



## Independent Watchdog Committee Meeting Agenda Monday, March 12, 2018, 5:30 p.m.

Chair: Murphy McCalley  
Vice Chair: Herb Hastings

Staff Liaison: [Patricia Reavey](#)  
Public Meeting Coordinator: [Angie Ayers](#)

### 1. Special Annual Compliance Review Page/Action

- |  |   |   |
|--|---|---|
| 1.1. Overview an update on Measure B and Measure BB Audit Report and Compliance Report Review Orientation Workshop   | 1 | I |
| 1.2. Measure B and Measure BB FY2016-17 Audit Report and Program Compliance Report (link to reports listed below)<br><a href="https://www.alamedactc.org/app_pages/view/4135">https://www.alamedactc.org/app_pages/view/4135</a> |   | I |

### REGULAR MEETING AGENDA (immediately follows compliance review)

### 1. Call to Order/Roll Call

### 2. Public Comment

### 3. Meeting Minutes Page/Action

- |  |    |   |
|--|----|---|
| 3.1. Approve January 8, 2018 IWC Meeting Minutes | 15 | A |
|--|----|---|

### 4. Establishment of IWC Annual Report Ad Hoc Subcommittee

- |  |   |
|--|---|
| 4.1. Schedule first Ad Hoc Subcommittee meeting for March or early April | I |
|--|---|

### 5. Projects and Programs Watchlist

- |  |    |   |
|--|----|---|
| 5.1. Projects and Programs Watchlist update (sign up to watch projects and programs) | 21 | I |
|--|----|---|

### 6. IWC Member Reports/Issues Identification

- |   |    |   |
|---|----|---|
| 6.1. Chair's Report   | 25 | I |
| 6.2. IWC Issues Identification Process and Form   | 31 | I |
| 6.3. Issues Discussion: Issues form submitted to IWC to discuss the East West Connector Project | 35 | I |

### 7. Staff Reports

- |                                      |    |   |
|--------------------------------------|----|---|
| 7.1. Staff Responses to IWC Requests | 41 | I |
| 7.2. IWC Calendar                    | 53 | I |
| 7.3. IWC Roster                      | 55 | I |

## 8. Adjournment

Next Meeting: Monday, July 9, 2018

Notes:

- All items on the agenda are subject to action and/or change by the committee.
- To comment on an item not on the agenda (3-minute limit), submit a speaker card to the clerk.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400. Hard copies available only by request.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).
- Alameda CTC is located near 12th St. Oakland City Center BART station and AC Transit bus lines. [Directions and parking information](#) are available online.



# Memorandum

1.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** March 5, 2018

**TO:** Independent Watchdog Committee

**FROM:** John Nguyen, Senior Transportation Planner  
Andrea Gomez, Assistant Transportation Planner

**SUBJECT:** Measure B and Measure BB Audit Report and Program Compliance Reports Review Orientation Workshop

## Recommendation

Receive an orientation on Fiscal Year 2016-17 (FY2016-17) Compliance Reporting Review Process. This item is for information only.

## Summary

Each year, Measure B and Measure BB Direct Local Distribution (DLD) fund recipients are required to submit to Alameda CTC Audited Financial Statements and Compliance Reports that summarize the prior fiscal year's expenditures and fund balances. This year's compliance reporting period is for FY2016-17. Recipients' reports for this reporting period are posted on the Alameda CTC website and available for review. The Independent Watchdog Committee (IWC) will review these reports for compliance with the 2000 Measure B and 2014 Measure BB Transportation Expenditure Plans' requirements.

Alameda CTC staff developed a Program Compliance Review Guide to assist members during their review process. This guidance document serves as a "reviewer's toolkit" for assessing the recipient's end-of-year financial statements and compliance reports.

## Background

A portion of Measure B and Measure BB sales tax revenues are distributed by a formula outlined in the respective Transportation Expenditure Plans (TEP) directly to twenty eligible jurisdictions as DLDs. These distributions provide support for locally identified transportation improvements among the recipient's local transportation, bicycle/pedestrian, mass transit, and paratransit programs. In 2012 and 2015, Alameda CTC and the recipients entered into Master Programs Funding Agreements (MPFAs), which authorized the distribution of DLD funds to the recipients and specified expenditure and reporting

requirements for Measure B and Measure BB, respectively. Each year, recipients are required to submit Audited Financial Statements and Compliance Reports to confirm Measure B/BB fund balances, annual revenues and expenditures and the completion of reporting obligations.

Recipients' Audited Financial Statements and Compliance Reports for the FY2016-17 reporting period were due to Alameda CTC by December 29, 2018. Alameda CTC conducted a preliminary review of the submitted reports, and some recipients were requested to revise their reports to address data reporting issues or financial discrepancies between the Audited Financial Statements and Compliance Reports. The reports are posted on Alameda CTC's website: [http://www.alamedactc.org/app\\_pages/view/4135](http://www.alamedactc.org/app_pages/view/4135). Hardcopies are also available for examination at Alameda CTC's offices upon request.

In March, the IWC will review the recipient's submittals for adherence to the expenditure requirements mandated by the 2000 TEP and the 2014 TEP. The TEPs do not specify how the IWC should participate in the annual compliance report review process. Therefore, through ongoing experience from prior reviews, the attached Program Compliance Review Guide (Attachment A) provides IWC members with an outline of the compliance reporting structure and key elements to review. Historically, the IWC has focused its review on expenditures identified in the Audited Financial Statements and Program Compliance Reports for accuracy and expenditure eligibility.

IWC inquiries on the recipient's compliance reports are due to the Alameda CTC by March 23, 2018. IWC comments may be sent to the Alameda CTC staff contacts below by including them in the body of an email or by using the IWC Comments Form (Attachment B, available for download [https://www.alamedactc.org/files/managed/Document/22516/IWC\\_MB-MBB\\_ComplianceReviewForm\\_FY16-17.xlsx](https://www.alamedactc.org/files/managed/Document/22516/IWC_MB-MBB_ComplianceReviewForm_FY16-17.xlsx)). Alameda CTC will forward the inquiries to the recipients, and the responses will be brought back to the next IWC meeting in July. The review schedule is as follows:

<b>Program Compliance Review Schedule</b>	
By December 29, 2017	Recipients' Audited Financial Statements and Compliance Reports Due
January 2018	Alameda CTC reviews and requests revisions to the recipient reports <i>(as necessary)</i> .
February 2018	Recipients submit revised reports; revised reports posted onto Alameda CTC's website.
March 12, 2018 (IWC Meeting)	Program Compliance Review Orientation Workshop <ul style="list-style-type: none"> <li>• Staff provides general review guidance</li> <li>• Hardcopies of reports made available</li> </ul>
<b>March 26, 2018</b>	<b>IWC comments due to Alameda CTC</b>
April 2018	IWC comments forwarded to recipients for response
July 2018	IWC receives response to comments and summary report

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

**Attachments**

- A. Program Compliance Review Guide
- B. IWC Program Compliance Comments Form

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**Measure B and Measure BB  
Program Compliance Review Guide  
For Fiscal Year 2016-17**

**1.1 Purpose**

Appointees to the Alameda County Transportation Commission (Alameda CTC) Independent Watchdog Committee have a voter-approved mandate to perform certain duties related to the expenditure of tax monies collected under Measure B and Measure BB, Alameda County's transportation sales tax programs, which voters approved in 2000 and in 2014.

The Measure B and Measure BB Transportation Expenditure Plans describe the makeup of the IWC membership as well as its overarching goal. However, it does not specify how the IWC participates in the annual compliance report review process. The purpose of this document is to provide details about the current approach to the IWC review process and guidance to IWC members.

**1.2 Scope**

Alameda CTC entered into Master Programs Funding Agreements (MPFA) with local jurisdictions and transit agencies who are eligible to receive Measure B and Measure BB Direct Local Distribution (DLD) funds. The agreements require the recipients to report their expenditures annually. Fund recipients report their expenditures in four program areas:

1. Bicycle and Pedestrian Safety
2. Local Transportation (local streets and roads)
3. Mass Transit
4. Special Transportation for Seniors and People with Disabilities (Paratransit)

Each DLD fund recipient is required to submit annual Audited Financial Statements and a Compliance Report to Alameda CTC by the end of December. Beginning in the spring, the IWC and Alameda CTC staff review these Audited Financial Statements and reports to determine if the recipients are compliant. Alameda CTC staff analyzes the data from the Audited Financial Statements and compliance reports, coordinates with local jurisdictions to ensure compliance, and develops a summary report for the Commission. The IWC also reviews the data, submits questions for jurisdictions, and utilizes this data to generate an Annual Report to the public in the summer.

### 1.3 Definitions

- A. **Alameda County Transportation Commission (Alameda CTC or “Commission”):** Alameda CTC 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: all five Alameda County Supervisors, two City of Oakland representatives, one representative from each of the other 13 incorporated cities in Alameda County, a representative from Alameda-Contra Costa Transit District (AC Transit), and a representative from San Francisco Bay Area Rapid Transit District (BART).
- B. **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 all responsibilities of ACTIA.
- C. **Audited Financial Statements:** Annual, independent Audited Financial Statements commissioned by each agency or jurisdiction that receives Measure B and Measure BB Direct Local Distribution funds.
- D. **Compliance Report:** A report submitted to Alameda CTC by Measure B and Measure BB Direct Local Distribution fund recipients annually. The compliance report details Measure B and Measure BB revenues and expenditures annually for each program. Alameda CTC creates the template form and defines the requirements for this report.
- E. **Compliance Workshop:** A public workshop that Alameda CTC holds each fall to educate Measure B and Measure BB fund recipients regarding their annual compliance reporting requirements. Staff presents the compliance report form, explains any changes to the compliance report form, provides the preferred audit language, and answers questions.
- F. **Direct Local Distributions:** A percentage of formula funds that are distributed to local agencies for their local transportation improvements within four programs: bicycle/pedestrian, local transportation, mass transit and paratransit.
- G. **Fiscal year:** A period of time (generally a 12 month period) used for financial statement reporting and budgeting in business and other organizations. The Alameda CTC has determined their financial year to be July 1 through June 30.
- H. **Measure B and Measure BB Programs:** Transportation or transportation-related programs specified in the 2000 and 2014 Transportation Expenditure Plans that receives funding on a percentage-of-revenues formula basis, or through a discretionary grant program.



