

**MEASURE B AND MEASURE BB  
Annual Program Compliance Report  
Reporting Fiscal Year 2018-2019**

**AGENCY CONTACT INFORMATION**

Agency Name: **City of Newark**

Date: 12/20/2019

**Primary Point of Contact**

Name: Myvan Khuu-Seeman

Title: Senior Administrative Analyst

Phone: (510) 578-4290

Email: [myvan.khuu-seeman@newark.org](mailto:myvan.khuu-seeman@newark.org)

---

**Agency's Certification of True and Accurate Reporting by Submission**

By submitting this Compliance Report to the Alameda County Transportation Commission, the submitting agency certifies the compliance information reported is true and complete to the best of their knowledge, and the dollar figures in the agency's Audited Financial Statement matches exactly to the revenues and expenditures reported herein.

Additionally, for the 2000 Measure B and 2014 Measure BB Direct Local Distribution (DLD) funds, pursuant to the California Public Utilities Code 180001 (e), funds generated by the transportation sales tax are to be used to supplement and not replace existing local revenues used for transportation purposes. By submit this report, the agency confirms that DLD funds are supplementing and not replacing existing local revenues used for transportation purposes.

---

**Program Compliance Report Structure**

This Reporting Form is broken into the following sections for the Measure B and BB Direct Local Distribution Programs applicable to the recipient agency.

- \* **Cover - Agency Contact**
- \* **General Compliance Reporting for all programs**
- \* **Table 1 - Summary of Revenue, Expenditures, and Changes in Fund Balance**
- \* **Table 2 - Detailed Summary of Expenditures and Accomplishments**

**MEASURE B AND MEASURE BB  
Annual Program Compliance Report Fiscal Year 2018-2019**

**TABLE 1: SUMMARY OF REVENUE, EXPENDITURES, AND CHANGES IN FUND BALANCE**

*DIRECTIONS: Complete the sections below based on the Measure B and BB Audited Financial Statements, for the applicable DLD programs for your agency. Values must match financial statements and total reported expenditures on Table 2.*

**A. 2000 MEASURE B Direct Local Distribution Programs**

	Bicycle / Pedestrian	Local Streets and Roads	Mass Transit	Paratransit	Total
<b>Beginning of Year Fund Balance</b>	\$ 120,377	\$ 654,072	\$ -	\$ 200,832	\$ 975,281
<b>Revenue</b>	\$ 166,941	\$ 557,477	\$ -	\$ 223,201	\$ 947,619
<b>Interest</b>	\$ 2,863	\$ 6,041	\$ -	\$ 5,500	\$ 14,404
<b>Expenditures</b> <small>Expenditures Matches Table 2?</small>	\$ 100,000 <small>TRUE</small>	\$ 796,948 <small>TRUE</small>	\$ - <small>#REF!</small>	\$ 103,098 <small>TRUE</small>	\$ 1,000,046
<b>End of Year Fund Balance</b>	\$ 190,181	\$ 420,642	\$ -	\$ 326,435	\$ 937,258

Notes

**B. 2014 MEASURE BB Direct Local Distribution Programs**

	Bicycle / Pedestrian	Local Streets and Roads	Mass Transit	Paratransit	Total
<b>Beginning of Year Fund Balance</b>	\$ 49,244	\$ 297,588	\$ -	\$ 275,651	\$ 622,483
<b>Revenue</b>	\$ 135,966	\$ 499,383	\$ -	\$ 139,266	\$ 774,615
<b>Interest</b>	\$ 2,839	\$ 4,329	\$ -	\$ 5,578	\$ 12,746
<b>Expenditures</b> <small>Expenditures Matches Table 2?</small>	\$ - <small>TRUE</small>	\$ 474,253 <small>TRUE</small>	\$ - <small>#REF!</small>	\$ 103,098 <small>TRUE</small>	\$ 577,351
<b>End of Year Fund Balance</b>	\$ 188,049	\$ 327,047	\$ -	\$ 317,397	\$ 832,493

Notes

**Bicycle and Pedestrian Direct Local Distribution Program  
Reporting Period - Fiscal Year 2018-19**

**GENERAL COMPLIANCE REPORTING**

1. Indicate the adoption year of the most current Bicycle/Pedestrian Master Plans, as applicable.

	Adoption Year
Bicycle Master Plan	
Pedestrian Master Plan	
Bike/Ped Master Plan	2017

If the plans are over five-years past the last adoption year, specify when your agency's will perform its next update.

