



## Independent Watchdog Committee Meeting Agenda Monday, January 11, 2021, 5:30 p.m.

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Independent Watchdog Committee will not be convening at its Committee Room but will instead move to a remote meeting.

Members of the public wishing to submit a public comment may do so by emailing Angie Ayers at [aayers@alamedactc.org](mailto:aayers@alamedactc.org) by 5:00 p.m. the day before the scheduled meeting. Submitted comments will be read aloud to the Committee and those listening telephonically or electronically; if the comments are more than three minutes in length the comments will be summarized. Members of the public may also make comments during the meeting by using Zoom's "Raise Hand" feature on their phone, tablet or other device during the relevant agenda item, and waiting to be recognized by the Chair. If calling into the meeting from a telephone, you can use "Star (\*) 9" to raise/ lower your hand. Comments will generally be limited to three minutes in length, or as specified by the Chair.

Chair: Steve Jones  
Vice Chair: Murphy McCalley

Staff Liaison: [Patricia Reavey](#)  
Clerk: [Angie Ayers](#)

### Location Information:

Virtual Meeting Information: <https://zoom.us/j/93569748260?pwd=cFBPTmxVWkVqV2dUZXhJOWo3N3BHdz09>  
Webinar ID: 935 6974 8260  
Password: 056908

For Public Access Dial-in Information: (669) 900-6833  
Webinar ID: 935 6974 8260  
Password: 056908

To request accommodation or assistance to participate in this meeting, please contact Angie Ayers, at least 48 hours prior to the meeting date at: [aayers@alamedactc.org](mailto:aayers@alamedactc.org)

## Meeting Agenda

1. Call to Order

2. Roll Call

3. Public Comment

4. Meeting Minutes	Page/Action	
4.1. <a href="#">Approve November 9, 2020 IWC Meeting Minutes</a>	1	A
5. Measure B/Measure BB Projects and Programs		
5.1. <a href="#">Alameda CTC Measure B and Measure BB Programs Update</a>	5	I
6. Measure B/Measure BB Compliance and Audited Financial Reports		
6.1. Fiscal Year 2019-20 Measure B/BB Compliance Review Process Update Note: Audit Reports Available on Alameda CTC Website: <a href="https://www.alamedactc.org/funding/reporting-and-grant-forms/">https://www.alamedactc.org/funding/reporting-and-grant-forms/</a>		I
7. IWC Bylaws		
7.1. <a href="#">Review IWC Bylaws</a>	11	I
8. IWC Member Reports/Issues Identification		
8.1. Chair's Report		I
8.2. <a href="#">IWC Issues Identification Process and Form</a>	21	I
8.3. Member Reports		I
9. Staff Reports		
9.1. Staff Response to Request for Information		I
9.2. <a href="#">IWC Calendar</a>	25	I
9.3. <a href="#">IWC Roster</a>	27	I
10. Adjournment		

Next Meeting: Monday, March 8, 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.  
[Directions and parking information](#) are available online.



## Alameda CTC Schedule of Upcoming Meetings January and February 2021

**Commission Chair**

Mayor Pauline Russo Cutter  
City of San Leandro

**Commission Vice Chair**

Councilmember John Bauters  
City of Emeryville

**AC Transit**

Board President Elsa Ortiz

**Alameda County**

Supervisor David Haubert, 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**

Councilmember Rochelle Nason

**City of Berkeley**

Councilmember Lori Droste

**City of Dublin**

TBD

**City of Fremont**

Mayor Lily Mei

**City of Hayward**

Mayor Barbara Halliday

**City of Livermore**

Mayor Bob Woerner

**City of Newark**

Councilmember Luis Freitas

**City of Oakland**

Councilmember At-Large  
Rebecca Kaplan  
Councilmember Sheng Thao

**City of Piedmont**

TBD

**City of Pleasanton**

Mayor Karla Brown

**City of Union City**

Mayor Carol Dutra-Vernaci

**Executive Director**

Tess Lengyel

### Commission and Committee Meetings

Time	Description	Date
2:00 p.m.	Alameda CTC Commission Meeting	January 28, 2021 February 25, 2021
9:00 a.m.	I-680 Sunol Smart Carpool Lane JPA (I-680 JPA)	February 8, 2021
10:00 a.m.	Programs and Projects Committee (PPC)	
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	

