



# Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

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

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**Executive Director**  
Arthur L. Dao

## Finance and Administration Committee

**Monday, June 13, 2016, 10:30 a.m.**

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

### Mission Statement

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

### Public Comments

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

### Recording of Public Meetings

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

### Reminder

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

### Glossary of Acronyms

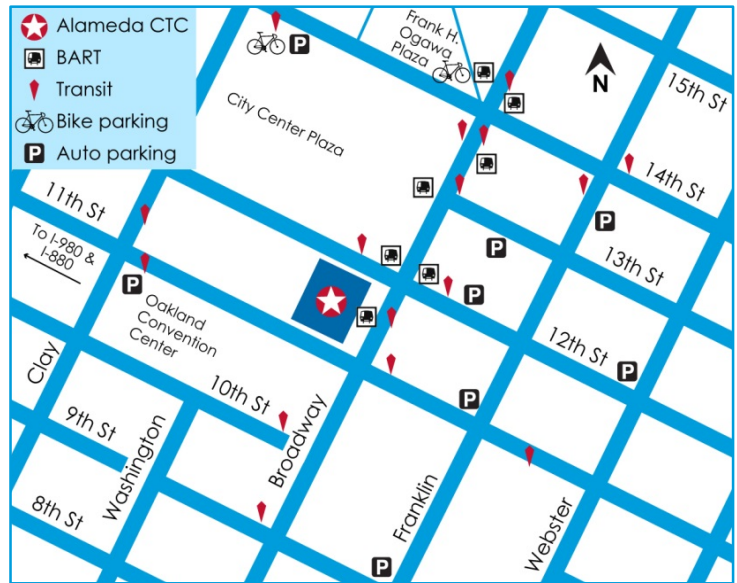
A glossary that includes frequently used acronyms is available on the Alameda CTC website at [www.AlamedaCTC.org/app\\_pages/view/8081](http://www.AlamedaCTC.org/app_pages/view/8081).

## Location Map

### Alameda CTC

1111 Broadway, Suite 800  
Oakland, CA 94607

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



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

## Accessibility

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



## Meeting Schedule

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

## Paperless Policy

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

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# Finance and Administration Committee Meeting Agenda Monday, June 13, 2016, 10:30 a.m.\*

\*Or immediately following the Programs and Projects Committee meeting

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**Chair:** Supervisor Richard Valle, Alameda County BOS  
**Vice Chair:** Mayor Margaret Fujioka, City of Piedmont  
**Commissioners:** Trish Spencer, Keith Carson, David Haubert, Jerry Thorne, Elsa Ortiz  
**Ex-Officio Members:** Rebecca Kaplan, Bill Harrison  
**Staff Liaison:** Patricia Reavey  
**Executive Director:** Arthur L. Dao  
**Clerk:** Vanessa Lee

## 1. Pledge of Allegiance

## 2. Roll Call

## 3. Public Comment

## 4. Consent Calendar

	Page	A/I
4.1. <a href="#">May 9, 2016 FAC Meeting Minutes: Approval of the May 9, 2016 FAC meeting minutes.</a>	1	A

## 5. Regular Matters

5.1. <a href="#">Alameda CTC Proposed Consolidated Budget for FY2016-17: Approval of the Alameda CTC proposed consolidated budget for FY2016-17.</a>	7	A
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5.2. <a href="#">Delegation of Authority to Handle Claims Made Against the Alameda County Transportation Commission: Adopt a resolution Delegating To The Executive Director Certain Authority To Handle Claims Made Under The Government Claims Act Against The Alameda County Transportation Commission.</a>	23	A
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## 6. Committee Member Reports (Verbal)

## 7. Staff reports (Verbal)

## 8. Adjournment

**Next Meeting:** July 11, 2016

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

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Finance and Administration Committee  
Meeting Minutes  
Monday, May 9, 2016, 1:30 p.m.

4.1

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1. **Pledge of Allegiance**

2. **Roll Call**

A roll call was conducted. All members were present.

3. **Public Comment**

There were no public comments.

4. **Consent Calendar**

4.1. **March 14, 2016 FAC Meeting Minutes: Approval of the March 14, 2016 FAC meeting minutes.**

4.2. **2015 Alameda CTC Annual Report including the Vehicle Registration Fee Program: Receive the 2015 Alameda CTC Annual Report that includes reporting on the Vehicle Registration Fee Program.**

*Commissioner Wieler requested corrected spelling of his name to be reflected in the minutes. Commissioner Kaplan moved to approve the Consent Calendar with the correction in the spelling of Commission Wieler's name. Commissioner Spencer seconded the motion. The motion passed with the following vote:*

Yes: Valle, Wieler, Spencer, Carson, Haubert, Narum, Harrison, Kaplan

No: None

Abstain: Ortiz

Absent: None

5. **Regular Matters**

5.1. **Proposed Consolidated Budget for FY2016-17: Approval of the Proposed Consolidated Budget for FY2016-17**

Patricia Reavey recommended that the Commission approve the Proposed Consolidated Budget for FY2016-17. She provided an overview of the budget development process and stated that the budget is centered on the mission and core functions of Alameda CTC and allocates resources to critical planning and programming activities as well as project management and project delivery of regionally significant projects in Alameda County. Patricia informed the committee that the budget is segregated by fund type and interagency revenues and expenditures are eliminated in the consolidated budget. She reviewed key plans and programs and significant capital projects in the budget. She stated that total revenues equal \$310.5 million dollars, the largest of which is sales tax revenues in the amount of \$276.7 million, and total expenditures equal \$281.8 million, the largest of which is for programs in the amount of \$188.0 million largely made up of direct local distributions to the member agencies. FY2016-17 is the first year the Alameda CTC will

be making a principal payment for debt service so total debt service equals \$26.5 million, up \$20.8 million over FY2015-16.. Patricia gave an overview of the budget and stated that the projected beginning fund balance is \$276.0, with revenues totaling \$310.5 million and expenditures totaling \$281.8 million for a projected ending fund balance of \$304.7 million and concluded by informing the committee that the Alameda CTC budget is sustainable.

Commissioner Carson wanted to know if the debt services figures were broken down into detail in the budget. Patricia stated that it is not broken down further in the budget but it is about \$5.7 million dollars in interest and the balance is the principal payment.