- I. **Recipient:** A Measure B and Measure BB fund recipient that signed a Master Programs Funding Agreement (MPFA) with Alameda CTC. Alameda CTC provides Measure B and Measure BB Direct Local Distribution Funds to twenty (21) agencies. This includes six (6) local transit agencies (AC Transit, Altamont Commuter Express (ACE), Bay Area Rapid Transit District (BART), Livermore Amador Valley Transit Authority (LAVTA), Union City Transit (which is part of Union City's distribution), and Water Emergency Transportation Authority (WETA)); fourteen (14) local jurisdictions (cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City); and one (1) county (Alameda County).
- J. **Review:** An examination of recipients' audited financial statements and compliance report submissions for conformance of expenditures with Measure B/BB transportation programs and other contract-related requirements.

#### 1.4 Responsibilities

The IWC is responsible for keeping the public informed about the progress of Measure B and Measure BB-funded programs and projects and use of the funds in compliance with the Transportation Expenditure Plans. This responsibility is primarily exercised by reviewing and reporting on the audited financial statements and compliance reports submitted by the participating local agencies. Each year, the IWC produces an Annual Report to the Public summarizing its findings on sale tax expenditure activities.

Reviewer responsibilities include, but is not limited to the following:

- A. **IWC:** The IWC conducts the review of audited financial statements and compliance reports. IWC members may submit questions to staff regarding the reports submitted by recipients to request clarification of their expenditures.
- B. **Alameda CTC staff:** Staff ensures that all compliance reports and audited financial statements submitted are available to the public by posting them on the Alameda CTC website. Staff also reviews the reports and audited financial statements, and facilitates inquiries and responses to and from the DLD recipient's regarding their reports. In addition, Alameda CTC staff works collaboratively to assist IWC members in preparing the Annual Report to the Public.

#### 1.5 Review Process

IWC members and Alameda CTC staff review the Audited Financial Statements and compliance reports and cross checks them against each other to verify data accuracy and to ensure they are complete. The compliance review process follows a timeline detailed below.

## 1.6 Timeline

For fiscal year 2016-2017 reporting, the timeline is as follows:

<b>Program Compliance Review Schedule</b>	
By December 29, 2017	Recipients' Audited Financial Statements and Compliance Reports Due
January 2018	Alameda CTC reviews and requests revisions to the recipient reports <i>(as necessary)</i> .
February 2018	Recipients submit revised reports; revised reports posted onto Alameda CTC's website.
March 12, 2018 (IWC Meeting)	Program Compliance Review Orientation Workshop <ul style="list-style-type: none"> <li>• Staff provides general review guidance</li> <li>• Hardcopies of reports made available</li> </ul>
<b>March 26, 2018</b>	<b>IWC comments due to Alameda CTC</b>
March 27-30, 2018	Staff accumulates and organizes IWC comments and questions for distribution to recipients
April 2018	IWC comments forwarded to recipients for response
July 2018	IWC receives response to comments and summary report

## 1.7 Audited Financial Statement Review

IWC members and Alameda CTC staff review each set of Audited Financial Statements to assess financial information such as:

- A. The Audited Financial Statements indicate that the jurisdiction has separate accounting and reporting for each type of Measure B and Measure BB funds received.
- B. All fund transfers are explained.
- C. Alameda CTC received the report within 180 days of the fiscal year-end.
- D. The Audited Financial Statements contain an opinion offered by the auditor stating that the fund recipient is in compliance with Measure B and Measure BB requirements.
- E. The figures in the Audited Financial Statements tie to the figures in the compliance report, prior year-end fund balances, and amounts in internal DLD distribution schedules.

## **1.8 Program Compliance Report Review**

IWC members and Alameda CTC staff review each compliance report for various items some of which include:

- A. All necessary program sections of the report are complete.
- B. The responses are complete and responsive to the requested information.
- C. The listed projects appear consistent with the programmatic topic area.
- D. The project information is specific or detailed enough to show the projects are transportation-related and in accordance with Measure B and Measure BB requirements.
- E. The figures in the compliance report tie to the figures in the audited financial statements.

## **1.9. Program Compliance Report Structure**

Jurisdictions are expected to complete all relevant sections for the DLD program funds received and expended. The Program Compliance Report is organized and includes the following:

- Cover: Agency Contact Information
- General Compliance Questions for all programs (*Bike/Ped, Local Streets and Roads, Transit, Paratransit*)
- Table 1 - Summary of Revenue, Expenditures, and Changes in Fund Balances: This includes a summary of revenues and expenditures for the fiscal year. The figures reported must tie to the Audited Financial Statements and Compliance report (Table 1 and 2).
- Table 2 - Detailed Summary of Expenditures and Accomplishments: this includes a detailed summary of the expenditures incurred during the fiscal year. It describes specific expenditure activities and accomplishments made with the Measure B and Measure BB investments. In Table 2, recipients report on performance metrics required by the MPFA. The figures reported must tie to the Audited Financial Statements and Compliance report (Table 1 and 2).

## **2.0 Annual Compliance Report to the Public**

After the Audited Financial Statements and Compliance reports are analyzed, the IWC develops an Annual Report to the Public which generally includes information from the reports' financial and expenditures data.

## 2.1 General Review Guidance

Alameda CTC staff reviews the Audited Financial Statements and Compliance Reports to resolve financial discrepancies or reporting issues. The IWC reviews expenditures and raises any concerns they might have regarding the use of funds during the reporting fiscal year. Recipients have flexibility to expend the funds on projects/programs as approved through their own local public process. However, if an expenditure does not appear to fit into the programmatic area, seems out of sync with Measure B/BB program purposes, or it is unclear if the money was spent in accordance with the Transportation Expenditure Plan, then the use of Measure B and/or Measure BB funding should be questioned.

## 2.2 Timely Use of Funds Compliance Monitoring

In December 2015, the Commission approved the Timely Use of Funds Policies below:

**POLICY:** RECIPIENT shall not carry a fiscal year ending fund balance greater than 40 percent of the Direct Local Distribution revenue received for that same fiscal year for four consecutive fiscal years, by funding program. Non-compliance with this policy may invoke rescission penalties per the Use it or Lose It Policy.

RECIPIENT may seek an exemption from the Timely Use of Funds Policy through the Annual Program Compliance reporting process. RECIPIENT must demonstrate that extraordinary circumstances have occurred and provide a timely expenditure plan that would justify the exemption. Exemption requests must be submitted to ALAMEDA CTC and approved by the Commission.

**IMPLEMENTATION:** Through the Annual Program Compliance reporting process, ALAMEDA CTC will monitor the RECIPIENT's annual Ending Fund Balance to Revenue Received Ratio, cumulatively across the RECIPIENT's programmatic categories by fund program, to verify policy compliance.

Each jurisdiction that receives Measure B and Measure BB Direct Local Distribution Program funds is required to comply with this policy as referenced in the recently executed 2016 MPFA between the jurisdiction and Alameda CTC.

This Timely Use of Funds Policy is effective for funds received for Fiscal Year 2016-17, and will be monitored during the Fiscal Year 2016-17 program compliance review process.

Refer to the Alameda CTC's website for complete Timely Use of Funds Policies and Use It or Lose It Policy information: [http://www.alamedactc.org/app\\_pages/view/4136](http://www.alamedactc.org/app_pages/view/4136).

## 2.3 Measure BB Requirement: 15 percent of Measure BB Local Street and Roads (LSR) funds must be expended on Bicycle and Pedestrian improvements.

DLD recipients are required to report the use of Measure BB LSR funds on bicycle/pedestrian improvements through the compliance report. A minimum of 15

percent of LSR funds must be expended over the life of Measure BB on bicycle and pedestrian improvements.

Table 2: Detailed Summary of Expenditures and Accomplishments includes a reporting area for jurisdictions to report on LSR expenditures on bicycle/pedestrian improvements. DLD recipients are advised to expend a minimum of 15 percent annually to ensure long-term compliance; however, Alameda CTC monitors the compliance of this requirement over the life of the measure and will report the status of the recipient's compliance periodically through the Program Compliance Summary Report to the Commission.

## **2.4 Measure BB Performance Measures Monitoring**

DLD recipients' must use Measure B and Measure BB funds for eligible program activities. All expenditures must be documented and include a description of the accomplishment and performance of the DLD investment. The performance measures approved by the Commission are included in the DLD recipient's MPFA.

Refer to the Alameda CTC's website for Performance Measures required by the MPFA: [http://www.alamedactc.org/app\\_pages/view/4136](http://www.alamedactc.org/app_pages/view/4136).

Table 2: Detailed Summary of Expenditures and Accomplishments includes specific reporting fields for recipients to report their expenditures and performance. This table provides an annual snapshot of the DLD performance and accomplishments for the IWC's review.

Performance reporting will be done through a variety of Alameda CTC's reporting processes which include the annual program compliance reports, annual performance report, Paratransit program plan, and other planning activities, where feasible and applicable.

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Measure B Program Compliance Report FY 2016-17 Compliance Review Form		
Electronic Form available: <a href="https://www.alamedact.org/files/managed/Document/22516/IWC_MB-MBB_ComplianceReviewForm_FY16-17.xlsx">https://www.alamedact.org/files/managed/Document/22516/IWC_MB-MBB_ComplianceReviewForm_FY16-17.xlsx</a>		
Agency	Reviewer's Comments	
<b>Transit Agencies and Authorities</b>		
<b>1 AC Transit</b>		
Audited Financial Statement		
Mass Transit		
Paratransit		
<b>2 BART</b>		
Audited Financial Statement		
Paratransit		
<b>3 LAVTA</b>		
Audited Financial Statement		
Mass Transit		
Paratransit		
<b>4 WETA (Alameda Ferries)</b>		
Audited Financial Statement		
Mass Transit		
<b>5 Altamont Commuter Express (ACE)</b>		
Audited Financial Statement		
Mass Transit		
<b>Alameda County Agencies</b>		
<b>6 Alameda County (ACPWA)</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
<b>City Agencies</b>		
<b>7 City of Alameda</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>8 City of Albany</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>9 City of Berkeley</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>10 City of Dublin</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
<b>11 City of Emeryville</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>12 City of Fremont</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>13 City of Hayward</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>14 City of Livermore</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
<b>15 City of Newark</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>16 City of Oakland</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>17 City of Piedmont</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
<b>18 City of Pleasanton</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>19 City of San Leandro</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Paratransit		
<b>20 City of Union City / Union City Transit</b>		
Audited Financial Statement		
Bicycle/Pedestrian		
Local Streets & Roads		
Mass Transit		
Paratransit		

**Measure BB Program Compliance Report FY 2015-16  
Compliance Review Form**

Electronic Form available: [https://www.alamedactc.org/files/managed/Document/22516/IWC\\_MB-MBB\\_ComplianceReviewForm\\_FY16-17.xlsx](https://www.alamedactc.org/files/managed/Document/22516/IWC_MB-MBB_ComplianceReviewForm_FY16-17.xlsx)