### Advisory Committee Meetings

1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	February 4, 2021
5:30 p.m.	Bicycle and Pedestrian Committee (BPAC)	February 4, 2021
1:30 p.m.	Joint Paratransit Advisory and Planning Committee and Paratransit Technical Advisory Committee (PAPCO/ParaTAC)	February 22, 2021

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Commission will not be convening at its Commission Room but will instead move to a remote meeting.

Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org). Meetings subject to change.

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# Independent Watchdog Committee Meeting Minutes Monday, November 9, 2020, 5:30 p.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

## 1. Call to Order

Independent Watchdog Committee (IWC) Chair Steve Jones called the meeting to order. Patricia Reavey requested that Committee members introduce themselves and welcomed new member Esther Waltz. Ms. Waltz gave a brief self-introduction.

## 2. Roll Call

A roll call was conducted and all members were present with the exception of Keith Brown, Curtis Buckley and Oscar Dominguez.

Carl Tilchen attended the meeting; however, he experienced audio problems for the duration of the meeting.

### Subsequent to the Roll Call:

Keith Brown arrived during item 4.

## 3. Public Comment

There were no public comments.

## 4. Meeting Minutes

### 4.1. Approve July 13, 2020 IWC Meeting Minutes

Pat Piras suggested an amendment to the third paragraph under item 7.1 to change "...overtime" to "...over time." Also, an amendment to the fifth paragraph under item 7.1 to change "...seniors" to "...seniors and people with disabilities."

*Pat Piras made a motion to approve this item with amendments. Tom Rubin seconded the motion. The motion passed with the following votes:*

Yes:	Brown, Jones, McCalley, Nate, Piras, Rubin, Ryan, Waltz, Zukas
No:	None
Abstain:	None
Absent:	Buckley, Dominguez, Tilchen

## 5. Independent Auditor Financial Report

### 5.1. Presentation of the Alameda CTC Draft Audited Comprehensive Annual Financial Report for the Year Ended June 30, 2020

David Alvey, Alameda CTC's independent auditor from Maze & Associates, made a presentation of the audit and Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2020. He stated that the audit team reviewed the financial statements provided by Alameda CTC and found no weaknesses in

internal controls, required no adjustments to the financial statements, and experienced no difficulties in the performance of the audit. He then reviewed key financial aspects of the financial statements. Maze and Associates issued a clean, or unmodified, audit opinion for the year ended June 30, 2020.

*This item is for information only.*

## **6. IWC Annual Report Outreach Summary and Publication Costs Update**

### **6.1. IWC Annual Report Outreach Summary and Publication Cost Update**

Patricia Reavey gave an update on the publishing and outreach efforts for the 18th IWC Annual Report to the public. She summarized the work Alameda CTC did, which was based on the direction of the IWC, to produce and distribute the report, as well as to place online banner advertisements in the media. She informed the committee that the estimated total cost for the 18th IWC Annual Report to the Public was \$49,669.92 which is \$3,688.03 more than the prior year and that this is an estimate because the agency is still awaiting one final invoice.

Pat Piras requested that in future years, staff notify the IWC of publication of the IWC Annual Report at the same time the press release is distributed and when the Commission is notified.

Tom Rubin noted that the BART stations selected were a good mix of the heavily used stations. Mr. Rubin suggested for next year, that staff place the ads at 12th Street and 19th Street stations along with the other heavily used stations in Alameda County. Ms. Reavey noted that staff tried, but was unable to get the space at 12th and 19th Street Stations this year.