*Indicate N/A, if not applicable.*

N/A

2a. How much of the program fund balance is encumbered into active contracts/projects?

*Encumbered value should be less than or equal to the available balance.*

		\$ Encumbered
MB Balance	\$ 190,181	\$ -
MBB Balance	\$ 188,049	\$ -
<b>Total</b>	\$ 378,230	\$ -

2b. Why is there a fund balance? *Indicate N/A, if not applicable.*

The City of Newark has an approved Biennial Budget and Capital Improvement Plan for Fiscal Years 2018-2020. The Biennial Budget includes an increased budget for the Street Maintenance Program and Curb, Gutter, Sidewalk Replacement Program for both fiscal years 2018-2019 and 2019-2020 and adds the Lindsay Tract and Storm Drain Improvement CIP project. Measure B/BB funds will be used for these projects. Newark will continue to monitor remaining MeasureB/BB fund balances and adjust project scope accordingly.

Additionally, the timing of these projects (which typically begin at the end of one fiscal year and are completed early in the following fiscal year) may provide the appearance that funding is not being maximized during a particular fiscal year. Funds are generally fully expended during the construction season of the concluding fiscal year, but the majority of the construction activity and therefore the expenditure of funding typically occurs in the early part of the new fiscal year.

2c. Specify any large planned uses of fund balances within this program and their status i.e. planned or underway.

Project Title	Brief Project Description	DLD Amount	Project Status
CIP #1238: Lindsey Tract Street and Storm Drainage Improvements (Measure B/BB) (FY19-20 and FY20-21)	Complete reconstruction of Lindsey Tract Streets, including replacement of existing sidewalks, replacement of rolled curbs, and street construction for a segment of street with no existing curb, gutter, and sidewalk.	\$ 369,000	Planned
CIP #1247: 2019 Curb, Gutter, Sidewalk Replacement Program (Measure BB) (FY19-20)	Remove and replace damaged sidewalks, curbs, and gutters throughout the City. Improved pedestrian and bicycle safety.	\$ 200,000	Planned
CIP #1101: Citywide Accessible Pedestrian Ramps (Measure B)	Retrofit of existing ramps at street intersections with detectable warning surfaces for conformance with current ADA requirements.	\$ 47,200	Planned

3. Confirm all expenditures were governing body approved (Yes/No).

Yes

4. Confirm the completion of the publicity requirements in the table below (Yes/No).

	Measure B	Measure BB	Copy of article, website, signage attached?	If applicable, briefly explain why the publicity requirement wasn't completed.
Article	Yes	Yes	Yes	
Website	Yes	Yes	Yes	
Signage	Yes	Yes	Yes	

**Bicycle and Pedestrian Direct Local Distribution Program  
Reporting Period - Fiscal Year 2018-19**

**TABLE 2: DETAILED SUMMARY OF EXPENDITURES AND ACCOMPLISHMENTS**

Provide a detailed summary of Measure B and BB Expenditures for the reporting fiscal year.  
- Expenditure total must correspond to your Audited Financial Statements, and Table 1 values.

No.	Project Category <i>(Drop-down Menu)</i>	Project Phase <i>(Drop-down Menu)</i>	Project Type <i>(Drop-down Menu)</i>	Primarily Capital or Administrative Expenditure?	Project Name	Project Description/Benefits	Quantity Completed in FY 18-19	Units for Quantity <i>(Drop-down Menu)</i>	Additional description on units or expanded detail on expenditures, performance, accomplishments	Measure B DLD Expenditures	Measure BB DLD Expenditures
1	Bike/Ped	Construction	Sidewalks and Ramps	Capital	CIP Project #1229: 2019 Curb, Gutter, and Sidewalk Replacement Program	Removed and replaced damaged sidewalks, curbs, and gutters throughout the City and retrofitted ramps for ADA compliance.	19	Other	19 ramps were retrofitted as part of the curb, gutter, sidewalk replacement program at street intersections. The ramps have detectable warning surfaces for conformance with current ADA requirements.	\$ 100,000	
<b>Total Percentage of Capital vs Administrative Costs</b>				100%							
a. Total Capital				\$ 100,000							
b. Total Administrative				\$ -							
									<b>TOTAL</b>	\$ 100,000	\$ -
									<b>Match to Table 1?</b>	TRUE	TRUE

