Chair:

Steven Jones

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

Patricia Reavey

Independent Watchdog Committee Meeting Agenda Monday, March 9, 2020, 5:30 p.m.

Staff Liaison:

Vice Chair: Public Meeting Coordinator: Murphy McCalley **Angie Ayers** 1. Special Annual Compliance Review Page/Action 1.1. Orientation/Workshop on Measure B and Measure BB Direct Local 1 I Distribution Audit and Compliance Reports 1.2. Measure B and Measure BB FY2018-19 Direct Local Distribution Audit and Program Compliance Reports (link to reports listed below) https://www.alamedactc.org/funding/reporting-and-grant-forms/ **REGULAR MEETING AGENDA** (immediately follows compliance review) 1. Call to Order 2. Roll Call 3. Public Comment 4. IWC Photo for Annual Report 5. Meeting Minutes Page/Action 5.1. Approve January 13, 2020 IWC Meeting Minutes 13 6. Establishment of IWC Annual Report Ad Hoc Subcommittee 6.1. Establish an IWC Annual Report Subcommittee and schedule the first Ad Hoc Subcommittee meeting 7. Projects and Programs Watchlist 7.1. Projects and Programs Watchlist update (sign up to monitor projects 17 and programs) 8. IWC Member Reports/Issues Identification 8.1. Chair's Report 8.2. Member Reports 8.3. IWC Issues Identification Process and Form 21

9.1. Staff Responses to IWC Members Requests for Information 9.2. IWC Calendar 9.3. IWC Roster 25 I 27 I 10. Adjournment

Next Meeting: Monday, July 13, 2020

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.

 <u>Directions and parking information</u> are available online.



Alameda CTC Schedule of Upcoming Meetings for March through April 2020

510.208.7400

Commission and Committee Meetings

Time	Description	Date
2:00 p.m.	Alameda CTC Commission Meeting	March 26, 2020
		April 23, 2020
9:30 a.m.	Finance and Administration Committee (FAC)	
10:00 a.m.	Programs and Projects Committee (PPC)	April 13, 2020
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	

Advisory Committee Meetings

1:30 p.m.	Paratransit Advisory and Planning Committee (PAPCO)	March 23, 2020
1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	April 9, 2020
5:30 p.m.	Bicycle and Pedestrian Advisory Committee	April 30, 2020

All meetings are held at Alameda CTC offices located at 1111 Broadway, Suite 800, Oakland, CA 94607. Meeting materials, directions and parking information are all available on the <u>Alameda CTC website</u>. Meetings subject to change.

Commission Chair

Mayor Pauline Russo Cutter City of San Leandro

Commission Vice Chair

Councilmember John Bauters City of Emeryville

AC Transit

Board Vice President Elsa Ortiz

Alameda County

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

BART

Vice President Rebecca Saltzman

City of Alameda

Mayor Marilyn Ezzy Ashcraft

City of Albany

Mayor Nick Pilch

City of Berkeley

Mayor Jesse Arreguin

City of Dublin

Mayor David Haubert

City of Fremont

Mayor Lily Mei

City of Hayward

Mayor Barbara Halliday

City of Livermore

Mayor John Marchand

City of Newark

Councilmember Luis Freitas

City of Oakland

Councilmember At-Large Rebecca Kaplan Councilmember Sheng Thao

City of Piedmont

Mayor Robert McBain

City of Pleasanton

Mayor Jerry Thorne

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Tess Lengyel





Memorandum

1111 Broadway, Suite 800, Oakland, CA 94607

PH: (510) 208-7400

www.AlamedaCTC.ora

DATE: March 2, 2020

TO: Independent Watchdog Committee

FROM: John Nguyen, Principal Transportation Planner

SUBJECT: Orientation/Workshop on Measure B and Measure BB Direct Local

Distribution Audit and Compliance Reports

Recommendation

Receive an orientation on Fiscal Year 2018-19 (FY2018-19) 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 Audited Financial Statements and Compliance Reports to Alameda CTC that summarize the prior fiscal year's financial and project expenditure activity and fund balances. This year's compliance reporting period is for FY2018-19.