Karina Ryan suggested designing the banner ads in a manner that is likely to attract interest or attention; thereby, increasing the pageviews and click throughs on the Alameda CTC website.

Murphy McCally asked if Alameda CTC received feedback from the public on the advertisements. Ms. Reavey stated that she received photos from various individuals regarding the bus ads around the time they were placed.

Pat Piras asked if staff can look into an off-season availability of the display ads in the BART stations. She suggested the Committee consider spreading the ads out over the year. Ms. Reavey stated that the committee can discuss this next year.

*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. IWC Issues Identification Process and Form**

Patricia Reavey stated 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.

### **7.3. Member Reports**

Pat Piras asked when the IWC Bylaws were last reviewed. She requested we review the Bylaws at the next meeting. Ms. Reavey stated that staff will look into when they were last reviewed and add it to the next agenda if needed.

Ms. Piras asked when geographic equity and pavement index is expected to be reviewed and how it is going to be handled. Ms. Reavey stated that she will look into this and provide the Committee with an update.

Ms. Piras commented that when staff provides an update to the Commission on sales tax revenues, that staff also brings an update to the IWC. Ms. Reavey stated that she will add it to the next IWC agenda once the update has been provided to the Commission.

## **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. There were no requests for information from the Committee at the last IWC meeting.

*This item is for information only.*

### **8.2. IWC Calendar**

The 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.

## **9. Adjournment**

The meeting adjourned at 7:10 p.m. The next meeting is scheduled for January 11, 2021 at the Alameda CTC offices.

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# Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** January 4, 2021

**TO:** Independent Watchdog Committee

**FROM:** John Nguyen, Principal Transportation Planner

**SUBJECT:** Alameda CTC's Measure B and Measure BB Programs Update

## Recommendation

This item is to provide the Independent Watchdog Committee (IWC) with an update on the Measure B and Measure BB Programs. This item is for information only.

## Summary

Alameda CTC is responsible for administering local funds collected from the 2000 Measure B and 2014 Measure BB transportation sales tax programs. The programs generate over \$300 million annually to support capital transportation improvements, roadway maintenance, transit, and paratransit operations within Alameda County.

Alameda CTC distributes Measure B/BB funds through two categorical types:

- 1) Direct Local Distributions (DLDs) - Monthly formula allocations distributed to eligible local jurisdictions and transit agencies.
- 2) Reimbursements - Payments made on a reimbursement basis after work is performed; i.e. capital projects and discretionary funded improvements.

Alameda CTC distributes over half of Measure B/BB total revenues collected to the twenty local jurisdictions and transit agencies as DLD funds. Recipients use DLD funds on locally prioritized transportation improvements that improve local access, safety, transit, infrastructure preservation and system reliability.

Each year, as part of the Annual Program Compliance Reporting process, Alameda CTC requires DLD recipients to submit Audited Financial Statements and Compliance Reports that summarizes the past fiscal year's financials, expenditures, and program achievements. The reports for the FY 2019-20 reporting period (July 1, 2019 thru June 30, 2020) were due at the end of December 2020 and are currently under review by Alameda CTC staff. Compliance findings and program achievements will be presented to the Commission and IWC later by July 2021.

Additionally, Alameda CTC distributes discretionary Measure B and Measure BB funds through competitive processes. Last December 2020, Alameda CTC released a call for projects for Measure B discretionary bicycle/pedestrian and transit program funds. A program funding recommendation will be presented to the Commission in the Spring 2021.

## **Background**

The Measure B and Measure BB sales tax programs provide a significant funding stream for transportation improvements throughout Alameda County. Over half of all revenues generated are distributed to the local cities, transit agencies, and the county as "Direct Local Distributions" (DLD) to be used for locally identified and prioritized transportation improvements.

From the start of the 2000 Measure B and 2014 Measure BB programs through the end of FY 2019-20, Alameda CTC distributed approximately \$1.6 billion in DLD funds to local recipients, with an additional \$149.9 million in DLD funds forecasted for distribution in FY 2020-21 (Attachment A – Historical Direct Local Distributions by Fund Program).