Agency	Reviewer's Comments
<b>Transit Agencies and Authorities</b>	
<b>1 AC Transit</b>	
Audited Financial Statement	
Mass Transit	
Paratransit	
<b>2 BART</b>	
Audited Financial Statement	
Transit	
Paratransit	
<b>3 LAVTA</b>	
Audited Financial Statement	
Mass Transit	
Paratransit	
<b>4 WETA (Alameda Ferries)</b>	
Audited Financial Statement	
Mass Transit	
<b>5 Altamont Commuter Express (ACE)</b>	
Audited Financial Statement	
Mass Transit	
<b>Alameda County Agencies</b>	
<b>6 Alameda County (ACPWA)</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
<b>City Agencies</b>	
<b>7 City of Alameda</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>8 City of Albany</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	Yes
Paratransit	
<b>9 City of Berkeley</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>10 City of Dublin</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
<b>11 City of Emeryville</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>12 City of Fremont</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>13 City of Hayward</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>14 City of Livermore</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
<b>15 City of Newark</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>16 City of Oakland</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>17 City of Piedmont</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
<b>18 City of Pleasanton</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>19 City of San Leandro</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Paratransit	
<b>20 City of Union City / Union City Transit</b>	
Audited Financial Statement	
Bicycle/Pedestrian	
Local Streets & Roads	
Mass Transit	
Paratransit	





# Independent Watchdog Committee Meeting Minutes Monday, January 8, 2018, 5:30 p.m.

3.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

## 1. Welcome and Call to Order

Independent Watchdog Committee (IWC) Chair Murphy McCalley called the meeting to order. A roll call was conducted and all members were present with the exception of Keith Brown, Brian Lester, Glenn Nate, Hale Zukas, and Harriette Saunders.

### Subsequent to the roll call:

Hale Zukas arrived during item 4.2.

## 2. Public Comment

There were no public comments.

## 3. Approval of November 13, 2017 IWC Meeting Minutes

Pat Piras corrected the word "report" to "business card" on page 3 item 5 next to the last paragraph.

*Pat Piras made a motion to approve this item with the above correction. Steve Jones seconded the motion. The motion passed with the following votes:*

Yes: Buckley, Dominguez, Hastings, Jones, McCalley, Nelson, Piras, Tucknott

No: None

Abstain: None

Absent: Brown, Lester, Nate, Saunders, Zukas

## 4. Overview and Update on Delivery and Implementation of Measure B and Measure BB Projects and Programs

Chair McCalley moved agenda item 4.2 prior to 4.1.

### 4.1. Measure B/Measure BB Programs Update

John Nguyen delivered a presentation on the Measure B and Measure BB direct local distributions (DLD) and grant program for fiscal year (FY) 2017-18.

Pat Piras asked if the \$700,000 for the Broadway Shuttle was to fund two years. John Nguyen said yes, and it's for two years of operation and it's a very cost effective program.

Pat Piras asked the status of the East West Connector project. Patricia Reavey said that she would have the project folks get back to her via an email regarding the status of the East West Connector project.

Madeleine Nelson asked what the amendment status is for two Bicycle and Pedestrian Programs funding schools. The amendments are related to time extensions, not a cost extension, due to delays on the projects.

Pat Piras asked why BART and LAVTA are showing zero fund balances. Mr. Nguyen responded that BART, LAVTA and AC Transit use their funds primarily on transportation services and they use all of the funds received within the year.

Hale Zukas asked will there be a Discretionary Grant Program for PAPCO. Mr. Nguyen responded that in the 2018 Comprehensive Investment Plan a Call for Projects was initiated for PAPCO to fund two years of operations for FY2017-18 and FY2018-19. He noted that the Program was under subscribed in the Call for Projects and internal discussion is taking place to initiate another call to solicit additional projects for FY2018-19.

#### **4.2. Measure B/Measure BB Capital Projects Update**

Trinity Nguyen gave a presentation which was an overview of the status of Measure B and Measure BB capital projects and the process and phases that each of the capital projects go through. Ms. Nguyen encouraged the committee to visit the Alameda CTC website for more information on projects and visuals.

#### **5. Measure B/Measure BB Program FY2016-17 Compliance and Audit Reports**

John Nguyen gave an update on the annual program compliance review process for Measure B and Measure BB DLDs. He stated that all recipients submitted the required audited financial statements and program compliance reports and the unedited reports are available on Alameda CTC's website. He noted that Alameda CTC staff will review the submittals and work with the DLD recipients to ensure completion and consistency of data across the various reports, and the edited reports will be available for IWC review in March 2018.

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

##### **6.1. Chair's Report**

Murphy McCalley and the Committee requested that staff draft a thank you letter from the IWC to Jo Ann Lew and Cynthia Dorsey, which the Chair will sign.

##### **6.2. IWC Issues Identification Process and Form**

Murphy McCalley informed the committee that the Issues Identification Process and Form is a standing item on the IWC agenda which keeps members informed of the process required to submit issues/concerns that they want to have come before the committee.

Pat Piras noted that staff updated the process based on the recommendation made at the last meeting.

Patricia Reavey stated that the IWC's recommended changes to the Bylaws will go before the Finance and Administration Committee for approval on February 12, 2018 and then the Commission later in month.

**7. Staff Report.**

**7.1. IWC Calendar**

The committee calendar was provided in the agenda packet for review purposes.

**7.2. IWC Roster**

The committee roster was provided in the agenda packet for review purposes.

Patricia Reavey noted that Jo Ann Lew and Cynthia Dorsey did not ask to be reappointed to the committee. Mr. McCalley stated that the committee will miss their participation in the meetings.

**8. Adjournment**

The meeting adjourned at 7:00 p.m. The next meeting is scheduled for January 8, 2018 at the Alameda CTC offices.

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## INDEPENDENT WATCHDOG COMMITTEE

### January 8, 2018

### ROSTER OF MEETING ATTENDANCE

Present	IWC Member	Appointed By
A	Brown, Keith	Alameda Labor Council AFL-CIO
P	Buckley, Curtis	Bike East Bay
P	Dominguez, Oscar	East Bay Economic Development Alliance
P	Hastings, Herb, <b>Vice Chair</b>	Paratransit Advisory and Planning Committee
P	Jones, Steven	Alameda County Mayors' Conference, District 1
A	Lester, Brian	Alameda County, District 1 Supervisor Scott Haggerty
P	McCalley, Murphy, <b>Chair</b>	Alameda County, District 4 Supervisor Nate Miley
A	Nate, Glenn	Alameda County, District 2 Supervisor Richard Valle
P	Nelson, Madeleine	League of Women Voters
P	Piras, Pat (waive)	Sierra Club
A	Saunders, Harriette	Alameda County Mayors' Conference, District 3
P	Tucknott, Robert	Alameda County Mayors' Conference, District 4
P	Zukas, Hale	Alameda County, District 5 Supervisor Keith Carson

### STAFF

Present	Staff/Consultants	Title
/	Tess Lengyel	Deputy Executive Director of Planning and Policy
P	Patricia Reavey	Deputy Executive Director of Finance
/	Ahmad Gharaibeh	Independent Auditor, VTD
/	Kris Kokotaylo	Legal Counsel, Meyers Nave
P	Trinity Nguyen	Senior Transportation Engineer
P	John Nguyen	Senior Transportation Planner
P	Andrea Gomez	Assistant Transportation Planner
/	Tamara Halbritter	Senior Project Manager, Consultant
P	Angie Ayers	Public Meeting Coordinator, Consultant

NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1. Angelina Leong	Alameda CTC	(510) 208-7427	aleong@alamedactc.org
2. JHAY DELOS REYES	ALAMEDA CTC	(510) 208-7469	jdelosreyes@alamedactc.org
3.			
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Alameda CTC Measure B Capital Projects  
For Fiscal Year 2018-2019

IWC Member: Measure B Capital Projects Monitoring		ACTIA No. 1 - ACE Capital Improvements Alameda County; Construction ACTIA No. 2 - BART Warm Springs Ext. Fremont; Closeout ACTIA No. 3 - BART Oakland Airport Conn. Oakland; Complete ACTIA No. 4 - Downtown Streetscape Project Oakland; Construction ACTIA No. 5 - BART Fruitvale Transit Village Union City; Complete ACTIA No. 6 - Union City Intermodal Station Oakland (7A; Construction); 7B&7C Complete* ACTIA No. 7 - Bus Rapid Transit -Tel Corridor 84 Southbound (Operations); 7B&7C Complete* ACTIA No. 8 - I-680 Express Lane Construction ACTIA No. 9 - Ironhorse Trail Dublin; Oakland, Alameda; PE/Env ACTIA No. 10 - I-880/Broadway-Jackson I/C San Leandro; Complete ACTIA No. 11 - I-880/Washington Avenue I/C Alameda County; Complete ACTIA No. 12 - I-580 Castro Valley I/C Alameda County; Complete ACTIA No. 13 - Lewelling/E. Lewelling Widening Livermore; Complete ACTIA No. 14 - I-580 Auxiliary Lanes; Dublin, Hayward; Complete ACTIA No. 15 - Rte. 92/Clawiter Whitesell I/C Complete ACTIA No. 16 - Oakland Local Streets San Leandro, AC, Complete ACTIA No. 17 - Hesperian/Lewelling Widening Complete ACTIA No. 18 - Westgate Parkway Extension San Leandro; Design/ROW Complete ACTIA No. 19 - E. 14th/Hesperian/150th Complete ACTIA No. 20 - Newark Local Streets Complete ACTIA No. 21 - I-238 Widening Fremont; Complete ACTIA No. 22 - I-680/I-880 Cross Conn. Study Livermore; Complete ACTIA No. 23 - Isabel/Route 84/I-580 I/C (Construction) ACTIA No. 24 - Route 84 Expressway Avenue Overpass; Newark; Design Studies, Complete* ACTIA 27A - Vasco Road; Complete ACTIA No. 27B - I-80 Integrated Corridor Mobility; Oakland, San Leandro; Complete ACTIA No. 27C I-880 Corridor Improvements Complete ACTIA No. 27D - 2000 TEP Development; Planning; Segments and Locations on the CIMP Network Complete ACTIA 27E - Project Studies for Congested Segments and Locations on the CIMP Network Complete																																					
Member's Names	Appointed By																																						
Brown, Keith	Alameda Labor Council AFL-CIO																																						
Buckley, Curtis	Bike East Bay																																						
Dominguez, Oscar	East Bay Economic Development Alliance				X																																		
Hastings, Herb	Paratransit Advisory and Planning Committee																																						
Jones, Steven	Alameda County Mayors' Conference, D-1																																						
Lester, Brian	Alameda County Supervisor Scott Haggerty, D-1																																						
McCalley, Murphy	Alameda County Supervisor Nate Miley, D-4																																						
Nate, Glenn	Alameda County Supervisor Richard Valle, D-2																																						
Nelson, Madeleine	League of Women Voters																																						
Piras, Pat	Sierra Club																																						
Saunders, Harriette	Alameda County Mayors' Conference, D-3	X																																					
Tucknott, Robert A.	Alameda County Mayors' Conference, D-4																																						
Zukas, Hale	Supervisor Keith Carson, D-5				X																																		
Vacancy	Alameda County Mayors' Conference, D-2																																						
Vacancy	Alameda County Mayors' Conference, D-5																																						
Vacancy	Alameda County Taxpayers Association																																						
Vacancy	Alameda County Supervisor Wilma Chan, D-3																																						

