure B  
Capital Program Strategic Plan Update**

## CUMMULATIVE CAPITAL ACCOUNT REVENUES & EXPENDITURES TO DATE

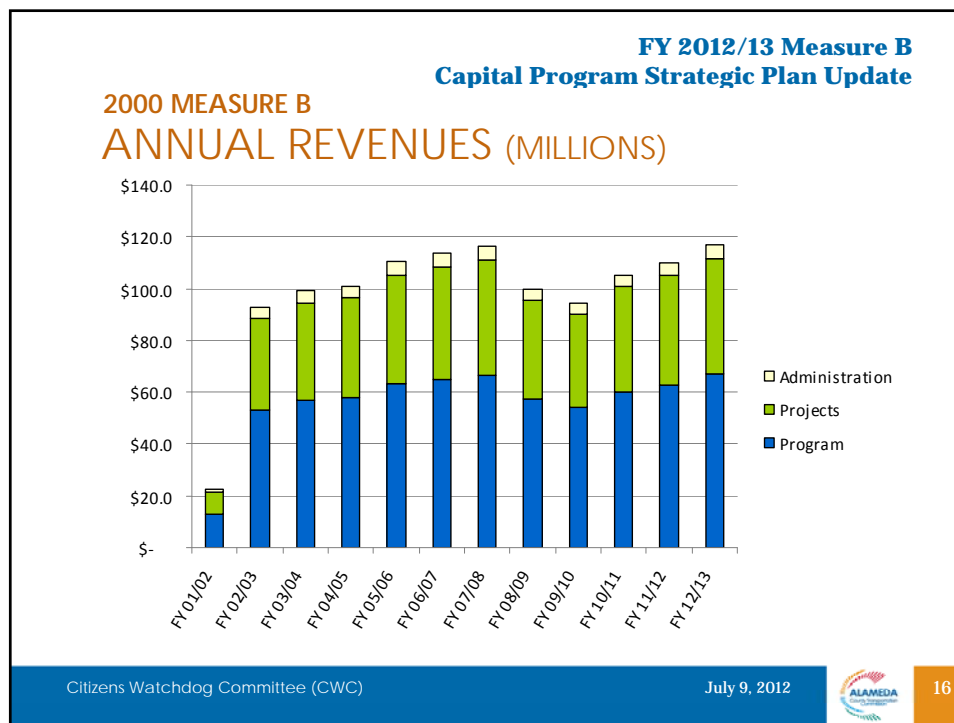
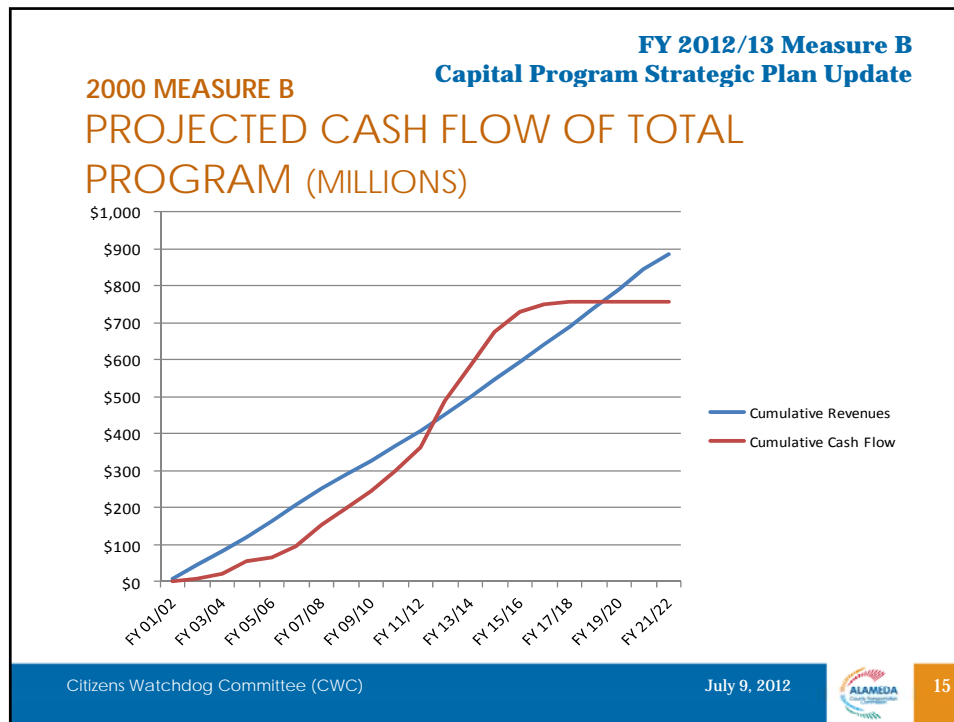