Recipients' reports for this reporting period are posted on the Alameda CTC website and are available for review by the Independent Watchdog Committee (IWC) to verify compliance with the 2000 Measure B Transportation Expenditure Plan (2000 TEP) and 2014 Measure BB Transportation Expenditure Plan (2014 TEP) requirements.

Alameda CTC staff developed a Program Compliance Review Guide to orient IWC members through the details of the Audited Financial Statements and compliance reports.

Background

A portion of Measure B and Measure BB sales tax revenues are distributed, according to 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 FY2018-19 reporting period were due to Alameda CTC by December 27, 2018. Alameda CTC conducted a preliminary review of the reports submitted, and some requests were made for recipients to revise and resubmit 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 at the following link: https://www.alamedactc.org/funding/reporting-and-grant-forms/. 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) was created to provide IWC members with an outline of the compliance reporting structure and key elements to assist in their 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's review comments are due to the Alameda CTC by March 20, 2020. IWC member's comments may be sent to the Alameda CTC staff, John Nguyen, via email at inguyen@alamedactc.org. An IWC comment form is also available for use (Attachment B, available for download at https://www.alamedactc.org/wp-content/uploads/2019/02/IWC_MB-MBB_ComplianceReviewForm.xlsx). Alameda CTC staff will forward the IWC member's inquiries to the DLD recipients, and responses will be brought back to the next IWC meeting in July. The review schedule is as follows:

Program Compliance Re	eview Schedule
By December 27, 2019	Recipients' Audited Financial Statements and Compliance
	Reports Due
January 2020	Alameda CTC reviews and requests revisions to the
	recipient reports (as necessary).
February 2020	Recipients submit revised reports; revised reports posted
	onto Alameda CTC's website.
March 09, 2020	Program Compliance Review Orientation Workshop
(IWC Meeting)	 Staff provides general review guidance
March 20, 2020	IWC comments due to Alameda CTC
April 2020	IWC comments forwarded to recipients for response
July 2020	IWC receives response to comments and summary report

Fiscal Impact: There is no fiscal impact. This is an information item only.

Attachments:

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

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PH: (510) 208-7400

www.AlamedaCTC.org

Measure B and Measure BB Program Compliance Review Guide For Fiscal Year 2018-19

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 assist IWC members in their review.

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"): 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 receive 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 reporting directly to the public with respect to its conclusions regarding expenditures under 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.

- A. IWC: The IWC members conduct a review of audited financial statements and compliance reports. IWC members may submit questions to staff regarding the reports submitted by DLD 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 to verify data accuracy and ensure they are complete. The compliance review process follows the timeline detailed below.

1.6 Timeline

For fiscal year 2018-2019 reporting, the timeline is as follows:

Program Compliance R	eview Schedule
By December 27, 2019	Recipients' Audited Financial Statements and
	Compliance Reports Due
January 2020	Alameda CTC reviews and requests revisions to the
	recipient reports (as necessary).
February 2020	Recipients submit revised reports; revised reports posted
	onto Alameda CTC's website.
March 09, 2020	Program Compliance Review Orientation Workshop
(IWC Meeting)	 Staff provides general review guidance
	 Hardcopies of reports made available
March 20, 2020	IWC comments due to Alameda CTC
March 20-30, 2020	Staff accumulates and organizes IWC comments and
	questions for distribution to recipients
April 2020	IWC comments forwarded to recipients for response
July 2020	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 DLD funds received.
- B. Expenditures types are identifiable as transportation related expenditures, and there are no arbitrary expenditure line items, such as fund transfers.
- 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 fund type.
- D. The project information is specific or detailed enough to show that 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 DLD program funds received and expended. The Program Compliance Report is organized in the following order and includes the following:

- Cover: Agency Contact Information and DLD Recipient's Confirmation that DLD funds were not used to supplement or replace existing local revenues used for transportation purposes.
- 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 table includes a summary of revenues and expenditures for the fiscal year.