Commissioner Ortiz wanted more information on capital projects budget. Patricia stated that the budget shows a detail of Alameda CTC's four capital programs.

Commissioner Ortiz asked where funding for the Affordable Student Transit Pass program was listed in the budget. Patricia stated that it is included under the transportation planning line in the budget.

Commissioner Spencer asked if and where the new staff positions were included in the budget. Patricia stated that the new positions were accounted for in the budget and is placed under line items related to the work that the new position will cover. Art Dao stated that there was a separate item on the agenda that covered those positions in more detail.

Commissioner Spencer wanted more information on the salary and benefits line item amounts. Patricia stated that the Commission approved a head count of thirty in September but had yet to fill all the positions. The FY2016-17 budget includes the unfilled positions in addition to some of the seven new positions.

Commissioner Carson asked if the agency has projected a dollar amount for shifting from consultant to in-house staff. Art stated that the agency has researched the benefits of shifting resources from consultant contracts to in-house staff and has preliminary estimates on cost savings.

Commissioner Haubert requested that information be brought back to the Commission detailing progress on transitioning from consultants to in-house staff.

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

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

## 5.2. Approval of the Alameda CTC FY2015-16 Third Quarter Financial Report

Patricia Reavey recommended that the Commission approve the Alameda CTC FY2015-16 Third Quarter Financial Report. She stated that the report provides a summary of FY2015-16 actual revenues and expenditures through March 31, 2016 with comparisons to the year-to-date currently adopted budget, and at the end of the third quarter, the Alameda CTC is showing a net increase in fund balance in the amount of \$78.2 million mostly due to sales tax revenues received, but not yet spent primarily in the capital projects funds. In the General Fund, the Alameda CTC's revenues are less than budget by \$2.9 million, and expenditures are under budget by \$3.4 million mainly due to the timing of costs for the Safe Routes to School Programs and expenditures for Transportation Planning activities. Patricia stated that the Enterprise Fund reports on the activity of the I-580 Express Lanes which opened for operations in February. While toll revenues were more than budget by 6.9%, total revenues were less than budget by \$0.5 million or 50.1% due to a delay in invoicing for start-up and warranty costs which will require funding and recording of revenue from various grant fund sources. Expenditures also were less than budget by \$0.3 million. Both revenues and expenditures are expected to increase as invoices for start-up work and warranty costs are received and approved for payment. In the Special Revenue Funds, revenues are more than budget by \$2.8 million due to actual collections of both sales tax and VRF revenues which were higher than anticipated, and expenditures in the Special Revenue Funds are \$5.5 million less than budget mostly attributable to the timing of discretionary programming. Exchange Fund revenues were less than budget by \$9.4 million and expenditures were also less than budget by \$9.5 million. Budget is utilized in the Exchange Fund on an as needed basis. Expenditures in the Debt Service Fund appear to be over budget by 33%, however, the year-to-date budget amount represents 75% of the annual total whereas the actual amount includes both semi-annual payments. Actual expenditures in the debt service funds will equal 100% of the budget by the end of the fiscal year. In the Capital Projects Funds, the Alameda CTC's revenues are less than budget by \$47.5 million and expenditures are less than budget by \$133.8 million. The 1986 Measure B capital project expenditures were less than budget mostly related to the I-880 to Mission Blvd. East/West Connector project which experienced a delay in the execution of the final design contract. 2000 Measure B capital project expenditures were less than budget in part due to a delay in invoicing on the BART Warm Springs Extension project. The I-680 Express Lane project expenditures are below projections because there was a delay in execution of the final design contract. 2014 Measure BB capital project expenditures were less than budget as the Measure BB program ramps up and ACCMA capital project expenditures were less than budget partly due to the ACCMA I-680 Sunol Express Lanes-Northbound project which incurred a delay with the final design contract as a formal Caltrans audit was conducted. Patricia concluded by stating that Staff has completed the limitations calculations required for both 2000 Measure B and 2014 Measure BB related to salary and

benefits and administration costs, and Alameda CTC was in compliance with all limitation requirements.

Commissioner Kaplan stated that some items in the report may appear to be off due to late invoicing and project timing. She requested that a summary line be added at the end of the financial report outlining any items that are actually under or over budget outside of invoice timing.

Commissioner Kaplan moved to approve this item. Commissioner Harrison seconded the motion. The motion passed with the following vote:

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

**5.3. Approval of the Alameda CTC FY2015-16 Third Quarter Investment Report.**

Patricia Reavey recommended that the Commission approve the Alameda CTC FY2015-16 Third Quarter Investment Report. She stated that Alameda CTC investments are in compliance with the adopted investment policy as of March 31, 2016 and the agency has sufficient cash flow to meet expenditures requirements over the next six months. She also provided the following highlights: As of March 31, 2016, total cash and investments held by the Alameda CTC was \$407.2 million. The 1986 Measure B investment balance increased by \$16.2 million from the prior year-end balance mainly due to the sale of real property on Fremont Blvd. to the Fremont Unified School District. The 2000 Measure B investment balance decreased \$26.9 million due to capital project expenditures. The 2014 Measure BB investment balance increased \$48.3 million compared to one month of Measure BB collections received in June 2015. The ACCMA investment balance increased by \$10.7 million primarily due to the receipt of VRF and Exchange Funds. Investment yields have increased slightly with the average return on investments for the third quarter at 0.43% compared to the prior year's average return of 0.30%.

Commissioner Kaplan moved to approve this item. Commissioner seconded Harrison the motion. The motion passed with the following vote:

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

**5.4. Alameda CTC Investment Policy: Reaffirm the current Alameda CTC investment policy.**



Patricia Reavey recommended that the Commission review and reaffirm the currently adopted investment policy as it is best practice for an investment policy to be reviewed on an annual basis. She stated that staff is not recommending any changes to the currently adopted investment policy and that the policy formalizes the framework for Alameda CTC's investment activities that must be exercised to ensure effective and prudent fiscal and investment management of Alameda CTC's funds. The primary objectives of the investment activities within the policy are to safeguard Alameda CTC assets, provide adequate liquidity, and attain a market rate of return on investments.

Commissioner Kaplan asked what the timeline was for approval of the item. Patricia stated that the current policy is in place but best practices are to bring the policy to the Commission for review and approval annually.