Is the total percentage of Capital vs Program Administration (outreach, staffing, administrative support) Costs GREATER THAN 50%? If not, explain how capital investments will increase in the future.

Yes.

**Local Streets and Roads (LSR) Direct Local Distribution Program  
Reporting Period - Fiscal Year 2018-19**

**GENERAL COMPLIANCE REPORTING**

**1. What is agency's current Pavement Condition Index (PCI)?**

PCI =

Use PCI from the most recent MTC's VitalSigns linked here:

<http://www.vitalsigns.mtc.ca.gov/street-pavement-condition>

**If your PCI falls below a score of 60 (fair condition), specify what actions are being implemented to increase the PCI.**

Indicate N/A, if not applicable.

N/A

**2a. How much of the program fund balance is encumbered into active contracts/projects?**

Encumbered value should be less than or equal to the available balance.

		\$ Encumbered
MB Balance	\$ 420,642	\$ 868,000
MBB Balance	\$ 327,047	\$ 178,000
<b>Total</b>	<b>\$ 747,689</b>	<b>\$ 1,046,000</b>

**2b. Why is there a fund balance?** Indicate N/A, if not applicable.

The City of Newark has an approved Biennial Budget and Capital Improvement Plan for Fiscal Years 2018-2020. The Biennial Budget includes an increased budget for the Street Maintenance Program and Curb, Gutter, Sidewalk Replacement Program for both fiscal years 2018-2019 and 2019-2020 and adds the Lindsay Tract and Storm Drain Improvement CIP project. Measure B/BB funds will be used for these projects. Newark will continue to monitor remaining MeasureB/BB fund balances and adjust project scope accordingly.

Additionally, the timing of these projects (which typically begin at the end of one fiscal year and are completed early in the following fiscal year) may provide the appearance that funding is not being maximized during a particular fiscal year. Funds are generally fully expended during the construction season of the concluding fiscal year, but the majority of the construction activity and therefore the expenditure of funding typically occurs in the early part of the new fiscal year.

**2c. Specify any large planned uses of fund balances within this program and their status i.e. planned or underway.**

Project Title	Brief Project Description	DLD Amount	Project Status
CIP #1238: Lindsay Tract Street and Storm Drainage Improvements (Measure B/BB) (FY19-20 and FY20-21)	Complete reconstruction of Lindsay Tract Streets, including replacement of existing sidewalks, replacement of rolled curbs, and street construction for a segment of street with no existing curb, gutter, and sidewalk.	\$ 9,000	Planned
CIP #1227 and #1228: 2019 Street Maintenance Program (Measure B/BB) (FY19-20) ENCUMBERED (see above)	Overlay various streets with asphalt concrete. Restored worn out pavement to full serviceability and improved traffic safety by replacing pavement surface and traffic striping.	\$ 104,050	Underway
CIP #1245 and #1246: 2020 Street Maintenance Program (Measure B/BB) (FY19-20 and FY20-21) ENCUMBERED \$941,950 (see above)	Overlay various streets with asphalt concrete. Restored worn out pavement to full serviceability and improved traffic safety by replacing pavement surface and traffic striping.	\$ 1,323,000	Underway
CIP #1247: 2020 Curb, Gutter, Sidewalk Replacement Program (Measure BB) (FY19-20)	Remove and replace damaged sidewalks, curbs, and gutters throughout the City. Improved pedestrian and bicycle safety.	\$ 200,000	Planned
CIP #1234: Citywide Accessible Pedestrian Ramps (Measure BB)	Retrofit of existing ramps at street intersections with detectable warning surfaces for conformance with current ADA requirements.	\$ 20,000	Planned