 The figures reported in this table must tie to the Audited Financial Statements and Compliance report (Table 1 and 2).
- Table 2 Detailed Summary of Expenditures and Accomplishments: this table 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 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 from the prior fiscal year and raises any concerns they might have regarding compliance with TEP requirements. Recipients have the flexibility to expend funds on projects/programs as approved through their own local public process. However, if an expenditure does not appear to fit within programmatic requirements, 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: https://www.alamedactc.org/funding/reporting-and-grant-forms/.

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 on bicycle and pedestrian improvements over the life of the Measure BB program.

Table 2: Detailed Summary of Expenditures and Accomplishments includes a section for jurisdictions to report LSR expenditures used towards bicycle/pedestrian improvements. DLD recipients are advised to expend a minimum of 15 percent annually to ensure long-term compliance; however, this is not required. Alameda CTC monitors compliance with this requirement over the life of the measure and will report the status of DLD recipient's compliance periodically through the annual 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 reporting requirements, approved by the Commission, are included in the DLD recipient's MPFA.

Refer to the Alameda CTC's website for Performance Measures that are required to be reported per the MPFA: https://www.alamedactc.org/funding/reporting-and-grant-forms/.

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

Performance reporting will be done through a variety of Alameda CTC's reporting processes including 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 Compliance Review Form
	Agency	Reviewer's Comments Transit Agencies and Authorities
1	AC Transit	Talisit Agencies and Admontes
	Audited Financial Statement	
	Mass Transit Paratransit	
2	BART	
	Audited Financial Statement Paratransit	
3	LAVTA	
	Audited Financial Statement	
	Mass Transit Paratransit	
4	WETA (Alameda Ferries)	
	Audited Financial Statement Mass Transit	
5	Altamont Commuter Express (ACE)	
	Audited Financial Statement Mass Transit	
	Wass Transic	Alameda County Agencies
6	Alameda County (ACPWA)	
	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
		City Agencies
7	City of Alameda	
	Audited Financial Statement Bicycle/Pedestrian	
	Local Streets & Roads	
8	Paratransit City of Albany	
	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
Q	Paratransit City of Berkeley	
′	Audited Financial Statement	
	Bicycle/Pedestrian	
	Local Streets & Roads Paratransit	
10	City of Dublin	
	Audited Financial Statement Bicycle/Pedestrian	
11	Local Streets & Roads City of Emeryville	
''	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
	Paratransit	
12	City of Fremont	
	Audited Financial Statement Bicycle/Pedestrian	
	Local Streets & Roads Paratransit	
13	City of Hayward	
	Audited Financial Statement Bicycle/Pedestrian	
	Local Streets & Roads	
14	Paratransit City of Livermore	
	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
15	City of Newark	
	Audited Financial Statement Bicycle/Pedestrian	
	Local Streets & Roads	
16	Paratransit City of Oakland	
	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
17	Paratransit City of Piedmont	
''	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
18	City of Pleasanton	
	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
19	Paratransit City of San Leandro	
	Audited Financial Statement	
	Bicycle/Pedestrian Local Streets & Roads	
	Paratransit	
20	City of Union City / Union City Tran	nsit
	Audited Financial Statement Bicycle/Pedestrian	
	Local Streets & Roads Mass Transit	
L	Paratransit	

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



Independent Watchdog Committee Meeting Minutes Monday, January 13, 2020, 5:30 p.m.

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.740

www.AlamedaCTC.org

1. Call to Order

Independent Watchdog Committee (IWC) Chair Steve Jones called the meeting to order.

2. Roll Call

A roll call was conducted and all members were present with the exception of Curtis Buckley, Oscar Dominguez, Glenn Nate, Carmen Rivera-Hendrickson, Karina Ryan, Carl Tilchen, Hale Zukas. A quorum was not present and the Chair moved item 5.1 before 4.1.