Commissioner Kaplan wanted more information on socially responsible investments and questioned if the committee should defer the item so that the full Commission can provide input on the issue. Art stated that there was an analysis done several months ago that was vetted and approved through both the Committee and Commission. It was determined that the agency would allow the investment team to pick investments and the Commission would not monitor socially responsible investments.

A discussion was held regarding the Commissions desire to monitor socially responsible investments. As a result of the discussion Commissioner Spencer moved to approve this item with the additional recommendation that staff review best practices of other state and local agencies regarding socially responsible investments and bring back additional information if applicable. Commissioner Kaplan seconded the motion. The motion passed with the following vote:

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

#### **5.5. Revised Alameda CTC Organizational Structure: Approve the Revised Alameda CTC Organizational Structure and Associated Salary Ranges for Job Classifications**

Seung Cho recommended that the Commission approve the Revised Alameda CTC Organizational Structure and Associated Salary Ranges for Job Classifications. He stated that staff is proposing revisions to the currently approved organizational structure which include an increase in staff positions from the currently approved level of 30 full-time equivalent (FTE) positions to a new total of 37 FTE positions, as shown in Attachment A, and an increase in job classifications from the currently approved level of 30 to a new total of 35 job classifications. Seung reviewed proposed reclassifications, additional classifications and the elimination of one classification. He stated that the revised organization structure will also allow for the optimization of productivity between staff and consultant resources over time, and will begin to help the agency develop in-house institutional and professional expertise in specific core functions.

Commissioner Valle asked how the new organizational structure will help better monitor the paratransit program. Seung stated that coordination services will be transferred to an in-house staff person who has significant experience and background in the paratransit sector.

Commissioner Spencer asked what the unfunded pension liability dollar amount is. Patricia stated that the amount was three million dollars as of June 30, 2015 as was presented in the Comprehensive Annual Financial Report for the year ended June 30, 2015.

Commissioner Spencer asked why the agency doesn't need the office supervisor classification if the agency was planning to hire several new staff positions. Patricia stated that the functions and responsibilities of the historical office supervisor position are being completed under a variety of other classifications which caused redundancies.

Commissioner Spencer asked if the office supervisor position was currently filled. Art stated that there was a person in the position but currently the position is vacant.

Commissioner Kaplan moved to approve the item with the caveat that there will be information brought back to the Commission detailing the funding and resource shift in transitioning workloads from consultants to in-house staff. Commissioner Ortiz seconded the motion. The motion passed with the following votes:

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

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

There were no member reports.

#### **7. Staff Reports**

There were no staff reports.

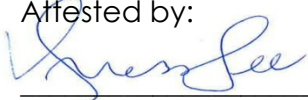
#### **8. Adjournment/ Next Meeting**

The next meeting is:

Date/Time: Monday, June 13, 2016 @1:30 p.m.

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

Attested by:



Vanessa Lee,  
Clerk of the Commission



# Memorandum

5.1

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

**DATE:** June 6, 2016

**SUBJECT:** Alameda CTC Proposed Consolidated Budget for FY2016-17

**RECOMMENDATION:** Approval of the Alameda CTC proposed consolidated budget for FY2016-17.

## Summary

The Alameda County Transportation Commission's (Alameda CTC) FY2016-17 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 overall consolidated Alameda CTC budget fits into the second category with total revenues greater than expenditures; however this varies by fund as some funds fit into the third category, as the accumulation of Measure B, Vehicle Registration Fee (VRF) and Transportation Fund for Clean Air (TFCA) funds are utilized to fund capital projects and programs in Alameda County and the CMA Capital Projects Fund fits into the first category.

The proposed budget has been prepared based on the modified accrual basis of accounting, which is consistent with the basis of accounting utilized to prepare our audited financial statements. It has been segregated by fund type and includes an adjustment column to eliminate interagency revenues and expenditures on a consolidated basis. The fund types are comprised of General Funds, Enterprise Fund, Special Revenue Funds, Exchange Fund, Debt Service Fund and Capital Projects Funds. The Enterprise Fund was set up last fiscal year to record operating activities for the I-580 Express Lanes.

The proposed budget contains projected revenues totaling \$310.5 million of which sales tax revenues comprise \$276.7 million, or 89.1 percent, and VRF revenues comprise \$12.0 million, or 3.9 percent. In addition, the proposed budget also includes a projected FY2015-16 ending fund balance of \$276.0 million for total available resources of \$586.4 million. The projected revenues are offset by \$281.7 million in anticipated expenditures of which \$87.4 million, or 31.0 percent, are allocated to capital projects funds. These revenue and expenditure totals constitute a net increase in fund balance of \$28.7 million and a projected consolidated ending fund balance of \$304.7 million. The increase in fund balance is mostly due to increased receipts of sales tax funds related to Measure BB.

Approval of the Proposed Capital Projects budgets is requested for the amounts found in the "Proposed FY2016-17 Capital Budget with Estimated Roll Over" column on each of the capital budget sheets for the Congestion Management function, 2000 Measure B sales tax, 1986 Measure B sales tax and 2014 Measure BB sales tax. This column includes both the additional capital budget amount requested for FY2016-17 as well as an estimated roll over balance from FY2015-16. The capital amount carried forward to the consolidated Alameda CTC Proposed Budget sheet does not include the roll forward balances because these amounts are still included in the projected roll forward fund balance from the FY2015-16 adopted budget. During the mid-year budget update process, the roll forward fund balance will be updated to actual based on the audited financial statements. Therefore, the capital budget amount on the consolidated budget spreadsheet for the mid-year budget update will be for the full capital budget including both the actual roll forward balance from FY2015-16 and any additional requested capital budget for FY2016-17. This methodology is required to ensure accurate and reliable fund balance information in Alameda CTC budgets.