Notes  
The Projects Marked with an "X" above are those I am interested in monitoring.  
\* Measure B funding Commitment met.  
PE/ENV = Preliminary Engineering/Environmental

Signature

Alameda CTC Measure B/BB Direct Local Distributions and Grants  
For Fiscal Year 2018-2019

IWC Member:  
Measure B / Measure BB  
Direct Local Distributions and  
Grants Monitoring

		Alameda (BP, LSR, P, G)	Albany (BP, LSR, P, G)	Berkeley (BP, LSR, P, G)	Dublin (BP, LSR, G)	Emeryville (BP, LSR, P, G)	Fremont (BP, LSR, P, G)	Hayward (BP, LSR, P, G)	Livermore (BP, LSR, P, G)	Newark (BP, LSR, G)	Oakland (BP, LSR, P, G)	Piedmont (BP, LSR, P, G)	Pleasanton (BP, LSR, G)	San Leandro (BP, LSR, P, G)	Union City (BP, LSR, P, G)	Alameda County (BP, LSR, P, G)	AC Transit (P, T, G)	Altamont Corridor Express (T, G)	BART (P, T, G)	LAVTA (T, P, G)	Union City Transit Operations (T, G)	WETA - Ferry Services (T, G)
Member's Name	Appointed By																					
Brown, Keith	Alameda Labor Council AFL-CIO																					
Buckley, Curtis	Bike East Bay			X																		
Dominguez, Oscar	East Bay Economic Development Alliance										X		X									
Hastings, Herb	Paratransit Advisory and Planning Committee				X																	
Jones, Steven	Alameda County Mayors' Conference, D-1				X			X				X										
Lester, Brian	Alameda County Supervisor Scott Haggerty, D-1																					
McCalley, Murphy	Alameda County Supervisor Nate Miley, D-4															X						
Nate, Glenn	Alameda County Supervisor Richard Valle, D-2																					
Nelson, Madeleine	League of Women Voters																					
Piras, Pat	Sierra Club														X		X	X				X
Saunders, Harriette	Alameda County Mayors' Conference, D-3																					
Tucknott, Robert A.	Alameda County Mayors' Conference, D-4																					
Zukas, Hale	Supervisor Keith Carson, D-5			X												X		X				X
Vacancy	Alameda County Mayors' Conference, D-2																					
Vacancy	Alameda County Mayors' Conference, D-5																					
Vacancy	Alameda County Taxpayers Association																					
Vacancy	Alameda County Supervisor Wilma Chan, D-3																					

**Notes**  
An "X" above indicates interest in monitoring the entire agency's program funds. If only interested in a specific program by an agency, distinguish this by writing a BP, LSR, T, P, G for the program(s) of interest.

BP = Bicycle and Pedestrian Program  
LSR - Local Streets and Roads (Local Transportation) Program  
T = Transit Program  
P = Paratransit Program  
G = Grants

Signature \_\_\_\_\_



IWC Member: Measure BB Capital Projects Monitoring		TEP No.13 - Telegraph Ave/East 14th/International Blvd Project	TEP No.14 - Alameda to Fruitvale BART Rapid Bus	TEP No.15 - Grand/MacArthur BRT Priority	TEP No.16 - College/Broadway Corridor Transit	TEP No.17 - Irvington BART Station	TEP No.18 - Bay Fair Connector/BART METRO 1	TEP No.20 - BART to Livermore Extension, Phase 1	TEP No.22 - Union City Intermodal Station	TEP No.24- Oakland Broadway Corridor Transit Improvements	TEP No.29 - I-80 Gilman Street Interchange	TEP No.30 - I-80 Ashby Interchange Improvements	TEP No.31 - SR-84/I-680 Interchange and SR-84 Pass to Jack London	TEP No.32 - SR-84 Expressway Widening (Pigeon Alcosta)	TEP No.33 - I-580/I-680 Interchange Improvements	TEP No.35 - I-680 HOT/HOV Lane from SR-237 to Street to Hegenberger	TEP No.36 - I-880 NB HOV/HOT Extension from A Transportation and Circulation Improvements	TEP No.37 - I-880 Broadway/Jackson Mm Parkway Southwest Interchange Improvements	TEP No.38 - I-880 Whipple Road/Industrial Improvements	TEP No.39 - I-880 Industrial Parkway Interchange
Member's Names	Appointed By																			
Brown, Keith	Alameda Labor Council AFL-CIO																			
Buckley, Curtis	Bike East Bay										X									
Dominguez, Oscar	East Bay Economic Development Alliance									X		X	X		X					
Hastings, Herb	Paratransit Advisory and Planning Committee						X													
Jones, Steven	Alameda County Mayors' Conference, D-1	X					X													
Lester, Brian	Alameda County Supervisor Scott Haggerty, D-1																			
McCalley, Murphy	Alameda County Supervisor Nate Miley, D-4		X	X			X	X								X		X	X	
Nate, Glenn	Alameda County Supervisor Richard Valle, D-2																			
Nelson, Madeleine	League of Women Voters																			
Piras, Pat	Sierra Club	X			X		X	X		X						X	X			
Saunders, Harriette	Alameda County Mayors' Conference, D-3																			
Tucknott, Robert A.	Alameda County Mayors' Conference, D-4																			
Zukas, Hale	Supervisor Keith Carson, D-5	X		X	X	X	X	X	X			X			X					
Vacancy	Alameda County Mayors' Conference, D-2																			
Vacancy	Alameda County Mayors' Conference, D-5																			
Vacancy	Alameda County Taxpayers Association																			
Vacancy	Alameda County Supervisor Wilma Chan, D-3																			

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

Signature \_\_\_\_\_

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**Subject:** FW: Request Line U Audit at Ardenwood Park N' Ride

**From:** Patricia Reavey

**Sent:** Wednesday, February 14, 2018 5:56 PM

**To:** 'Lee, Troy' <[troy.lee@sap.com](mailto:troy.lee@sap.com)>

**Cc:** Tess Lengyel <[tlengyel@alamedactc.org](mailto:tlengyel@alamedactc.org)>; McCalley, Murphy ([murphy.mccalley@baml.com](mailto:murphy.mccalley@baml.com)) <[murphy.mccalley@baml.com](mailto:murphy.mccalley@baml.com)>; 'hhastings@rceb.org' <[hhastings@rceb.org](mailto:hhastings@rceb.org)>

**Subject:** RE: Request Line U Audit at Ardenwood Park N' Ride

Mr. Lee,

Measure B and Measure BB funds are not being utilized to fund the Line U agreement between AC Transit and Stanford so this agency would have no authority to audit the agreement between these two parties. I would suggest you contact AC Transit (Howard Der 510-520-9459) directly to get more information about the project and/or the funding of this project.

Thanks,

Trish Reavey, Deputy Executive Director of Finance and Administration

Alameda County Transportation Commission

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7422 direct dial | 510.208.7400 main line

Email: [preavey@alamedactc.org](mailto:preavey@alamedactc.org) Website: [www.alamedactc.org](http://www.alamedactc.org)

Facebook: <http://www.facebook.com/AlamedaCTC> Twitter: [@AlamedaCTC](https://twitter.com/AlamedaCTC)

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**From:** Lee, Troy [<mailto:troy.lee@sap.com>]

**Sent:** Saturday, February 10, 2018 5:48 PM

**To:** Independent Watchdog <[independentwatchdog@alamedactc.org](mailto:independentwatchdog@alamedactc.org)>

**Subject:** Request Line U Audit at Ardenwood Park N' Ride

Hello Chairman McCalley, Vice Chairman Hastings, and Watchdog Committee,

It has come to my attention that someone (see thread below) has given Stanford University the verbal right to let their private bus line (AE-F) go through the Ardenwood Park and Ride as part of the Line U Stanford agreement to be paid \$789,660 (AC Transit Report No: 17-232b).

As such, AE-F (Stanford) riders take up a significant amount of parking spaces away from the public. You may calculate approximately how many public parking spaces are taken away from private usage. Figure that there is at least two (2) double decker AE-F busses that come through with the single level others. See their official schedule, that is not officially posted at Ardenwood with a bus stop sign posting.

<https://transportation.stanford.edu/marguerite/aeef> . Granted, the bus capacity is filled with riders not parked at Ardenwood. However, a brief before 6:30 AM observation at Ardenwood will show that there are at least 30 to 40 Stanford AE-F riders per scheduled stop into Ardenwood that park at Ardenwood, thus taking away private parking.

Is the above amount paid (\$789,660), enough to maintain the **parking lot**, run the bus, and pay the drivers?

The amount paid to **AC Transit seems to be give Stanford a real bargain**. Maybe parking infrastructure was never accounted for since the AE-F officially stops at Ardenwood, yet does not have a posted Bus Stop at Ardenwood.

I am inquiring via the Watchdog Committee to consider triggering an unbiased audit of the Line U agreement with Stanford. There should not be any verbal agreements with Stanford that **cannot** easily be audited publicly.

Tax payers did not vote for Measure B and Measure BB to allow tax payers funds to subsidize Stanford's Private Transit Line.

Under Stanford Agreement, is the following all that Stanford is paying paid for [http://www.actransit.org/wp-content/uploads/U\\_timetable.pdf](http://www.actransit.org/wp-content/uploads/U_timetable.pdf)?

Seemingly Public property should not be used for private use in the manner described above and below.

If you feel that this inquiry call to action is better with another person or agency, would you please guide this message and copy me to the correct contact(s)?

Troy Lee  
415-625-39871

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**From:** John Urgo [<mailto:jurgo@actransit.org>]  
**Sent:** Thursday, February 1, 2018 3:34 PM  
**To:** Lee, Troy <[troy.lee@sap.com](mailto:troy.lee@sap.com)>  
**Subject:** Re: Ardenwood Park N' Ride

Thanks, Troy. Your points make sense. We are starting discussions with MTC about some future plans they have for Ardenwood that I'm not quite clear on yet.