Subsequent to the roll call:

Carmen Rivera-Hendrickson, Karina Ryan, and Carl Tilchen arrived during item 5.1.

3. Public Comment

There were no public comments.

4. Meeting Minutes

(This item was presented after 5.1)

4.1. Approval of November 18, 2019 IWC Meeting Minutes

Pat Piras suggested the following amendments to the minutes:

- Second sentence on page 3 under item 6.1 change "its" to "it's" and change "the proposed" to "a proposed"
- Add a sentence after the first sentence for item 8.2 "committee members expressed appreciation."

Pat Piras made a motion to approve this item with these amendments. Carl Tilchen seconded the motion. The motion passed with the following votes:

Yes: Brown, Jones, McCalley, Piras, Rivera-Hendrickson, Rubin, Ryan, Tilchen

No: None Abstain: None

Absent: Buckley, Dominguez, Nate, Zukas

5. Independent Projects and Programs

5.1. Measure B and Measure BB Program Update

(This item was presented before 4.1)

John Nguyen provided an update on Alameda CTC's Direct Local Distribution (DLD) programs, including a review of the current DLD fund balances and

program compliance monitoring processes. Mr. Nguyen noted that Alameda CTC received the financial and compliance reports from all DLD recipients for the fiscal year 2018-19 reporting period, with the exception of the City of Union City due to a computer virus that impacted their systems. Mr. Nguyen also provided an overview of the Measure B and Measure BB discretionary programs and its oversight process.

Carl Tilchen asked if the Measure BB funds were available for a certain project in the Dumbarton corridor. Mr. Nguyen stated that it is possible if the project aligns with the intent and eligibilities defined for the Dumbarton Corridor Area Improvements within the 2014 Transportation Expenditure Plan.

Pat Piras asked, if something is a multi-year project, can it be broken into phases for reimbursement. Mr. Nguyen stated that projects can be segmental and there would be specific agreement controls to ensure scope and phase delivery.

Murphy McCalley asked what the current fund balance of the discretionary programs is. Mr. Nguyen stated that it varies by program, and available discretionary funds will be identified in the Fall of 2020 as part of a new programming cycle of discretionary funds.

Pat Piras suggested Alameda CTC share a summary sheet of the paratransit programs with the IWC. She noted that it may be useful for the committee to have context of the different paratransit programs. Ms. Reavey stated that she will provide the committee with the information.

This item is for information only.

5.2. Measure B and Measure BB Capital Projects Update

(This item was presented after 4.1)

John Pulliam provided an update on Measure B and Measure BB capital projects. The presentation covered funding highlights from the sales tax programs as well as information on project management and corridor improvements. Mr. Pulliam provided details on projects directly managed by Alameda CTC, updating the committee on 2019 milestones, achievements, as well as expected milestones for the coming year.

Pat Piras asked if the Oakland-Alameda Access Project is in the environmental process and may comments be made. Mr. Pulliam confirmed the project is in the environmental review process and comments may be made.

Cal Tilchen asked if the I-680 Express Lanes from SR-84 to Alcosta Boulevard (Gap Closure) Project will make the lanes less bumpy. Mr. Pulliam stated that Alameda CTC intends to combine the Alameda CTC Southbound Express Lanes project with the Caltrans Pavement Rehabilitation project, which will address pavement conditions on both the southbound and northbound sides.

Carmen River-Hendrickson asked about the outreach associated with the Dublin Boulevard Extension Project, and noted that there are two farms in that areas. Mr. Pulliam noted the City of Dublin is working with the property owners who are in support of the project.

Tom Rubin asked what the county will get with the Rail Safety Enhancement Program. Mr. Pulliam stated that the benefits of the project are to provide safety improvements at the existing at-grade crossings.

Tom Rubin commented that there are proposed projects around the county such as the 980 corridor improvements, a second BART tube, and a new A's stadium that will have an impact on transit. Mr. Pulliam stated that staff is aware of the projects around the county and their impact on Alameda CTC's projects.