The proposed budget includes revenues and expenditures necessary to provide the following vital programs and planning projects for Alameda County:

- Measure B and Measure BB Discretionary Grants and Direct Local Distribution Programs
- Vehicle Registration Fee Programs
- Transportation Fund for Clean Air Programs
- Safe Routes to School (SR2S) and BikeMobile Programs
- Student Transit Pass Program
- Congestion Management Programs
- Sustainable Communities Technical Assistance Program
- Modal Plans Implementation
- Passenger and Freight Rail Study
- Countywide Transit Plan Update

In addition to the programs and planning projects 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 2016 Comprehensive Investment Plan update which was approved by the Commission in March 2016. Some of the more significant projects included in the proposed budget are as follows:

- Route 84 Expressway Project
- I-580 Corridor Improvements Projects
- I-880 to Mission Boulevard East-West Connector Project
- I-680 Express Lanes Projects
- Route 92 Clawiter-Whitesell Interchange
- BART Warm Springs Extension Project
- I-80 Integrated Corridor Mobility Project
- Isabel Avenue – Route 84/I-580 Interchange Project

- I-880 South Bound HOV Lane Project

The Alameda CTC has included General Fund balance reserve information based on the General Fund Balance Reserve Policy approved by the Commission in January 2014. In addition, an operational reserve has been established for the Enterprise Fund, or I-580 Express Lanes operations, in the amount of 25 percent of expenditures. The goal would be to grow this operational reserve up to 100 percent of annual projected expenditures in order to mitigate current and future risks and to ensure sufficient liquidity for operations.

In addition, the proposed budget allows for an additional inter-fund loan from the ACTA Capital Fund to the Alameda County Congestion Management Agency (ACCMA) General Fund of \$5 million, if and when necessary during FY2016-17, which would bring the total authorized loan amount to \$15 million. The loan program was adopted by the Commission in March 2011 to help cash flow the ACCMA Capital Projects Fund.

## **Background**

Development of the proposed budget for FY2016-17 was focused on the mission and core functions of the Alameda CTC that will enable 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 to formulate strategies and solutions for transportation opportunities and needs identified in planning processes; assigning the funding necessary to evaluate, prioritize, and finance programs and projects; and programming funds in order to deliver quality programs and projects in Alameda County on schedule and within budget.

Staffing levels assumed in the proposed consolidated budget for FY2016-17 are based on the revised organizational structure proposed which allows for staffing of up to 37 full time equivalent (FTE) positions in 35 job classifications. Salaries and benefits account for 1.2 percent of budgeted expenditures including roll forward capital budget authority. The revised organizational structure is designed to prepare the agency to meet the many challenges and expanded responsibilities of administering the 2014 Measure BB sale tax, implementing the Capital Improvement Program (CIP) and Capital Project Delivery Plan (CPDP), and managing and maintaining the I-580 Express Lanes in addition to the I-680 Southbound Express Lane.

### Major Line Item Detail

Sales Tax Revenues – Increase of \$6.7 million, or 2.5 percent, over the FY2015-16 Revised Budget of \$270.0 million to \$276.7 million.

Vehicle Registration Fee (VRF) Revenues – There is no change in this projection.

Grant Revenues – Decrease of \$69.7 million, or 82.7 percent, from the FY2015-16 Revised Budget from \$84.3 million to \$14.6 million due to capital project roll forward balances accounted for in the budgeted fund balance rolled forward from FY2015-16.

Salaries and Benefits – Increase of \$1.2 million over the FY2015-16 Revised Budget to provide for funding for approximately 10 additional full-time equivalent (FTE) employees, from the current budgeted level of 23 FTEs to 32 FTEs.

General Office Expenses – Decrease of \$0.3 million, or 15.3 percent, from the FY2015-16 Revised Budget of \$1.9 million to \$1.6 million mostly due to a one time need in the prior year for computer equipment and software.

Other Administration – Decrease of \$0.4 million, or 14.5 percent, from the FY2015-16 Revised Budget of \$2.9 million to \$2.5 million mostly related to a one-time need in the prior year for planning and development of the Comprehensive Investment Plan, Capital Project Delivery Plan and a project controls system.

Operations – Increase of \$3.1 million, or 444.9 percent, over the FY2015-16 Revised Budget of \$0.7 million related to the ramp up for operations of the I-580 Express Lanes which opened in February 2016.

Planning Expenditures – Decrease of \$2.1 million, or 50.6 percent, from the FY2015-16 Revised Budget of \$4.2 million to \$2.1 million due to the completion of long-range planning documents in the prior year, such as the Countywide Transportation Plan, Countywide Goods Movement Plan, Countywide Transit Plan, and Countywide Multimodal Arterial Plan, as well as the elimination of internal funding sources in planning projects.

Programs Expenditures – Increase of \$4.9 million, or 2.7 percent, from the FY2015-16 Revised Budget of \$181.3 million to \$186.3 million mostly related to additional Direct Local Distributions due to higher projected sales tax revenues.

Capital Projects Expenditures – Decrease of \$137.4 million, or 72.0 percent, from the FY2015-16 Revised Budget of \$190.9 million to \$53.4 million due to the capital budget roll forward balances accounted for in the budgeted fund balance rolled from FY2015-16.

#### Limitation Ratios

The 2000 Measure B and 2014 Measure BB Salary and Benefits Limitation ratio and the Administrative Cost Limitation ratio were calculated based on the proposed budgeted revenues and expenditures and were found to be in compliance with requirements in the Transportation Expenditure Plans and the Public Utility Code.

#### **Fiscal Impact**

The fiscal impact of the FY2016-17 Proposed Consolidated Budget would be to provide resources of \$310.5 million and authorize expenditures of \$281.7 million, with an overall increase in fund balance of \$28.7 million for a projected ending fund balance of \$304.7 million.

## Attachments

- A. Alameda CTC FY2016-17 Proposed Consolidated Budget
- B. Congestion Management FY2016-17 Proposed Capital Projects Budget
- C. 1986 Measure B Sales Tax FY2016-17 Proposed Capital Projects Budget
- D. 2000 Measure B Sales Tax FY2016-17 Proposed Capital Projects Budget
- E. 2014 Measure BB Sales Tax FY2016-17 Proposed Capital Projects Budget

## Staff Contact

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

[Seung Cho](#), Contracting, Administration and Fiscal Resource Manager

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**Alameda County Transportation Commission  
Fiscal Year 2016-17 Proposed Budget**