John Urgo

Transportation Planner

AC Transit

[jurgo@actransit.org](mailto:jurgo@actransit.org)

(510) 891-4735

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**From:** Lee, Troy <[troy.lee@sap.com](mailto:troy.lee@sap.com)>  
**Sent:** Tuesday, January 30, 2018 10:35:20 AM  
**To:** John Urgo  
**Subject:** RE: Ardenwood Park N' Ride

Thanks John,

Yes, parking is pretty tough after 6:30 AM at Ardenwood.

Stanford can park anywhere. However the general public only can park at Ardenwood. The public cannot park at Kaiser. I am trying to get employees that work in the Stanford Research Park the authorization to park at Kaiser.

Stanford is only paying to run the U Line.

As far as I know, Stanford is not paying for the maintenance of the Park N' Ride...maybe the \$789,660 (AC Transit Report No: 17-232b) is enough to maintain the ***parking lot***, run the bus, and pay the drivers. The amount paid to **AC Transit seems to be give Stanford a real bargain**. Maybe parking infrastructure was never accounted for since the AE-F officially stops at Ardenwood, yet does not have a posted Bus Stop at Ardenwood.

Something for the AC Transit Board to consider...

Troy 415-625-3871

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**From:** John Urgo [<mailto:jurgo@actransit.org>]

**Sent:** Tuesday, January 30, 2018 10:12 AM

**To:** Lee, Troy <[troy.lee@sap.com](mailto:troy.lee@sap.com)>

**Subject:** Re: Ardenwood Park N' Ride

Hi Troy,

Here is the response I got from our planner, Howard Der:

The AE-F operates into Ardenwood under a verbal agreement with the understanding that since AC Transit cannot provide the capacity to meet demand with the U (and DB) alone, it will permit the AE-F to go in there.

Ardenwood has never been the exclusive domain of Stanford and/or the U. DB and DB1 riders with no affiliation to Stanford are free to use it, nor can we turn away/deny service to individuals affiliated with Stanford. The Kaiser Drive lot is a different matter, since that **\*is\*** affiliated with Stanford.

John Urgo

Transportation Planner

AC Transit

[jurgo@actransit.org](mailto:jurgo@actransit.org)

(510) 891-4735

**From:** Lee, Troy <[troy.lee@sap.com](mailto:troy.lee@sap.com)>  
**Sent:** Monday, January 29, 2018 4:35:17 PM  
**To:** John Urgo  
**Subject:** Ardenwood Park N' Ride

John,

Do you know if AC Transit has sold Stanford the right for Non-AC Transit riders to park at Ardenwood?

I know they contracted the U with AC Transit. Stanford says the AE-F Stanford Bus can stop wherever. However, now Stanford employees NOT riding the U are parking at Ardenwood.

[See below]. Seems Stanford wants to not share parking resources.

Troy

Begin forwarded message:

**From:** "Jamie S. Jarvis" <[jjarvis@stanford.edu](mailto:jjarvis@stanford.edu)>  
**Date:** January 29, 2018 at 4:08:32 PM PST  
**To:** "Lee, Troy" <[troy.lee@sap.com](mailto:troy.lee@sap.com)>  
**Subject:** RE: Request for Kaiser Dr. 2018-2019 Parking Permit

Troy –

The AE-F service was provided by Stanford because the U line operated by AC transit wasn't able to provide adequate capacity. These services are offered as partnership between Stanford and AC Transit and the AE-F does have permission to use any public stops, including Park & Ride lots. The Kaiser lot was arranged for by Stanford because capacity at Ardenwood wasn't adequate.

- Jamie

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**From:** Lee, Troy [<mailto:troy.lee@sap.com>]  
**Sent:** Monday, January 29, 2018 3:50 PM  
**To:** Jamie S. Jarvis <[jjarvis@stanford.edu](mailto:jjarvis@stanford.edu)>  
**Subject:** Re: Request for Kaiser Dr. 2018-2019 Parking Permit

Jamie,

It should be noted by Stanford that the AE-F stops at the Ardenwood Park N' Ride, an AC Transit parking lot, although there is no official sign saying that the AE-F is allowed to officially stop there.

Stanford employees that are not AC Transit riders are taking parking spaces from AC Transit riders. This makes it necessary to use the Kaiser lot as an overflow.

Troy,  
Sent from my iPhone

On Jan 29, 2018, at 2:37 PM, Jamie S. Jarvis <[jjarvis@stanford.edu](mailto:jjarvis@stanford.edu)> wrote:

Troy –

Stanford University Parking and Transportation Services policies and services are not applicable to employees who work in Stanford Research Park or SRPGO commuters. The programs offer by Stanford P&TS are paid for by campus parking charges and are only available to Stanford employees who are based on campus.

The only shared service is the Marguerite RP and 1050A shuttles which are operated by P&TS but paid for by SRPGO and Stanford Health Care to serve employees in the Research Park.

- Jamie

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**From:** Lee, Troy [<mailto:troy.lee@sap.com>]  
**Sent:** Monday, January 29, 2018 12:26 PM  
**To:** srpgo <[srpgo@stanford.edu](mailto:srpgo@stanford.edu)>  
**Subject:** FW: Request for Kaiser Dr. 2018-2019 Parking Permit

Hello Jamie,

Would you please clarify Stanford University Parking and Transportation Services policy regarding SRP GO Commuters?

See below:

**Troy Lee**  
Solution Assembly & Knowledge Packaging  
SAP Labs, LLC

3420 Hillview Ave.  
Palo Alto, CA 94304  
Office +1650-320-3191  
Mobile +1 510-552-8369  
Fax +1 650-847-3388  
Email [troy.lee@sap.com](mailto:troy.lee@sap.com)  
<http://www.sap.com>

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**From:** Lee, Troy  
**Sent:** Monday, January 29, 2018 12:17 PM  
**To:** 'Noah Brennan-Greenbaum' <[noahbg@stanford.edu](mailto:noahbg@stanford.edu)>  
**Subject:** RE: Request for Kaiser Dr. 2018-2019 Parking Permit

Hi Noah,

When I called customer service, they said that since SAP Labs leases property from Stanford and we are part of the Stanford Research Park, customer service gave me the form and said it was okay.

The Margarite services the entire Stanford Research Park.

Would you please check with a supervisor?

As you know, the Margarite and all the Stanford Lines are designed to serve Stanford property. My office is on Stanford property and we are paying Stanford for their service.

**Troy Lee**  
Solution Assembly & Knowledge Packaging

**SAP Labs, LLC**

3420 Hillview Ave.  
Palo Alto, CA 94304  
Office +1650-320-3191  
Mobile +1 510-552-8369  
Fax +1 650-847-3388  
Email [troy.lee@sap.com](mailto:troy.lee@sap.com)  
<http://www.sap.com>

---

**From:** Noah Brennan-Greenbaum [<mailto:noahbg@stanford.edu>]  
**Sent:** Monday, January 29, 2018 12:11 PM  
**To:** Lee, Troy <[troy.lee@sap.com](mailto:troy.lee@sap.com)>  
**Subject:** RE: Request for Kaiser Dr. 2018-2019 Parking Permit

Hello Troy,

Unfortunately, the parking permits for the Stanford designated spaces at the Kaiser lot are only available to Stanford University affiliates. Please let me know if you have any questions.

Best,

Noah Brennan-Greenbaum  
Customer Service Representative  
Stanford University Parking and Transportation Services  
[noahbg@stanford.edu](mailto:noahbg@stanford.edu)  
(650) 723-9362

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**From:** transportation [<mailto:transportation-bounces@lists.stanford.edu>] **On Behalf Of** Lee, Troy  
**Sent:** Monday, January 29, 2018 8:07 AM  
**To:** [transportation@stanford.edu](mailto:transportation@stanford.edu)  
**Subject:** [transportation] Request for Kaiser Dr. 2018-2019 Parking Permit

Hello,

I am an employee in the Stanford Research Park.

Please see attached and mail the permit to:

Troy Lee, SAP Labs  
3420 Hillview Ave.  
Palo Alto, CA 94304

**Troy Lee**  
Solution Assembly & Knowledge Packaging  
**SAP Labs, LLC**

3420 Hillview Ave.  
Palo Alto, CA 94304  
Office +1650-320-3191  
Mobile +1 510-552-8369  
Fax +1 650-847-3388  
Email [troy.lee@sap.com](mailto:troy.lee@sap.com)



## **Independent Watchdog Committee Issues Identification Process**

### **Summary**

This issues identification process outlines the responsibilities of the Independent Watchdog Committee (IWC) and identifies the process for IWC members and members of the public to bring issues of concern to the IWC and for IWC to address issues identified on "IWC Issues Forms" (attached).

### **IWC Responsibilities**

The Independent Watchdog Committee is charged with the following as written in the 2000 and 2014 Transportation Expenditure Plans approved by voters.

The Independent Watchdog Committee is appointed pursuant to Measure B and Measure BB to review all expenditures of the Measure B transportation sales tax, to review and oversee all expenditures and performance measures, as appropriate, of the Measure BB transportation sales tax and to monitor Measure B and Measure BB projects and programs. This committee reports directly to the public and has the following responsibilities:

- Hold public hearings and issue reports, on at least an annual basis, to inform Alameda County residents about how the sales tax 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 information announcing the hearings well-publicized and posted in advance.
- Have full access to Alameda CTC's independent auditor and have the authority to request and review specific information regarding use of the sales tax funds and to comment on the auditor's reports.
- Publish an independent annual report, including any concerns the committee has about audits it reviews. The report will be published in local newspapers and will be made available to the public in a variety of forums to ensure access to this information.
- Provide a balance of viewpoints, geography, age, gender, ethnicity and income status, to represent the different perspectives of the residents of the county.

### **Review Process**

The purpose for the review of projects and programs by the IWC is to report to the public on findings. To this end, the tasks for the IWC to focus on during review

## **IWC Issues Identification Process**

include: 1) proper expenditure of Measure B and Measure BB funds; 2) the timely delivery of projects per contract agreements; and 3) compliance with the projects or programs as defined in the voter-approved 2000 and 2014 Transportation Expenditure Plans.