This item is for information only.

6. Measure B/Measure BB Compliance and Audited Financial Reports

6.1. Fiscal Year 2018-19 Measure B/BB Compliance Review Process Update

John Nguyen gave an update on the annual program compliance report review process for Measure B and Measure BB DLD recipients. He stated that all recipients submitted the required audited financial statements and program compliance reports, with the exception of the City of Union City, and the 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 consistent reporting of data across the reports. He noted the final reports will be available for IWC review in March 2020.

Pat Piras commented that the way the reports were setup on the website last year made them difficult to read. Mr. Nguyen stated hardcopies will be available in the March.

This item is for information only.

7. IWC Member Reports/Issues Identification

7.1. Chair's Report

Chair Steve Jones stated that he did not have new items to report.

7.2. Member Reports

There were no member reports.

7.3. IWC Issues Identification Process and Form

Patricia Reavey explained that the Issues Identification 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. Ms. Reavey noted that the Alameda CTC emailed the fillable form to the committee after the November 2019 meeting.

This item is for information only.

8. Staff Reports

8.1. Staff Response to Request for Information

Patricia Reavey noted that this item was included to show responses to questions from IWC members following the previous committee meeting.

This item is for information only.

8.2. IWC Calendar

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

8.3. IWC Roster

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

Tom Rubin asked how often Alameda CTC reaches out to the appointers, and Ms. Reavey stated that she has contacted the representative from the Mayors' Conference who has several vacancies many times.

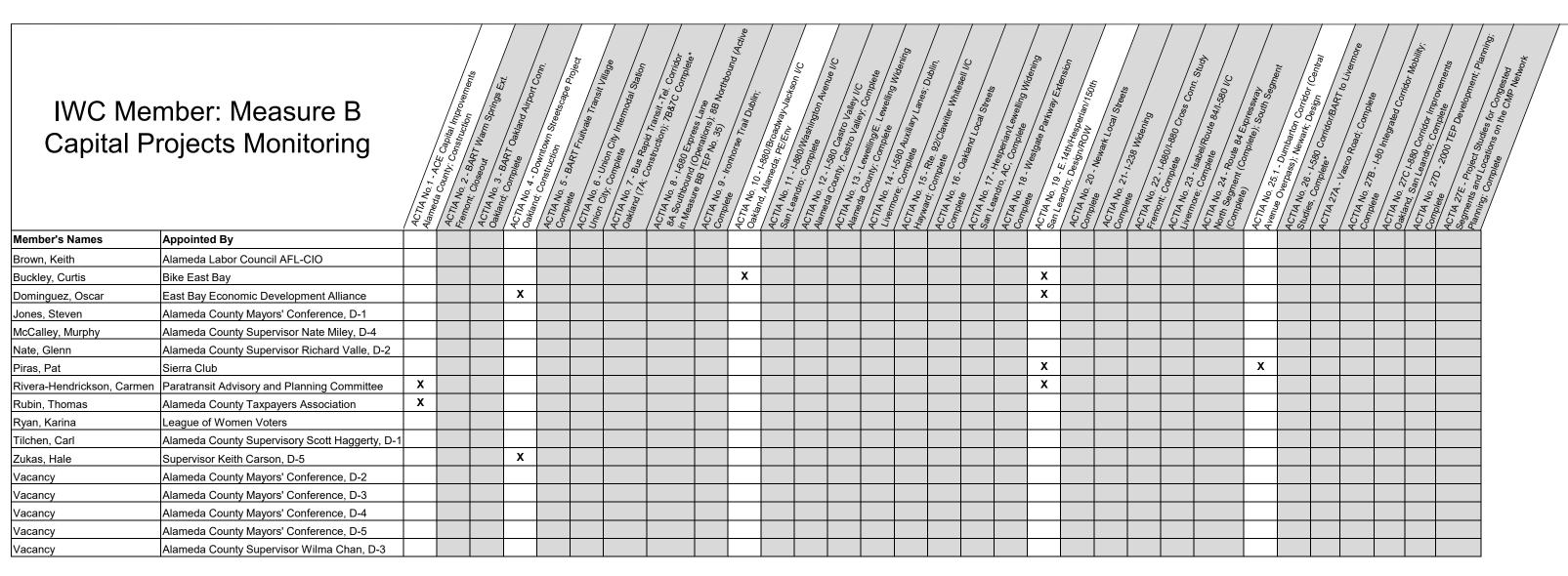
Pat Piras stated that she gets the Mayors' Conference agendas and she didn't remember seeing the IWC vacancies on their agenda, and Ms. Reavey responded that she would follow up with the Mayors' Conference to make sure Alameda CTC's IWC vacancies are on their agenda going forward until they are filled.