	General Funds	Enterprise Fund	Special Revenue Funds	Exchange Fund	Debt Service Fund	Capital Project Funds	Inter-Agency Adjustments/ Eliminations	Total
<b>Projected Beginning Fund Balance</b>	\$ 36,934,023	\$ 981,250	\$ 47,075,326	\$ 4,929,549	\$ 9,165,442	\$ 176,897,808	\$ -	\$ 275,983,398
<b>Revenues:</b>								
Sales Tax Revenues	\$ 11,756,500	\$ -	\$ 168,682,809	\$ -	\$ -	\$ 96,260,691	\$ -	\$ 276,700,000
Investment Income	115,000	-	175,000	25,000	75,000	585,000	-	975,000
Member Agency Fees	1,394,819	-	-	-	-	-	-	1,394,819
VRF Funds	-	-	12,000,000	-	-	1,715,000	(1,715,000)	12,000,000
Toll Revenues	-	4,800,000	-	-	-	-	-	4,800,000
Other Revenues	13,166	-	31,250	-	20,770,000	1,463	(20,801,250)	14,629
Regional/State/Federal Grants	7,434,749	-	2,211,266	-	-	(962,257)	(161,279)	8,522,479
Local and Other Grants	2,980,525	-	7,763	7,851,791	-	8,083,953	(12,866,498)	6,057,533
<b>Total Revenues</b>	<b>23,694,759</b>	<b>4,800,000</b>	<b>183,108,088</b>	<b>7,876,791</b>	<b>20,845,000</b>	<b>105,683,850</b>	<b>(35,544,028)</b>	<b>310,464,460</b>
<b>Expenditures:</b>								
<u>Administration</u>								
Salaries and Benefits	1,729,383	-	-	-	-	78,564	-	1,807,948
General Office Expenses	1,442,464	-	3,000	-	-	146,234	(3,000)	1,588,698
Travel Expense	31,500	-	-	-	-	3,500	-	35,000
Debt Service	-	-	-	-	26,471,350	20,770,000	(20,770,000)	26,471,350
Other Administration	2,328,051	-	-	-	-	168,453	-	2,496,504
Commission and Community Support	247,050	-	28,250	-	-	-	(28,250)	247,050
Contingency	190,000	-	-	-	-	10,000	-	200,000
<u>Enterprise</u>								
Salaries and Benefits	-	224,174	-	-	-	-	-	224,174
Project Management and Support	-	315,000	-	-	-	-	-	315,000
Other Operating Expenditures	-	3,485,000	-	-	-	-	-	3,485,000
<u>Planning</u>								
Salaries and Benefits	939,123	-	-	-	-	-	-	939,123
Planning Management and Support	631,949	-	-	-	-	-	-	631,949
Transportation Planning	2,883,776	-	-	-	-	-	(1,805,419)	1,078,357
Congestion Management Program	455,000	-	-	-	-	-	(100,083)	354,917
Other Planning Projects	-	-	-	-	-	-	-	-
<u>Programs</u>								
Salaries and Benefits	395,116	-	1,431,672	62,643	-	-	(176,152)	1,713,279
Programs Management and Support	246,447	-	2,898,000	37,357	-	-	-	3,181,804
Safe Routes to School Programs	3,164,945	-	-	-	-	-	(402,372)	2,762,573
VRF Programming	-	-	12,680,000	-	-	-	-	12,680,000
Measure B/BB Direct Local Distribution	-	-	142,966,573	-	-	-	-	142,966,573
Grant Awards	-	-	11,766,288	-	-	-	-	11,766,288
Programming	135,000	-	5,192,806	7,751,791	-	-	(169,042)	12,910,554
<u>Capital Projects</u>								
Salaries and Benefits	-	-	-	-	-	488,601	(55,659)	432,942
Project Management and Support	-	-	-	-	-	2,364,643	-	2,364,643
Capital Project Expenditures	-	-	-	-	-	63,334,602	(12,265,862)	51,068,741
<u>Indirect Cost Recovery/Allocation</u>								
Indirect Cost Recovery from Capital, Spec Rev & Exch Funds	(231,811)	-	-	-	-	-	231,811	-
<b>Total Expenditures</b>	<b>14,587,994</b>	<b>4,024,174</b>	<b>176,966,589</b>	<b>7,851,791</b>	<b>26,471,350</b>	<b>87,364,597</b>	<b>(35,544,028)</b>	<b>281,722,467</b>
<b>Net Change in Fund Balance</b>	<b>9,106,765</b>	<b>775,826</b>	<b>6,141,499</b>	<b>25,000</b>	<b>(5,626,350)</b>	<b>18,319,253</b>	<b>-</b>	<b>28,741,993</b>
<b>Projected Ending Fund Balance</b>	<b>46,040,788</b>	<b>1,757,076</b>	<b>53,216,825</b>	<b>4,954,549</b>	<b>3,539,092</b>	<b>195,217,061</b>	<b>-</b>	<b>304,725,391</b>
<b>Fund Balance/Operational Reserves</b>	<b>45,597,366</b>	<b>1,006,043</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>46,603,409</b>
<b>Available Fund Balance</b>	<b>\$ 443,422</b>	<b>\$ 751,033</b>	<b>\$ 53,216,825</b>	<b>\$ 4,954,549</b>	<b>\$ 3,539,092</b>	<b>\$ 195,217,061</b>	<b>-</b>	<b>\$ 258,121,982</b>

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**Congestion Management  
FY2016-17  
Proposed Capital Project Budget**