During the review process, IWC members will adhere to the following procedures:

1. Issues raised on an IWC Issues Form regarding Measure B or Measure BB expenditures and/or contract compliance on a project or program may be eligible to be pursued through a request for the project or program sponsor to appear before the IWC. Issues raised by members of the public regarding Measure B and/or Measure BB expenditures must be submitted in writing either to the IWC chair, vice-chair or to the committee at an IWC meeting.
2. Before requesting that staff respond to an issue or calling on a project or program sponsor to appear before the IWC, an IWC member must submit an IWC Issues Form to the IWC chair or vice-chair for placement on the agenda at the next IWC meeting. Issues submitted by a member of the public must be handled in the same manner.
3. The IWC must approve by an affirmative vote the method taken to address an issue identified on an IWC Issues Form, whether originally presented by an IWC member or a member of the public.
4. The IWC may establish a subcommittee, when necessary, to address the issue, question, or concern raised on an IWC Issues Form.
5. The IWC or subcommittee should consider the resources listed below, when addressing an issue raised on an IWC Issues Form.
6. If requested, staff shall respond in writing to the issue.

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

### **Resources for IWC (not all inclusive)**

- Adopted 2000 and 2014 Transportation Expenditure Plans
- Up-to-date list of project/program sponsors contacts
- Alameda CTC staff responsible for oversight of the project/program or other expenditures
- Information about public hearings, recent discussions, or news clippings provided by Alameda CTC staff to the IWC by mail or at meetings
- Other Alameda CTC advisory committees (for example, Paratransit Advisory and Planning Committee or Bicycle and Pedestrian Advisory Committee chairpersons may be called on to address an issue)
- Alameda CTC independent auditor and Comprehensive Annual Financial Reports
- Alameda CTC General Counsel

**INDEPENDENT WATCHDOG COMMITTEE ISSUES FORM**

**Alameda County Transportation Commission (Alameda CTC)**  
**1111 Broadway, Suite 800**  
**Oakland, California 94607**  
**Phone: 510-208-7400; Fax: 510-893-6489**

The Independent Watchdog Committee (IWC) is tasked with the review of Measure B expenditures and Measure BB expenditures and performance measures. This form allows for formal documentation of potential issues of concern regarding the expenditure of Measure B and/or Measure BB funds and Measure BB performance measures. A concern should be submitted to the IWC if an issue directly relates to the potential misuse of Measure B or Measure BB funds, non-compliance with the 2000 and/or 2014 Transportation Expenditure Plans approved by voters, or an issue with Measure BB performance measures. Only current IWC members may use this form (an issue brought forward by the public would have to be championed by an IWC member and brought forward to the IWC on an IWC Issues Form by the IWC member).

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

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

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

**Governmental Agency of Concern** (include name of agency and all individual contacts from list of project/program sponsor contacts):

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

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

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

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

**Indicate applicable measure:** ☐ Measure B ☐ Measure BB

**Indicate the type of Measure B and/or Measure BB expenditure to which this concern relates** (please check one):

☐ Capital Project ☐ Program ☐ Program Grant ☐ Administration

**On the next page, please explain in detail the nature of your concern and how it came to your attention. Include the name of the project or program, dates, times, and places where the issues of which you have concerns took place** (use additional sheets when necessary).

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

Time: \_\_\_\_\_

Location: \_\_\_\_\_

Project: \_\_\_\_\_

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Program: \_\_\_\_\_

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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 have taken.

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**INDEPENDENT WATCHDOG COMMITTEE ISSUES FORM**  
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**Date:** March 1, 2018  
**Name:** Patrisha (Pat) Piras  
**Email Address:** patpiras@sonic.net

**Governmental Agency of Concern** (include name of agency and all individual contacts from list of project/program sponsor contacts):

**Agency/Contact's Phone Number:** 1) ACTC 2) City of Union City  
**Agency's Address:**  
**City:** **Zip Code:**

**Indicate applicable measure:** ☐ Measure B ☒ Measure BB

**Indicate the type of Measure B and/or Measure BB expenditure to which this concern relates (please check one):**

XX Capital Project ☐ Program XX (possibly) Program Grant ☐ Administration

**On the next page, please explain in detail the nature of your concern and how it came to your attention. Include the name of the project or program, dates, times, and places where the issues of which you have concerns took place (use additional sheets when necessary).**

**Date:** March 1, 2018  
**Time:**  
**Location:** Union City & Fremont

**Project:** “East West Connector”

From a general interest perspective raised by other Sierra Club members, I had asked about this project at the January 2018 IWC meeting, and was directed to the fact sheet at [https://www.alamedactc.org/files/managed/Document/20721/1177000\\_I-880\\_MissionBlvd\\_East-WestConnector.pdf](https://www.alamedactc.org/files/managed/Document/20721/1177000_I-880_MissionBlvd_East-WestConnector.pdf).

The fact sheet is dated January 2018 and shows \$0 (zero dollars) in Measure BB funding, with ACTC identified as “leading the project implementation efforts.” However, in the past few weeks, press reports have alerted members of the public to a proposal to have the City of Union City assume responsibility as the lead agency, as well as to reallocate considerable Measure BB funds from other uses. The Union City staff memo dated February 13, 2018 states in part that “ACTC’s staff has requested that Union City consider taking over the project responsibility . . .” and that “Union City agrees that this project will commit all of ACTC’s Union City Measure BB funds . . .” (see Attachment A at:

<https://unioncity.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=1610&MeetingID=210> ).

**Program:** Possible commitment of Measure BB funds from several programs, including but not limited to Local Streets and Bike/Ped.

**Action Taken and Information Requests** (Note expanded title for this section): *Please list other parties or agencies you have contacted in an attempt to more fully understand this issue and any actions you have taken.*

Note that the instructions of page 1 of this document state in relevant part: “A concern should be submitted to the IWC if an issue directly relates to the potential misuse of Measure B or Measure BB funds . . .” (emphasis added)

I am raising these questions because, if the reported action is approved by ACTC, it will form the precedent for possible future fund transfers under Measure BB. It is important that there be a clear, transparent process that the public can readily follow and understand, and that both the letter and the spirit of the “Implementing Guidelines” be faithfully adhered to. In particular, concern is raised regarding two of the Guidelines:

*#4. Amendments Require 2/3 Support: To modify and amend this Plan, an amendment must be adopted by a two-thirds vote of the Alameda CTC Commissioners. All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Plan amendment.*

I have not yet been able to find any documentation from ACTC to enact the fund changes identified by Union City, although it has been reported that the item will be

discussed at the March 12<sup>th</sup> meeting of ACTC's Programs and Projects Committee (PPC), chaired by Mayor Dutra-Vernaci.

What is ACTC's planned schedule for implementing the proposed funds changes? Please also clarify that "jurisdictions" includes the County's transit agencies. In this case, AC Transit and BART will certainly be affected by any funding change(s).

*#22. Fund Allocations: Should a planned project become undeliverable, infeasible or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be reallocated to another project or program of the same type, such as Transit, Streets, Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC.*

The proposed shift in funding conveys a strong indication that the transferred funds are believed to no longer be needed for their voter-approved purposes; how and when will ACTC document the changed circumstances? Relatedly, how and why are "Dumbarton Corridor Area Transportation Improvements" funds and "Union City Intermodal Station" funds from within the "Major Transit Corridor and Commuter Rail Improvements" category being proposed to be shifted to the "Major Commute Corridors" subcategory of the "Local Streets Maintenance and Safety" category for the Connector project?

How will bus operations for both Union City Transit and AC Transit be affected by focusing some considerable portion of Union City's streets funding from Measure BB on a single roadway?

A letter dated February 27<sup>th</sup>, signed by the Chair of the San Francisco Bay Chapter of the Sierra Club was sent to the Mayor and City Council raising several concerns and asking questions. As of this writing, no response has been received. A copy of the letter, which was cc'd to ACTC, is attached for information.

Other IWC members are likely to raise additional concerns and/or information requests. A written response to all of these questions and issues is requested. Thank you in advance.

February 27 2018

Mayor Carol Dutra–Vernaci and Council Members  
City of Union City  
City Hall  
34009 Alvarado–Niles Road  
Union City, CA 94587

Via City Clerk Anna Brown [annab@unioncity.org](mailto:annab@unioncity.org)

Re: East–West Connector Project

Dear Mayor Dutra–Vernaci and Council Members:

The agenda for tonight's Council meeting has an item about the proposed East–West Cross Connector Project, item 7.c. The Sierra Club hereby submits several comments and questions about the item for your consideration.

It is not clear why the City is interested in building this project. Appendix Q of the [Final Environmental Impact Report](#) (from 2009) provides comparisons of vehicle miles traveled (VMT), vehicle hours of delay (VHD) and average speed for the year 2035 between “no project” and the proposed project.

	2035 No Project	2035 Project	Difference
VMT	4,617,629	4,621,561	+3,932
VHD	38,583	34,667	-3,916
Average Speed	33 mph	34 mph	+1 mph

The figures are from Appendix E (Measures of Effectiveness for Environmental Analysis) of Appendix Q.

The State, with the passage of SB 743 in 2013, is shifting from considering travel delay as a transportation impact metric [to focusing analysis on VMT reduction](#). The East–West Cross Connector Project may go against this important policy shift. Has the Council considered this policy change?



Further, last year the Metropolitan Transportation Commission and the Association of Bay Area Government adopted their [Sustainable Communities Strategy](#) (SCS) as part of the \$303 billion [Plan Bay Area 2040](#); has the City considered whether the project is consistent with the SCS?

The staff report that has been provided to you by the Public Works Director as a part of Tuesday's agenda raises issues pertaining to the voter approved [Measure BB](#). Several actions are required to change the use of voter-approved funds, per the Implementing Guidelines, which begin on page 37.

Please consider Guideline 4—

**Amendments Require 2/3 Support:** To modify and amend this Plan, an amendment must be adopted by a two-thirds vote of the Alameda CTC Commissioners. All jurisdictions within the county will be given a minimum of 45 days to comment on any proposed Plan amendment.

Has the Alameda County Transportation Commission begun the 45 day comment period that is required to amend the expenditure plan? If so, has a vote been scheduled?

Guideline 22 (page 39) is also quite important—

**Fund Allocations:** Should a planned project become undeliverable, infeasible or unfundable due to circumstances unforeseen at the time this Plan was created, or should a project not require all funds programmed for that project or have excess funding, funding for that project will be reallocated to another project or program of the same type, such as Transit, Streets, Highways, Community Development Investments, or Bicycle and Pedestrian Safety, at the discretion of Alameda CTC.

The East–West Cross Connector is within the “Local Streets Maintenance and Safety” category. However, funds from other categories are shown in the staff memo as being transferred for use in constructing the East–West Cross Connector. For instance, Dumbarton Corridor Funds, \$40 million, are listed as being transferred to the project. The Dumbarton Corridor Area Transportation Improvements (and Union City Intermodal Station) are within the “Major Transit Corridor and Commuter Rail Improvements” category. Other projects that are shown in the staff memo as providing money for the project and which are not in the Local Streets Maintenance and Safety category include “Bicycle and Pedestrian” and “Local Streets.”