**3. Confirm all expenditures were governing body approved (Yes/No).**

**4. Confirm the completion of the publicity requirements in the table below (Yes/No).**

	Measure B	Measure BB	Copy of article, website, signage attached?	If applicable, briefly explain why the publicity requirement wasn't completed.
<b>Article</b>	Yes	Yes	Yes	
<b>Website</b>	Yes	Yes	Yes	
<b>Signage</b>	Yes	Yes	Yes	

**Local Streets and Roads Direct Local Distribution Program  
Reporting Period - Fiscal Year 2018-19**

**TABLE 2: DETAILED SUMMARY OF EXPENDITURES AND ACCOMPLISHMENTS**

Provide a detailed summary of Measure B and BB Expenditures for the reporting fiscal year.  
- Expenditure total must correspond to your Audited Financial Statements and Table 1 values

No.	Project Category <i>(Drop-down Menu)</i>	Project Phase <i>(Drop-down Menu)</i>	Project Type <i>(Drop-down Menu)</i>	Primarily Capital or Administrative Expenditure?	Project Name	Project Description/Benefits	Quantity Completed in FY 18-19	Units for Quantity <i>(Drop-down Menu)</i>	Additional description on units or expanded detail on expenditures, performance, accomplishments	Measure B DLD Expenditures	Measure BB DLD Expenditures
1	Streets/Rds	Construction	Street Resurfacing/Maintenance	Capital	CIP Project #1227 and #1228: 2019 Street Maintenance Program	Overlay various streets with asphalt concrete. Restored worn out pavement to full serviceability and improved traffic safety by replacing pavement surface and traffic striping.	50,500	Square Feet	50,500 square feet of patch paving was completed.	\$ 345,948	\$ -
2	Bike/Ped	Construction	Sidewalks and Ramps	Capital	CIP Project #1229: 2019 Curb, Gutter, and Sidewalk Replacement Program	Removed and replaced damaged sidewalks, curbs, and gutters throughout the City.	4,500	Linear Feet	Sidewalk (900 linear feet) and curb and gutter (3,600 linear feet) replacement totals, project-wide.	\$ -	\$ 300,050
3	Streets/Rds	Construction	Street Resurfacing/Maintenance	Capital	CIP Project #1179 and #1180: 2018 Street Maintenance Program	Overlay various streets with asphalt concrete. Restored worn out pavement to full serviceability and improved traffic safety by replacing pavement surface and traffic striping.	8	Lane Miles	Asphalt Concrete Overlay improvements, including crosswalk, school crossing, and asphalt work, which enhances pedestrian and bicycle safety.	\$ 451,000	\$ 174,203
<b>Percentage of Capital vs Administrative Costs</b>				100%							
a. Total Capital				\$ 1,271,202							
b. Total Administrative				\$ -							
									<b>TOTAL</b>	\$ 796,948	\$ 474,253
									<b>Match to Table 1?</b>	TRUE	TRUE

If your agency did not expend greater than 50% of total costs on Capital Investments, explain how capital investments will increase in the future over Program Administration (outreach, staffing, administrative support). Indicate N/A if not applicable.

N/A

A minimum of 15% of Measure BB LSR funds are required to be expended on bike/pedestrian Improvements.

In this fiscal year, how much of Measure BB LSR funds were expended on bike/pedestrian improvements?	\$ 323,144
Percent of Measure BB LSR funds expenditures on bike/pedestrian improvements:	68.1%
Meets minimum 15% threshold?	TRUE

If your agency did not meet the 15% minimum expenditure requirement this fiscal year, explain why.

N/A

**Paratransit Direct Local Distribution Program  
Reporting Period - Fiscal Year 2018-19**

**GENERAL COMPLIANCE REPORTING**

**1a. How much of the balance identified here is encumbered into active contracts and projects?**

*Encumbered value should be less than or equal to the available balance.*

		\$ Encumbered
MB Balance	\$ 326,435	\$ 50,000
MBB Balance	\$ 317,397	\$ 50,000
<b>Total</b>	\$ 643,832	\$ 100,000

**2b. Why is there a fund balance?** *Indicate N/A, if not applicable.*

The Measure B and BB fund balances will be expended on the two services listed below through a contract for services with the City of Fremont. Fund balances will be used for issues related to increased service demands and revenue fluctuations.