Project Name	(A)	(B)	(A) - (B) = (C)	(D)	(C) + (D) = (E)	Funding Sources			
	Adopted FY 2015-16 Capital Budget	Estimated Expenditures	Estimated FY 2015-16 Rollover to FY 2016-17	Proposed FY 2016-17 Capital Budget	Proposed FY 2016-17 Capital Budget w/ Estimated Rollover	Total Local Funding Sources	Total Regional Funding Sources	Total State Funding Sources	Total Federal Funding Sources
I-580 San Leandro Soundwall/Landscape	\$ 37,822	\$ -	\$ 37,822	\$ -	\$ 37,822	\$ 26,288	\$ -	\$ -	\$ 11,534
Grand MacArthur	21,519	-	21,519	-	21,519	20,519	-	-	1,000
I-680 HOT Lane	2,990,954	133,292	2,857,662	-	2,857,662	2,259,646	-	5,692	592,324
I-680 Northbound HOV / Express Lane	7,105,005	4,189,002	2,916,002	6,000,000	8,916,002	6,892,897	-	2,023,105	-
I-80 Gilman Interchange Improvements	586,902	262,355	324,547	1,613,098	1,937,645	446,251	-	-	1,491,395
I-580 PSR at 106th Eastbound Off-Ramp	-	-	-	-	-	-	-	-	-
Smart Corridors Operation and Maintenance	1,341,772	497,625	844,147	1,715,000	2,559,147	2,559,147	-	-	-
Smart Corridors Operation and Maintenance/Tri-Valley	-	-	-	-	-	-	-	-	-
Caldecott Tunnel	3,571,660	1,200,000	2,371,660	250,000	2,621,660	2,621,660	-	-	-
Center to Center	-	-	-	-	-	-	-	-	-
I-880 North Safety & Op Improv 23rd&29th	5,702,218	1,615,950	4,086,267	-	4,086,267	2,651,528	1,404,270	26,189	4,280
I-580 Eastbound HOV Lane	2,667	-	2,667	-	2,667	-	2,667	-	-
I-580 Enviromental Mitigation	197,196	-	197,196	-	197,196	-	197,196	-	-
I-580 Eastbound Express (HOT) Lane	7,889,686	8,731,148	(841,463)	3,000,000	2,158,537	1,579,761	358,032	796,803	(576,059)
I-580 Eastbound Auxiliary (AUX) Lane	6,075,156	1,105,878	4,969,278	-	4,969,278	4,074,030	855,952	-	39,295
I-580 Right of Way Preservation	585,330	-	585,329.74	-	585,330	578,373	-	6,957	-
I-580 Westbound HOV Lane	2,816,482	823,557	1,992,924	303,993	2,296,918	2,178,917	-	118,000	-
I-580 Westbound HOT Lane	17,861,290	10,014,603	7,846,687	-	7,846,687	6,784,389	-	1,062,298	-
Altamont Commuter Express Operations	10,666	1,350	9,316	30,000	39,316	39,316	-	-	-
Altamont Commuter Express	1,613,148	1,463,602	149,546	1,550,862	1,700,408	1,248,578	-	451,830	-
I-880 Southbound HOV Lane	8,735,356	307,244	8,428,112	-	8,428,112	8,428,112	-	-	-
I-880 Southbound HOV Lane Landscaping/Hardscaping	670,320	18,401	651,919	-	651,919	15,787	-	-	636,132
Webster Street Smart Corridor	166,938	99,985	66,952	-	66,952	27,772	-	-	39,180
Marina Boulevard/I-880 PSR	9,677	-	9,677	-	9,677	9,677	-	-	-
I-680/880 Cross Connector PSR	340,493	-	340,493	-	340,493	340,493	-	-	-
I-680 SB HOV Lane	3,853,637	-	3,853,637	-	3,853,637	143,529	-	3,541,749	168,359
Route 84 Widening Project - Pigeon Pass to Interstate 680	2,547,979	785,211	1,762,768	-	1,762,768	1,762,768	-	-	-
I-80 Integrated Corridor Mobility	10,522,688	2,947,142	7,575,546	-	7,575,546	177,899	-	7,334,366	63,281
Project Management / Closeout	90,985	90,985	-	-	-	-	-	-	-
	<u>\$ 85,347,544</u>	<u>\$ 34,287,331</u>	<u>\$ 51,060,213</u>	<u>\$ 14,462,953</u>	<u>\$ 65,523,166</u>	<u>\$ 44,867,337</u>	<u>\$ 2,818,118</u>	<u>\$ 15,366,990</u>	<u>\$ 2,470,721</u>

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**1986 Measure B Sales Tax  
Fiscal Year 2016-17  
Proposed Capital Project Budget**

<b>Project Name</b>	<b>(A) Adopted FY 2015-16 Capital Budget</b>	<b>(B) Estimated Expenditures</b>	<b>(A) - (B) = (C) Estimated FY 2015-16 Rollover to FY 2016-17</b>	<b>(D) Proposed FY 2016-17 Capital Budget</b>	<b>(C) + (D) = (E) Proposed FY 2016-17 Capital Budget w/ Estimated Rollover</b>
I-880 to Mission Blvd. Route 262 Interchange Reconstruction	\$ 556,499	\$ 58,000	\$ 498,499		\$ 498,499
I-880 to Mission Blvd. and East-West Connector	22,386,332	1,052,296	21,334,036		21,334,036
Route 238/Mission-Foothill-Jackson Corridor Improvement	142,000	-	142,000		142,000
I-580 Interchange Improvements Project in Castro Valley	13,696,924		13,696,924		13,696,924
Central Alameda County Freeway System Operational Analysis	630,596	2,000,000	(1,369,404)	2,370,000	1,000,596
Castro Valley Local Area Traffic Circulation Improvement	1,981,941		1,981,941		1,981,941
Project Closeout	231,030	83,200	147,830	1,149,007	1,296,837
	<u>\$ 39,625,323</u>	<u>\$ 3,193,497</u>	<u>\$ 36,431,826</u>	<u>\$ 3,519,007</u>	<u>\$ 39,950,834</u>

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**2000 Measure B Sales Tax  
FY2016-17  
Proposed Capital Project Budget**