Is the Council aware of the category restrictions on Measure BB fund exchanges? We understand that previous fund swaps have taken place in Alameda County with transportation projects, but they were with different voter measures having different rules.

The project's financial requirements have risen dramatically since it was proposed. The initial cost estimate, according to the staff memo, was \$88 million. It now stands at \$319 million. Is the Council confident about the current cost estimate? While not strictly environmental questions, do Council members think the changes with VMT, VHD and Average Speed over No Build are worth the money? How does the Council plan to address the relationship of the Cross Connector item with the one immediately above it on the

agenda (7.b)—“Adopt a Resolution of the City Council of Union City Declaring a Fiscal Emergency in the City of Union City?”

If you any questions about this letter, please contact Matt Williams, chair of our Chapter’s Transportation and Compact Growth Committee. He may be reached at [mwillia@mac.com](mailto:mwillia@mac.com).

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Igor Tregub", with a horizontal line underneath.

Igor Tregub  
Chair, San Francisco Bay Chapter Executive Committee

cc: California Department of Transportation, District 4  
Alameda County Transportation Commission  
San Francisco Bay Area Rapid Transit District  
Alameda–Contra Costa Transit District  
Loma Prieta Chapter  
Southern Alameda County Group

## Independent Watchdog Committee Bylaws

### Article 1: Definitions

**1.1 2000 Transportation Expenditure Plan.** The plan for expending transportation sales tax (Measure B) funds, presented to the voters in 2000, and implemented in 2002.

**1.2 2014 Transportation Expenditure Plan.** The plan for expending transportation sales tax (Measure BB) funds, presented to the voters in 2014, and implemented in 2015.

**1.3 Agency.** A business or government organization established to provide a particular service.

**1.4 Alameda County Transportation Commission (Alameda CTC).** Alameda CTC 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 Alameda CTC Commission ("Commission") is comprised of the following representatives:

**1.4.1** All five Alameda County Supervisors.

**1.4.2** Two City of Oakland representatives.

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

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

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

**1.5 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 administration of the sales tax.

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

**1.7 At-Large Member.** One of the 10 Independent Watchdog Committee (IWC) members representing supervisorial districts as described in Section 3.1.1 below.

**1.8 Bicycle and Pedestrian Advisory Committee (BPAC).** The Alameda CTC Committee that involves interested community members in the Alameda CTC's policy, planning, and implementation efforts related to bicycling and walking.

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

**1.10 Expenditures.** Costs incurred and paid for with funds generated from the Measure B and Measure BB sales taxes.

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

**1.12 Independent Watchdog Committee (IWC or "Committee").** The Alameda CTC Committee of individuals created by the Commission as required by Measure BB. This Committee was originally created by the ACTIA Board and called the Citizens Watchdog Committee as required by Measure B, and was continued by the Commission subsequent to the passage of Measure BB as the Independent Watchdog Committee. The Committee has the same composition as the Citizens Watchdog Committee required by Measure B. The Committee reports directly to the public and has the responsibility of reviewing all Measure B expenditures and reviewing and overseeing all Measure BB expenditures and performance measures of the agency, as appropriate. IWC members are Alameda County residents who are not elected officials at any level of government, nor individuals in a position to benefit personally in any way from the sales tax.

**1.13 Local Newspapers.** Periodical publications typically published weekly or daily that serves a city, cities or unincorporated communities within Alameda County, whereby the contents are reasonably accessible to the public. On-line publications of these periodicals are included in this definition.

**1.14 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 2000 Transportation Expenditure Plan. Collections for the sales tax authorized by Measure B began on April 1, 2002 and extends through March 31, 2022.

**1.15 Measure BB.** The measure approved by the voters authorizing the sales tax for transportation services collected and administered by the Alameda CTC and governed by the 2014 Transportation Expenditure Plan. Measure BB augments the half-cent Measure B sales tax by a half cent, beginning April 1, 2015 through March 31, 2022. The full one-cent sales tax authorized by Measure BB will begin April 1, 2022 and will extend through March 31, 2045.

**1.16 Measure B Program.** Transportation or transportation-related program specified in the 2000 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

**1.17 Measure BB Program.** Transportation or transportation-related program specified in the 2014 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

**1.18 Measure B Project.** Transportation and transportation-related capital projects specified in the 2000 Transportation Expenditure Plan for funding in the amounts allocated in the 2000 Transportation Expenditure Plan.

**1.19 Measure BB Project.** Transportation and transportation-related capital projects specified in the 2014 Transportation Expenditure Plan for funding in the amounts allocated in the 2014 Transportation Expenditure Plan.

**1.20 Monitor.** To observe, track, or keep a ~~continuous~~ record of Measure projects, programs, and expenditures~~a process to support committee activities.~~

**1.21 Organizational Meeting.** An organizational meeting of the IWC will be held in July to elect officers and adopt the annual calendar/work plan and review the Alameda CTC budget related to IWC.

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

**1.23 Oversee.** To watch over Measure BB expenditures and performance measures ~~to support committee activities.~~

**1.24 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 Alameda County residents and eligible users of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a Paratransit Technical Advisory Committee comprised of Measure B and Measure BB-funded paratransit providers in Alameda County.

**1.25 Performance Measures.** Quantifiable methods used to assess how well the Alameda CTC is achieving its adopted objectives for Measure BB projects and programs.

**1.26 Planning Area.** Geographic groupings of cities and 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.

**1.27 Subcommittee.** A subset of the IWC, less than a quorum, usually organized for a certain purpose.

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

**2.1 Committee Purpose.** The Committee is appointed pursuant to Measure B and Measure BB: 1) To review all expenditures of the Measure B transportation sales tax; and 2) to review and oversee all expenditures and performance measures, as appropriate, of the Measure BB transportation sales tax, to monitor projects and programs and to report directly to the public.

**2.2 Committee Roles and Responsibilities from Expenditure Plan.** As defined by the Measure B and Measure BB Transportation Expenditure Plans, the roles and responsibilities of the Committee include:

**2.2.1** Hold public hearings and issue reports, on at least an annual basis, to inform Alameda County residents about how the sales tax funds are being spent. The hearings will be open to the public and must be held in compliance with the Brown Act, California's open meeting law, with information announcing the hearings well-publicized and posted in advance.

**2.2.2** Have full access to Alameda CTC's independent auditor and have the authority to request and review specific information regarding use of the sales tax funds and to comment on the auditor's reports.

**2.2.3** Publish an independent annual report, including any concerns the committee has about audits it reviews. The report will be published in local newspapers and will be made available to the public in a variety of forums to ensure access to this information.

**2.2.4** Provide a balance of viewpoints, geography, age, gender, ethnicity and income status, to represent the different perspectives of the residents of the county.

**2.3 Additional Responsibilities.** Additional IWC 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 and Measure BB 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 IWC 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 2014 Transportation Expenditure Plan: East Bay Economic Development Alliance; Alameda County Labor Council; Alameda County Taxpayers' Association; Alameda County Paratransit Advisory and Planning Committee; Bike East Bay, formerly known as 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 IWC member shall be an Alameda County resident. An IWC 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 Measure B and Measure BB transportation sales taxes; or have any economic interest in any project or program.

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

**3.5 Attendance.** Members will regularly attend meetings. Accordingly, more than three consecutive absences is cause for removal from the Committee.

**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 becomes incapable of continuing to serve.

**3.6.4** The appointing party or the Commission removes the member from the Committee.

**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 IWC shall annually elect a chair and vice chair. Each officer must be a duly appointed member of the IWC.

**4.1.1 Duties.** The chair shall preside at all meetings and will represent the IWC before the Commission to report on IWC activities. The chair shall serve as a voting ex-officio

member of all subcommittees except a nominating subcommittee (when the IWC 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 IWC meetings shall be open and public and governed by the Brown Act. Public comment shall be allowed at all IWC 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 up to 3 minutes per speaker at the discretion of the chair. Written comments may be submitted prior to the meeting. The number of IWC meetings, including regular meetings, sub-committee meetings, special meetings and public hearings, will be limited to the number of meetings approved in Alameda CTC's annual overall work program and budget, as approved by the Commission.

**5.2 Regular Meetings.** The IWC 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, IWC 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 the IWC.

**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 members present. Items may be discussed and information may be distributed on any item even if a quorum is not present; however, no action can be taken, until the Committee achieves a quorum.

**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 IWC members and posted and published in accordance with the Brown Act.

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



**5.6 Agenda.** All meetings shall have a published agenda. Items for a regular meeting agenda may be submitted by any member to the chair and Alameda CTC staff. The Commission and/or Alameda CTC staff may also submit items for the agenda. Agenda planning meetings are held approximately three weeks prior to each IWC meeting. Alameda CTC staff will notify all IWC members when this meeting is established and remind members to submit any agenda item requests to the chair at least one day prior to the agenda planning meeting date. At the agenda planning meeting, the chair and Alameda CTC staff will discuss any agenda items submitted to the chair. Every agenda shall include a 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 in the Alameda CTC 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 IWC 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.** IWC 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 thereunder, 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.

**5.9 Meeting Conduct.** IWC members shall conduct themselves during meetings in a manner that encourages respectful behavior and provides a welcoming and safe environment for each member and staff member characterized by an atmosphere of mutual trust and respect. Members shall work with each other and staff to respectfully, fairly, and courteously deal with conflicts if they arise.

## **Article 6: Subcommittees**

**6.1 Establishment.** The IWC may establish subcommittees when advisable and as necessary subject to the approved Alameda CTC overall work program and budget as approved by the Commission to conduct an investigation or to draft a report or other document within the authority of the IWC or for other purposes within the IWC's authority.

**6.2 Membership.** IWC members will be appointed to subcommittees by the IWC 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 IWC.

## **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 and include full minutes in meeting packets prior to each regular IWC 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 IWC 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 IWC on any matter not on the agenda and on each matter listed on the agenda, in compliance with the Brown Act and time limits, up to three minutes per speaker, set at the discretion of the chair.

**7.4 Meeting Notices.** Meeting notices shall be in writing and shall be issued via U.S. Postal Service, Alameda CTC website, 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 himself 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, as a recommendation to the Commission for approval.

**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 Transportation Expenditure Plan, the January 2014 Transportation Expenditure Plan, California state law, or any action lawfully taken by ACTIA or the Alameda CTC, the Transportation Expenditure Plans, state law or the lawful action of ACTIA or the Alameda CTC shall prevail.