Citizens Watchdog Committee (CWC)

July 9, 2012

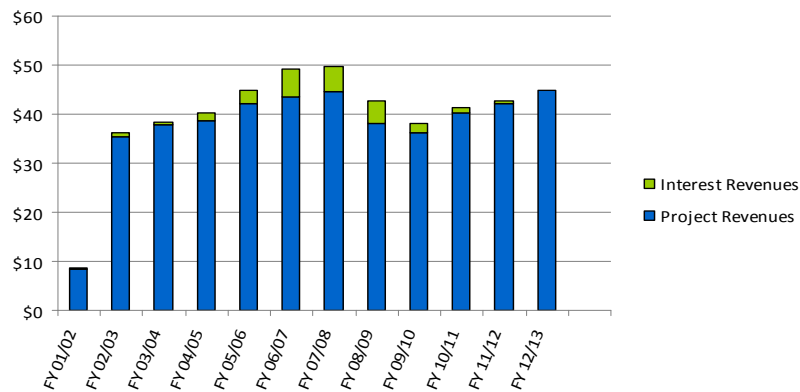


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2000 MEASURE B

CAPITAL ACCOUNT REVENUE & INTEREST  
(MILLIONS)



DEBT FINANCING CONSIDERATIONS /  
REQUIREMENTS

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



## DEBT FINANCING CONSIDERATIONS / REQUIREMENTS (cont.)

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





## Memorandum

**DATE:** May 17, 2012

**TO:** Citizens Watchdog Committee

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

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

### *Recommendation*

Staff recommends that the Steering Committee take the following actions:

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

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

### *Summary*

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

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

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

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

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

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

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

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

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

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

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

### ***Ordinance***

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

### ***Fiscal Impact***

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

### ***Attachments***

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



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

**ORDINANCE NO. 2012-1**

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

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

**ARTICLE I  
General**

**Section 1. Title**

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

**Section 2. Period of Tax**

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

**Section 3. Purpose**

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

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

The purposes of this ordinance are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Section 12. Propositions.**

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

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

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

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

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

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

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

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

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

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

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

## **Section 16. Amendments.**

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

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

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

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

## **Section 18. Severability.**

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

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

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



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

AYES:

NOES:

EXCUSED:

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

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

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## Memorandum

**DATE:** May 15, 2012

**TO:** Citizens Watchdog Committee

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

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

### *Discussion*

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

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

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

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

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

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

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

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

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

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

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

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

### ***Next Steps***

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

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**Alameda County Transportation Commission**  
**Citizens Watchdog Committee**  
**Roster and Attendance**  
**Fiscal Year 2012-2013**

**CWC Meeting 07/09/12**  
**Attachment 12F**

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

**Alameda County Transportation Commission  
Citizens Watchdog Committee  
Roster and Attendance  
Fiscal Year 2012-2013**

13	Vacancy								
14	Vacancy				Alameda Labor Council AFL-CIO				
15	Vacancy				League of Women Voters				
16	Vacancy				Sierra Club				
17	Vacancy				Alameda County Supervisor Scott Haggerty, D-1				
	Vacancy				Supervisor Wilma Chan, D-3				