Project Name	(A)	(B)	(A) - (B) = (C)	(D)	(C) + (D) = (E)	Funding Sources			
	Adopted FY 2015-16 Capital Budget	Estimated Expenditures	Estimated FY 2015-16 Rollover to FY 2016-17	Proposed FY 2016-17 Capital Budget	Proposed Capital Budget w/ Estimated Rollover	Total Local Funding Sources	Total Regional Funding Sources	Total State Funding Sources	Total Federal Funding Sources
ACE Capital Improvements	\$ 4,023,508	\$ 1,453,355	\$ 2,570,153	\$ -	\$ 2,570,153	\$ 2,570,152	\$ -	\$ -	\$ -
BART Warm Springs Extension	10,450,000	6,836,473	3,613,527	-	3,613,527	3,613,527	-	-	-
BART Oakland Airport Connector	-	-	-	-	-	-	-	-	-
Downtown Oakland Streetscape	3,128,945	-	3,128,945	-	3,128,945	3,128,945	-	-	-
Telegraph Avenue Bus Rapid Transit	131,449	131,449	-	-	-	-	-	-	-
I-680 Express Lane	14,113,745	3,420,930	10,692,815	-	10,692,815	10,692,815	-	-	-
Iron Horse Trail	3,000,000	-	3,000,000	3,267,000	6,267,000	6,267,000	-	-	-
I-880/Broadway-Jackson Interchange	2,383,594	1,400,000	983,594	-	983,594	983,594	-	-	-
I-580/Castro Valley Interchanges Improvements	(1,007,035)	871,805	(1,878,840)	1,878,840	-	-	-	-	-
Lewelling/East Lewelling	560,380	-	560,380	-	560,380	560,380	-	-	-
I-580 Auxiliary Lanes	1,230	-	1,230	-	1,230	1,230	-	-	-
I-580 Auxiliary Lanes - Westbound Fallon to Tassajara	7,210	-	7,210	-	7,210	7,210	-	-	-
I-580 Auxiliary Lanes - Westbound Airway to Fallon	1,887,000	507,955	1,379,045	-	1,379,045	1,379,045	-	-	-
I-580 Auxiliary Lanes - E/B El Charro to Airway	-	-	-	-	-	-	-	-	-
Rte 92/Clawiter-Whitesell Interchange	10,900,000	7,200,000	3,700,000	-	3,700,000	3,700,000	-	-	-
Hesperian/Lewelling Widening	599,622	-	599,622	-	599,622	599,622	-	-	-
Westgate Extension	470,400	47,432	422,968	-	422,968	422,968	-	-	-
E. 14th/Hesperian/150th Improvements	2,024,773	4,197	2,020,576	-	2,020,576	2,020,577	-	-	-
I-238 Widening	79,838	-	79,838	-	79,838	79,838	-	-	-
I-680/I-880 Cross Connector Study	371,500	-	371,500	-	371,500	371,499	-	-	-
Isabel - Route 84/I-580 Interchange	2,132,000	455,000	1,677,000	-	1,677,000	1,676,999	-	-	-
Route 84 Expressway	24,577,544	11,853,073	12,724,471	-	12,724,471	12,724,471	-	-	-
Dumbarton Corridor	-	-	-	-	-	-	-	-	-
Dumbarton Corridor - Central Avenue Overpass	2,900,000	250,000	2,650,000	-	2,650,000	2,650,000	-	-	-
I-580 Corridor Improvements	12,763,946	19,129,513	(6,365,567)	12,000,000	5,634,433	5,634,433	-	-	-
I-80 Integrated Corridor Mobility	166,026	987	165,040	-	165,040	165,040	-	-	-
I-880 Corridor Improvements in Oakland and San Leandro	2,461,551	759,433	1,702,119	-	1,702,119	1,702,119	-	-	-
CWTP/TEP Development	48,689	48,689	-	-	-	-	-	-	-
Studies at Congested Segments/Locations on CMP	275,812	-	275,812	-	275,812	275,812	-	-	-
Project Management / Closeout	6,257,201	6,257,201	0	190,046	190,046	190,046	-	-	-
	<u>\$ 104,708,927</u>	<u>\$ 60,627,490</u>	<u>\$ 44,081,437</u>	<u>\$ 17,335,886</u>	<u>\$ 61,417,323</u>	<u>\$ 61,417,321</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

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**2014 Measure BB Sales Tax  
FY2016-17  
Proposed Capital Project Budget**

Project Name	(A)	(B)	(A) - (B) = (C)	(D)	(C) + (D) = (E)	Funding Sources			
	Adopted FY 2015-16 Capital Budget	Estimated Expenditures	Estimated FY 2015-16 Rollover to FY 2016-17	Proposed FY 2016-17 Capital Budget	Proposed FY 2016-17 Capital Budget w/ Estimated Rollover	Total Local Funding Sources	Total Regional Funding Sources	Total State Funding Sources	Total Federal Funding Sources
Telegraph Ave/East 14th/International Blvd Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Alameda to Fruitvale BART Rapid Bus	100,000	-	100,000	-	100,000	100,000	-	-	-
Grand/MacArthur BRT	100,000	-	100,000	-	100,000	100,000	-	-	-
College/Broadway Corridor Transit Priority	100,000	-	100,000	-	100,000	100,000	-	-	-
Irvington BART Station	100,000	-	100,000	-	100,000	100,000	-	-	-
Bay Fair Connector/BART METRO	100,000	-	100,000	-	100,000	100,000	-	-	-
BART Station Modernization and Capacity Program	100,000	-	100,000	-	100,000	100,000	-	-	-
BART to Livermore Extension, Phase 1	25,000	-	25,000	-	25,000	25,000	-	-	-
Dumbarton Corridor Area Transportation Improvements	100,000	-	100,000	-	100,000	100,000	-	-	-
Union City Intermodal Station	100,000	-	100,000	-	100,000	100,000	-	-	-
Railroad Corridor Right of Way Preservation and Track Improvements	100,000	-	100,000	-	100,000	100,000	-	-	-
Oakland Broadway Corridor Transit	100,000	-	100,000	-	100,000	100,000	-	-	-
Capitol Corridor Service Expansion	100,000	-	100,000	-	100,000	100,000	-	-	-
Congestion Relief, Local Bridge Seismic Safety	1,500,000	-	1,500,000	18,600,000	20,100,000	20,100,000	-	-	-
Countywide Freight Corridors	250,000	-	250,000	4,500,000	4,750,000	4,750,000	-	-	-
I-80 Gilman Street Interchange Improvements	1,500,000	68,462	1,431,538	270,000	1,701,538	1,701,538	-	-	-
I-80 Ashby Interchange Improvements	100,000	-	100,000	-	100,000	100,000	-	-	-
SR-84/I-680 Interchange and SR-84 Widening	4,000,000	-	4,000,000	-	4,000,000	4,000,000	-	-	-
SR-84 Expressway Widening (Pigeon Pass to Jack London)	-	-	-	-	-	-	-	-	-
I-580/I-680 Interchange Improvements	100,000	-	100,000	-	100,000	100,000	-	-	-
I-580 Local Interchange Improvement Program	300,000	-	300,000	-	300,000	300,000	-	-	-
I-680 HOT/HOV Lane from SR-237 to Alcosta	2,000,000	-	2,000,000	-	2,000,000	2,000,000	-	-	-
I-880 NB HOV/HOT Extension from A Street to Hegenberger	100,000	-	100,000	-	100,000	100,000	-	-	-
I-880 Broadway/Jackson Multimodal Transportation and Circulation Improvements	25,000	-	25,000	-	25,000	25,000	-	-	-
I-880 Whipple Road/Industrial Parkway Southwest Interchange Improvements	100,000	-	100,000	-	100,000	100,000	-	-	-
I-880 Industrial Parkway Interchange Improvements	100,000	-	100,000	-	100,000	100,000	-	-	-
I-880 Local Access and Safety Improvements	2,550,000	-	2,550,000	7,500,000	10,050,000	10,050,000	-	-	-
Gap Closure on Three Major Trails	3,676,525	-	3,439,892	-	3,439,892	2,325,196	-	-	1,114,695
	<u>\$ 17,426,525</u>	<u>\$ 305,095</u>	<u>\$ 17,121,430</u>	<u>\$ 30,870,000</u>	<u>\$ 47,991,430</u>	<u>\$ 46,876,735</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,114,695</u>