Tom Rubin asked about Alameda CTC's process for the Executive Director replacement and her replacement position. Ms. Reavey stated that a nationwide search took place to determine the best selection for the Executive Director and Tess Lengyel did get the job effective December 31, 2019. That is the only change to date that has been made to staffing.

9. Adjournment

The meeting adjourned at 6:35 p.m. The next meeting is scheduled for January 13, 2020 at the Alameda CTC offices.

Alameda CTC Measure B Capital Projects For Fiscal Year 2019-2020



Notos

The Projects Marked with an "X" above are those I am interested in monitoring.

PE/ENV = Preliminary Engineering/Environmental

Signature			

^{*} Measure B funding Commitment met.

	mber: Measure BB Projects Monitoring	PEP No. 13 - Tal	TEP No.14 - Alc.	TEP No. 15	TEP No. 16 - Com	TEP No. 17 - Inc. Broadway Corrid	TEP No. 18 - B.	TEP No.20 - BATT.	TEP NO.22-11	TEP No.24.	TEP No.29 - 1.80	TEP No. 30 - Lesign Street Interch.	TEP No.31 - Sp. Interchange Im.	TEP No.32 - SP S.	TEP No.33 - 1.500 Closeon, Widen	TEP No.35 - 160	TEP No. 36 - Leg and D. Ane from	TEP No.37 - Los	September 200 Broadway/Jackson from A South 30 L.s.	TEP No.39 THE POST INTO THE CHARGE INTO THE PROPERTY. IMPROVE: 1-180	ements, Environmental Parkway Interchange	
Member's Names	Appointed By																					
Brown, Keith	Alameda Labor Council AFL-CIO		Х	Х																		
Buckley, Curtis	Bike East Bay											Х									j	
Dominguez, Oscar	East Bay Economic Development Alliance										X		Х	X		Х]	
Jones, Steven	Alameda County Mayors' Conference, D-1	Х						X]	
McCalley, Murphy	Alameda County Supervisor Nate Miley, D-4		X	Х			X	Х									X		X	X	<u> </u>	
Nate, Glenn	Alameda County Supervisor Richard Valle, D-2]	
Piras, Pat	Sierra Club	Х	X		Х	X	X	X	Х	X			Х	X	X	Х	X	X	X	X]	
Rivera-Hendrickson, Carmen	Paratransit Advisory and Planning Committee	Х		Х				Х					Х	Х	X	Х	Х		Х			
Rubin, Thomas	Alameda County Taxpayers Association		Х	Х				Х		X					X							
Ryan, Karina	League of Women Voters]	
Tichen, Carl	Alameda County Supervisor Scott Haggerty, D-1]	
Zukas, Hale	Supervisor Keith Carson, D-5	Х		Х	Х	X	X	X	X			X			X						1	
Vacancy	Alameda County Mayors' Conference, D-2																				1	
Vacancy	Alameda County Mayors' Conference, D-3																			<u> </u>	1	
Vacancy	Alameda County Mayors' Conference, D-4																				1	
Vacancy	Alameda County Mayors' Conference, D-5																				1	
Vacancy	Alameda County Supervisor Wilma Chan, D-3																				<u> </u>	