Due to the significant paratransit Measure B/BB fund balance, the City of Newark is planning to use a portion of the paratransit funds on eligible capital improvements that have a general benefit nexus to seniors and persons with disabilities. For example, in FY19-20, Newark plans to use \$120,000 towards retrofitting existing ramps at street intersections for conformance with current ADA requirements. The City of Newark will continue to explore similar CIP projects to determine paratransit funding eligibility and use.

**1c. Specify any large planned uses of fund balances within this program and their status i.e. planned or underway.**

Project Title	Brief Project Description	DLD Amount	Project Status
Ride-On Tri-City! Wheelchair Van	Accessible door-to-door, advance registration	\$ 50,000	
Ride-On Tri-City! Taxi Service	Same-day transportation for individuals	\$ 50,000	
CIP #1247: 2020 Curb, Gutter, Sidewalk Replacement Program (Measure BB) (FY19-20)	Retrofit of existing ramps at street intersections with detectable warning surfaces for conformance with current ADA requirements.	\$ 120,000	Planned
		\$ -	
		\$ -	

**4. Confirm all expenditures were governing body approved (Yes/No).**

Yes

**5. Confirm the completion of the publicity requirements in the table below (Yes/No).**

	Measure B	Measure BB	Copy of Article, website, signage Attached?	If applicable, briefly explain why the publicity requirement wasn't completed.
<b>Article</b>	Yes	Yes	Yes	
<b>Website</b>	Yes	Yes	Yes	
<b>Signage</b>	Yes	Yes	Yes	

Paratransit Direct Local Distribution Program  
Reporting Period - Fiscal Year 2018-19

**TABLE 2: DETAILED SUMMARY OF EXPENDITURES AND ACCOMPLISHMENTS**

Provide a detailed summary of Measure B and BB Expenditures for the reporting fiscal year.  
- Expenditure total must correspond to your Audited Financial Statements and Table 1 values.

No.	Project Category <i>(Drop-down Menu)</i>	Project Phase <i>(Drop-down Menu)</i>	Project Type <i>(Drop-down Menu)</i>	Project Name	Project Description/Benefits	Quantity Completed in FY 18-19	Units for Quantity <i>(Drop-down Menu)</i>	Additional description on units or expanded detail on expenditures, performance, accomplishments	Measure B DLD Expenditures	Measure BB DLD Expenditures	Other Fund Expenditures	Total Cost
1	Senior and Disabled Services	Operations	City-based Door-to-Door	Ride-On Tri-City!	Provides local door to door rides for seniors and disabled persons who cannot access fixed route transportation services. Provides rides for medical appointments, grocery shopping, places of worship, social and recreation opportunities and visits with friends.	4,413	Number of One-Way Unduplicated Trips		\$ 80,816	\$ 80,816	\$ -	\$ 161,632
2	Senior and Disabled Services	Operations	Same Day/Taxi Program	City of Newark/Fremont Same Day Taxi Voucher Program	Provides same day subsidized Taxi Voucher rides for seniors and disabled who cannot access fixed route services. Provides rides to places of worship, medical appointments, shopping trips, social and recreation opportunities and visits with friends and relatives.	1,977	Number of One-Way Unduplicated Trips		\$ 18,782	\$ 18,782	\$ -	\$ 37,564
3	Senior and Disabled Services	Operations	Meal Delivery	Life Elder Care Meals on Wheels	Provides hot and nutritious meal delivery to home-based Newark seniors. Also provides a daily well-check of program participants.	14,305	Other	Meals Delivered	\$ 3,500	\$ 3,500	\$ -	\$ 7,000
<b>TOTAL</b>									\$ 103,098	\$ 103,098	\$ -	\$ 206,196
<b>Match to Table 1?</b>									TRUE	TRUE		