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# Memorandum

5.2

1111 Broadway, Suite 800, Oakland, CA 94607 • 510.208.7400 • www.AlamedaCTC.org

**DATE:** June 06, 2016

**SUBJECT:** Delegation of Authority To Handle Claims Made Against Alameda County Transportation Commission

**RECOMMENDATION:** Adopt a resolution Delegating To The Executive Director Certain Authority To Handle Claims Made Under The Government Claims Act Against Alameda County Transportation Commission.

## Summary

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

California Government Code section 935.4 states:

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

It is in Alameda CTC's best interest to act expeditiously on claims. Therefore staff is recommending that the Commission exercise its right under section 935.4 of the California Government Code to facilitate timely resolution of claims and delegate authority to the Executive Director to reject baseless claims, and to take appropriate action on other claims that do not exceed \$50,000.

## **Background**

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

In addition, the Act provides fairly short timeframes within which an agency must evaluate and act on claims. For example, if Alameda CTC does not respond to a claim within 45 days, the claim is deemed rejected by operation of law. It would be difficult to determine validity of a claim, conduct due diligence, and present the matter to the Commission for review and approval prior to the 45-day deadline for taking action.

As noted above, many of the claims received by Alameda CTC have been filed in error. To address this issue, staff has created a claim form that is posted on our website that requires the claimant to provide a significant amount of detailed information that will help the agency to quickly determine if the claim is truly Alameda CTC's responsibility. As such, it would be more efficient if the Commission were to implement section 935.4 of the Government Code so that the Executive Director could quickly reject these types of mistakenly filed claims without having to go before the Commission for approval to have them rejected. It also would expedite the process of working with the SDRMA if staff could directly address smaller claims, those \$50,000 and under. Any claim in an amount above \$50,000 would continue to be brought before the Commission for review and approval before a settlement or compromise could take place.

## **Fiscal Impact**

There is no fiscal impact to the approval of this item.

## **Attachments**

- A. Resolution Delegating To The Executive Director Certain Authority To Handle Claims Made Under The Government Claims Act Against The Alameda County Transportation Commission

## **Staff Contact**

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



## ALAMEDA COUNTY TRANSPORTATION COMMISSION

### RESOLUTION 16-007

#### Commission Chair

Vice Mayor Rebecca Kaplan,  
City of Oakland

#### Commission Vice Chair

Mayor Bill Harrison,  
City of Fremont

#### AC Transit

Director Elsa Ortiz

#### Alameda County

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

#### BART

Director Rebecca Saltzman

#### City of Alameda

Mayor Trish Spencer

#### City of Albany

Mayor Peter Maass

#### City of Berkeley

Councilmember Laurie Capitelli

#### City of Dublin

Mayor David Haubert

#### City of Emeryville

Councilmember Ruth Atkin

#### City of Hayward

Mayor Barbara Halliday

#### City of Livermore

Mayor John Marchand

#### City of Newark

Councilmember Luis Freitas

#### City of Oakland

Councilmember Dan Kalb

#### City of Piedmont

Mayor Margaret Fujioka

#### City of Pleasanton

Mayor Jerry Thorne

#### City of San Leandro

Mayor Pauline Cutter

#### City of Union City

Mayor Carol Dutra-Vernaci

#### Executive Director

Arthur L. Dao

### DELEGATING TO THE EXECUTIVE DIRECTOR CERTAIN AUTHORITY TO HANDLE CLAIMS MADE UNDER THE GOVERNMENT CLAIMS ACT AGAINST ALAMEDA COUNTY TRANSPORTATION COMMISSION

**WHEREAS**, the Government Claims Act (California Government Code sections 810-996.6) (the "Act") sets forth the procedures for the presentation and handling of any claims made pursuant to the Act against the Alameda County Transportation Commission ("Alameda CTC"); and

**WHEREAS**, Government Code section 935.4 permits Alameda CTC to delegate certain authority with respect to handling claims presented to Alameda CTC pursuant to the Act; and

**WHEREAS**, Alameda CTC desires to fully utilize all available procedures set forth in the Act to ensure that claims presented to Alameda CTC are handled in accordance with current laws and are processed in a timely manner; and

**WHEREAS**, Alameda CTC staff has proposed that Alameda CTC's governing body (the "Commission") delegate to the Executive Director the authority to timely reject, accept, compromise, or settle certain claims as permitted by the Act.

#### NOW THEREFORE, BE IT RESOLVED:

Section 1: The Commission hereby authorizes the Executive Director to exercise his or her authority to reject any claim presented to Alameda CTC pursuant to the Act, which the Executive Director determines is not a proper claim against Alameda CTC.

Section 2: The Commission hereby authorizes the Executive Director to exercise his or her authority to allow, compromise, or settle any claim presented to Alameda CTC pursuant to the Act, which the Executive Director determines is a proper claim against Alameda CTC, if the amount of the claim does not exceed \$50,000.00.

Section 3: An action taken by the Executive Director pursuant to Sections 1 or 2 of the resolution shall have the same force and effect as if it were taken by the Commission.

PASSED AND ADOPTED by the Commission of the Alameda County

Transportation Commission on June 30, 2016, by the following vote:

AYES: NOES: ABSTAIN: ABSENT:

SIGNED:

AYES:

NOES:

ABSTAIN:

ABSENT:

**SIGNED:**

**ATTEST:**

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Rebecca Kaplan  
Chair, Alameda CTC

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Vanessa Lee  
Clerk of the Commission