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

Signature

Alameda CTC Measure B/BB Direct Local Distributions and Grants For Fiscal Year 2019-2020

	/ Measure BB al Distributions and	Alame	Albani, J. S.P. P.C.	Berke, LSR, P. C.	^ ` /	Emerii (80, 4.50, G)	/	Hayung (SR, P. C.)	Livery (BP, LSR, P.	News. (8P, (SP, C)	Oaklo LSR, P	Piedm (BP, LSR, P.	Please (SR, G)	San , San , LSP ,	Union (BP, LSB	Alam LSR C	AC T. County (BP ,	Alter	BART Comidor Ext	(A) 7, G) (7, G)	Union G.	WETA Transit Operation	Ferry Services (T, G)
Member's Name	Appointed By																						İ
Brown, Keith	Alameda Labor Council AFL-CIO										X											<u> </u>	i
Buckley, Curtis	Bike East Bay			X																			i
Dominguez, Oscar	East Bay Economic Development Alliance										X			X									i
Jones, Steven	Alameda County Mayors' Conference, D-1				X				X				X										i
McCalley, Murphy	Alameda County Supervisor Nate Miley, D-4																X						i
Nate, Glenn	Alameda County Supervisor Richard Valle, D-2																						i
Piras, Pat	Sierra Club		X	X	X		X	X		X	X			X	X	X	X	X	X	X	X	X	i
Rivera-Hendrickson, Carmen	Paratransit Advisory and Planning Committee				X				X				X				X		X	X			i
Rubin, Thomas	Alameda County Taxpayers Association																X	X	X			<u> </u>	
Ryan, Karina	League of Women Voters																					<u> </u>	
Tilchen, Carl	Alameda County Supervisor Scott Haggerty, D-1				X																	<u> </u>	i
Zukas, Hale	Supervisor Keith Carson, D-5			X													X		X			X	i
Vacancy	Alamea County Mayors' Conference, D-2																					<u> </u>	i
Vacancy	Alameda County Mayors' Conference, D-3																					<u> </u>	i
Vacancy	Alameda County Mayors' Conference, D-4																					<u> </u>	
Vacancy	Alameda County Mayors' Conference, D-5																					└	
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

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Independent Watchdog Committee Issues Identification Process 8.3

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 on which the IWC should focus during review 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:

- 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.

(continued on next page)

Review Process (continued)

- 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 chair-persons may be called on to address an issue)
- Alameda CTC independent auditor and Comprehensive Annual Financial Reports
- Alameda CTC General Counsel



Independent Watchdog Committee 8.3A **Issues Identification Form**

BB expenditures and performance concern regarding the expenditure measures. A concern should be sure B or Measure BB funds, non-comply voters, or an issue with Measure BB	e measures. This form re of Measure B and/ ubmitted to the IWC if liance with the 2000 of B performance measu uld have to be cham	d with the review of Measure B expenditures and Measure allows for formal documentation of potential issues of or Measure BB funds and Measure BB performance f an issue directly relates to the potential misuse of Measure and/or 2014 Transportation Expenditure Plans approved by ures. Only current IWC members may use this form (an issue apioned by an IWC member and brought forward to the
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 Phone		
Agency/Contact E-mail		
Agency Address Include City and 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	
Complete the following with the n which you have concerns took pla		r program, dates, times, and places where the issues of
Project/Program Name		
Date		
Time		

Location

Please explain in detail the nature	of your concern and how it came to your attention.
Project	
Program	
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.	