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

**8.7 Economic Interest.** Each Committee member shall, no later than March 15 of every year, prepare and file with Alameda CTC a statement of economic interest in the form required by law, currently Form 700 which can be found on the California Fair Political Practices Commission website, <http://www.fppc.ca.gov/index.php?id=500>.

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**From:** Stewart Ng  
**Sent:** Monday, January 22, 2018 10:57 AM  
**To:** patpiras@sonic.net  
**Cc:** Trinity Nguyen; Patricia Reavey; Angie Ayers  
**Subject:** FW: Alameda CTC East- West Connector Project Fact Sheet

Hi Pat-

Sorry for the mix up. I found in my in box this morning that you did not receive this email.

I somehow did not spell "net" correctly.

Thanks  
 Stewart

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**From:** Stewart Ng  
**Sent:** Wednesday, January 17, 2018 3:46 PM  
**To:** 'patpiras@sonic.et' <patpiras@sonic.et>  
**Cc:** Trinity Nguyen (tnguyen@alamedactc.org) <tnguyen@alamedactc.org>; preavey@alamedactc.org; 'aayers@alamedactc.org' <aayers@alamedactc.org>  
**Subject:** FW: Alameda CTC East- West Connector Project Fact Sheet

Hi Pat-

My name is Stewart Ng, I am the current project manager for the East West Connector Project. I've been ask to respond to you on your questions below.

Background: The East West Connector project has evolved over the life of this project. Originally this project was intended to be State Route 84 extension of the Dumbarton Corridor from I-880 to Mission Blvd in the City of Fremont and the City of Union City. The State Route designation was removed through legislation and thus became a local arterial roadway. Caltrans is no longer involved in the decision of this roadway except for the final interface connection (very minor) at State Route 262 (Mission Blvd).

The Mitigation Monitoring Committee (MMC) is a committee of 6 persons (three persons from Fremont and three persons from Union City). Their purpose and responsibilities are to monitor the implementation of the mitigation measures that were adopted or made conditions of the project approval for the East West Corridor Project.

More information can be viewed on our website, here's the link:

The link for MMC is [https://www.alamedactc.org/app\\_pages/view/7146](https://www.alamedactc.org/app_pages/view/7146).

Meetings are noticed by engaging the chairperson noticing the 6 members of the committee and both Cities. Noticing for these meetings has been suspended due to the project funding shortfall and will be resume once a full funding plan is developed and approved. The July 2016 member list is current.

Thanks

Stewart

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**From:** Pat Piras [<mailto:patpiras@sonic.net>]

**Sent:** Tuesday, January 16, 2018 5:48 PM

**To:** Vanessa Lee <[VLee@alamedactc.org](mailto:VLee@alamedactc.org)>

**Cc:** Patricia Reavey <[preavey@alamedactc.org](mailto:preavey@alamedactc.org)>; Angie Ayers <[aayers@alamedactc.org](mailto:aayers@alamedactc.org)>; Trinity Nguyen <[tnguyen@alamedactc.org](mailto:tnguyen@alamedactc.org)>; Angelina Leong <[aleong@alamedactc.org](mailto:aleong@alamedactc.org)>

**Subject:** Re: Alameda CTC East- West Connector Project Fact Sheet

Thank you very much for the update. Who can I talk to about what Caltrans' specific role/involvement is?

Also, does the "Mitigation Monitoring Committee" have any continuing role? If so, are the members the same as listed for June 2016? And if so, how are their meetings noticed?

Thanks again.

On Jan 16, 2018, at 5:06 PM, Vanessa Lee <[VLee@alamedactc.org](mailto:VLee@alamedactc.org)> wrote:

Good Afternoon Pat-

I am following up on a request you had at the last IWC committee meeting. The project fact sheet for the I-880 to Mission Blvd East –West Connector Project can be found here: [https://www.alamedactc.org/files/managed/Document/20721/1177000\\_I-880\\_MissionBlvd\\_East-WestConnector.pdf](https://www.alamedactc.org/files/managed/Document/20721/1177000_I-880_MissionBlvd_East-WestConnector.pdf)

If you have any additional questions, please contact either myself or Angie Ayers (aayers@alamedactc.org) and we will be happy to assist you.

Thank you.

Vanessa Lee, Clerk of the Commission  
Alameda County Transportation Commission  
1111 Broadway, Suite 800, Oakland, CA 94607  
510.208.7436 | 510.208.7400  
[vlee@alamedactc.org](mailto:vlee@alamedactc.org) | [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

**IWC FY2017-18 Calendar/Work Plan**  
**IWC FY2017-18 Calendar/Work Plan**  
**on the second Monday of the month from 5:30 to 7:30 p.m.**  
**at Alameda CTC Offices**

<b>Categories</b>	<b>Monday, July 10, 2017</b>	<b>Monday, November 13, 2017</b>	<b>Monday, January 08, 2018</b>	<b>Monday, March 12, 2018</b>	<b>Monday, July 09, 2018</b>
<b>IWC Annual Report</b>	<ul style="list-style-type: none"> <li>• IWC photo for Annual Report</li> <li>• Public Hearing on IWC Annual Report (substantially final)</li> <li>• Finalize IWC Annual Report and Publication Costs</li> <li>• IWC Annual Report Press Release</li> </ul>	<ul style="list-style-type: none"> <li>• IWC Annual Report Outreach Summary and Publication Cost Update</li> </ul>		<ul style="list-style-type: none"> <li>• Establish IWC Annual Report Subcommittee to create and finalize IWC Annual Report (Subcommittee meets April through June)</li> </ul>	<ul style="list-style-type: none"> <li>• IWC photo for Annual Report</li> <li>• Public Hearing on IWC Annual Report (substantially final)</li> <li>• Finalize IWC Annual Report and Publication Costs</li> <li>• IWC Annual Report Press Release</li> </ul>
<b>Measure B and Measure BB Projects and Programs</b>	<ul style="list-style-type: none"> <li>• Issues Identification Process</li> <li>• IWC Projects and Programs Watchlist Next Steps</li> </ul>	<ul style="list-style-type: none"> <li>• Issues Identification Process</li> </ul>	<ul style="list-style-type: none"> <li>• Overview/Update on Measure B and Measure BB Projects and Programs</li> <li>• Issues Identification Process</li> </ul>	<ul style="list-style-type: none"> <li>• Projects and Programs Watchlist (members sign up for projects and programs) (staff to send letters to jurisdictions in July to keep IWC informed)</li> <li>• Issues Identification Process</li> </ul>	<ul style="list-style-type: none"> <li>• Issues Identification Process</li> <li>• IWC Projects and Programs Watchlist Next Steps</li> </ul>
<b>Measure B and Measure BB Compliance and Audited Financial Reports</b>	<ul style="list-style-type: none"> <li>• Measure B and Measure BB Program Compliance Report Summary</li> <li>• Independent Auditor Work Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Presentation of FY2016-17 Comprehensive Annual Financial Report by Independent Auditor</li> </ul>	<ul style="list-style-type: none"> <li>• Measure B and Measure BB FY2016-17 Compliance and Audit Reports available on Alameda CTC Website (raw data, not yet reviewed by staff)</li> </ul>	<ul style="list-style-type: none"> <li>• Measure B and Measure BB Audit Report and Program Compliance Report Review Orientation/Workshop</li> <li>• Measure B and Measure BB FY2016-17 Compliance and Audit Reports Forwarded to IWC for Review</li> </ul>	<ul style="list-style-type: none"> <li>• Measure B and Measure BB Program Compliance Report Summary</li> <li>• Independent Auditor Work Plan</li> </ul>
<b>Organizational / Standing Reports</b>	<ul style="list-style-type: none"> <li>• Election of IWC Officers for FY2017-18</li> <li>• Approve IWC FY2017-18 Annual Calendar/Work Plan</li> <li>• IWC Member Reports</li> <li>• Staff Responses to IWC Members Requests for Information</li> <li>• IWC Budget</li> </ul>	<ul style="list-style-type: none"> <li>• IWC Member Reports</li> <li>• Staff Responses to IWC Members Requests for Information</li> <li>• Review of IWC Bylaws</li> </ul>	<ul style="list-style-type: none"> <li>• IWC Member Reports</li> <li>• Staff Responses to IWC Members Requests for Information</li> </ul>	<ul style="list-style-type: none"> <li>• IWC Member Reports</li> <li>• Staff Responses to IWC Members Requests for Information</li> </ul>	<ul style="list-style-type: none"> <li>• Election of IWC Officers for FY2018-19</li> <li>• Approve IWC FY2018-19 Annual Calendar/Work Plan</li> <li>• IWC Member Reports</li> <li>• Staff Responses to IWC Members Requests for Information</li> <li>• IWC Budget</li> </ul>

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**Alameda County Transportation Commission**  
**Independent Watchdog Committee**  
**Roster - Fiscal Year 2017-2018**

7.3

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires
1	Mr.	McCalley, Chair	Murphy	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-15	Mar-17	Mar-19
2	Mr.	Hastings, Vice Chair	Herb	Dublin	Paratransit Advisory and Planning Committee	Jul-14		N/A
3	Mr.	Brown	Keith	Oakland	Alameda Labor Council (AFL-CIO)	Apr-17		N/A
4	Mr.	Buckley	Curtis	Berkeley	Bike East Bay	Oct-16		N/A
5	Mr.	Dominguez	Oscar	Oakland	East Bay Economic Development Alliance	Dec-15		N/A
6	Mr.	Jones	Steven	Dublin	Alameda County Mayors' Conference, D-1	Dec-12	Jan-17	Jan-19
7	Mr.	Lester	Brian	Pleasanton	Alameda County Supervisor Scott Haggerty, D-1	Sep-13	Jan-16	Jan-18
8	Mr.	Naté	Glenn	Union City	Alameda County Supervisor Richard Valle, D-2	Jan-15	Mar-17	Mar-19
9	Ms.	Nelson	Madeleine	Oakland	League of Women Voters	Dec-17		N/A
10	Ms.	Piras	Pat	San Lorenzo	Sierra Club	Jan-15		N/A
11	Ms.	Saunders	Harriette	Alameda	Alameda County Mayors' Conference, D-3	Jul-09	Jul-16	Jul-18
12	Mr.	Tucknott	Robert A.	Pleasanton	Alameda County Mayors' Conference, D-4	Jun-14	Jul-16	Jul-18
13	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Jun-16	Jun-18
14		Vacancy			Alameda County Supervisor Wilma Chan, D-3			
15		Vacancy			Alameda County Mayors' Conference, D-2			
16		Vacancy			Alameda County Mayors' Conference, D-5			

Alameda County Transportation Commission  
Independent Watchdog Committee  
Roster - Fiscal Year 2017-2018

17		Vacancy			Alameda County Taxpayers Association			
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