IWC FY2019-20 Calendar/Work Plan

IWC FY2019-20 Calendar/Work Plan on the second Monday of the month from 5:30 to 7:30 p.m. at Alameda CTC Offices

Categories	Monday, July 8, 2019	Monday, November 18, 2019*	Monday, January 13, 2020	Monday, March 9, 2020	Monday, July 13, 2020
IWC Annual Report	IWC photo for Annual Report Public Hearing on IWC Annual Report (substantially final) Finalize/Approve IWC Annual Report and Publication Costs IWC Annual Report Press Release	IWC Annual Report Outreach Summary and Publication Cost Update		Establish IWC Annual Report Subcommittee to create and finalize IWC Annual Report (Subcommittee meets April through June)	IWC photo for Annual Report Public Hearing on IWC Annual Report (substantially final) Finalize/Approve IWC Annual Report and Publication Costs IWC Annual Report Press Release
Measure B and Measure BB Projects and Programs	Issues Identification Process IWC Projects and Programs Watchlist Next Steps	Issues Identification Process	Overview/Update on Measure B and Measure BB Projects and Programs Issues Identification Process	Projects and Programs Watchlist (members sign up for projects and programs) (staff to send letters to jurisdictions in July to keep IWC informed) Issues Identification Process	Issues Identification Process IWC Projects and Programs Watchlist Next Steps
Measure B and Measure BB Compliance and Audited Financial Reports	Measure B and Measure BB Program Compliance Report Summary Independent Auditor Work Plan	Presentation of FY2018-19 Comprehensive Annual Financial Report by Independent Auditor Discussion of Measure BB Implementing Guidelines and Performance Measures	Measure B and Measure BB FY2018-19 Compliance and Audit Reports available on Alameda CTC Website (raw data, not yet reviewed by staff) Refined discussion Re: Implementing Guidelines and Performance Measures	Measure B and Measure BB Audit Report and Program Compliance Report Review Orientation/ Workshop Measure B and Measure BB FY2018-19 Compliance and Audit Reports Forwarded to IWC for Review	Measure B and Measure BB Program Compliance Report Summary Independent Auditor Work Plan
Organizational / Standing Reports	Election of IWC Officers for FY2019-2020 Approve IWC FY2019-20 Annual Calendar/Work Plan IWC Member Reports Staff Responses to IWC Members Requests for Information IWC FY2019-20 Budget	IWC Member Reports Staff Responses to IWC Members Requests for Information	IWC Member Reports Staff Responses to IWC Members Requests for Information	IWC Member Reports Staff Responses to IWC Members Requests for Information	Election of IWC Officers for FY2020-21 Approve IWC FY2020-21 Annual Calendar/Work Plan IWC Member Reports Staff Responses to IWC Members Requests for Information IWC FY2020-21 Budget

^{*} This date has been adjusted due to an agency holiday or based on a pre-existing scheduling conflict.

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Alameda County Transportation Commission <u>Independent Watchdog Committee</u> Roster - Fiscal Year 2019-2020

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires
1	Mr.	Jones, Chair	Steven	Dublin	Alameda County Mayors' Conference, D-1	Dec-12	Jan-19	Jan-21
2	Mr.	McCalley, Vice Chair	Murphy	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-15	Mar-17	Mar-19
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.	Naté	Glenn	Union City	Alameda County Supervisor Richard Valle, D-2	Jan-15	Jan-20	Jan-22
7	Ms.	Piras	Pat	San Lorenzo	Sierra Club	Jan-15		N/A
8	Ms.	Rivera-Hendrickson	Carmen	Pleasanton	Paratransit Advisory and Planning Committee	Jul-19		N/A
9	Mr.	Rubin	Thomas	Oakland	Alameda County Taxpayers Association	Jan-19		N/A
10	Ms.	Ryan	Karina	Oakland	League of Women Voters	May-19		N/A
11	Mr.	Tilchen	Carl	Dublin	Alameda County Supervisor Scott Haggerty, D-1	Oct-18		N/A
12	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Jan-20	Jan-22
13		Vacancy			Alameda County Mayors' Conference, D-2			
14		Vacancy			Alameda County Mayors' Conference, D-3			
15		Vacancy			Alameda County Mayors' Conference, D-4			

Alameda County Transportation Commission <u>Independent Watchdog Committee</u> Roster - Fiscal Year 2019-2020

16	Vacancy		Alameda County Mayors' Conference, D-5		
17	Vacancy		Alameda County Supervisor Wilma Chan, D-3		