The DLD funds are distributed to eligible jurisdictions per a prescribed formula in the respective voter approved Transportation Expenditure Plans. DLD recipients include the fourteen incorporated cities in Alameda County, County of Alameda, and five transit agencies (Alameda-Contra Costa Transportation Authority, Bay Area Rapid Transit District, Livermore Amador Valley Transportation Authority, San Francisco Water Emergency Transportation Authority, and the San Joaquin Regional Rail Commission).

Measure B/BB DLDs are flexible funding sources that allow Alameda CTC and local jurisdictions to address a variety of countywide transportation needs from traditional roadway maintenance, infrastructure repair, bicycle/pedestrian enhancements, transit operations, to the implementation of large capital improvement projects.

Alameda CTC requires DLD recipients to submit separate annual Audited Financial Statements and Program Compliance Reports that summarize the DLD recipients' fiscal year's financials, expenditures, fund balances, and program achievements to monitor program compliance. The reports for the FY 2019-20 reporting period (July 1, 2019 thru June 30, 2020) were due at the end of December 2020 and are currently under review by Alameda CTC staff.

In March 2021, the Independent Watchdog Committee (IWC) will join in the review process to review items such as DLD fund balances, recipients' accomplishments, and expenditures. IWC's review notations will be included as part of Alameda CTC's Annual Program Compliance Summary Report to the IWC and Commission in July 2021.

## Discretionary Programs

Alameda CTC also distributes discretionary Measure B and Measure BB funds for bicycle/pedestrian, transit, paratransit, freight, technology, and community development related projects. Discretionary funds are awarded to Project Sponsors on a competitive basis. Successful applicants are required to enter into project funding agreements with Alameda CTC and funds are paid on a reimbursement basis upon successful completion of the agreed upon scope of work.

To streamline the programming and allocation of discretionary program funds, Alameda CTC consolidated the programming of all Alameda CTC administered funds into one single process and document known as the Comprehensive Investment Plan (CIP). A CIP covers a five-year programming horizon with the first two-years of funding allocated and available for immediate use by the Project Sponsors. Alameda CTC's programming and allocation process considers project sponsor's readiness, leveraging of external funds, project needs, performance, and funding equity across Alameda's CTC administered funds.

On December 7, 2020, Alameda CTC released the latest CIP call for projects. The call for projects includes approximately \$9M in total Measure B funds consisting of \$3M from the Measure B Bicycle/Pedestrian Countywide Discretionary Fund program, \$4M Express Bus (Transit) program, and \$2M Transit Center Development program. Additionally, Alameda CTC will program other discretionary fund sources such as Vehicle Registration Fee Program and Transportation for Clean Air (TFCA) Program, simultaneously with Measure B funds to maximize discretionary investments towards critical transportation infrastructure and program operational needs.

Alameda CTC will be seeking to fund projects that are ready for implementation over the next five fiscal years from 2021-22 through 2025-26 for its 2022 CIP. Available funding will be prioritized towards improvements that can be implemented and/or demonstrate construction readiness within the first two years. Alameda CTC is accepting applications through Monday, February 1, 2021. A funding recommendation will be presented to the Commission in Spring 2021.

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

### **Attachment:**

- A. Historical Direct Local Distributions by Fund Program

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**Measure B/Measure BB**  
**Historical Direct Local Distributions<sup>1</sup>**

<b>Fiscal Year</b>	<b>Measure B</b>	<b>Measure BB</b>	<b>Total</b>
FY 01/02	\$12,006,000		\$12,006,000
FY 02/03	\$49,455,451		\$49,455,451
FY 03/04	\$53,086,000		\$53,086,000
FY 04/05	\$54,404,793		\$54,404,793
FY 05/06	\$59,357,051		\$59,357,051
FY 06/07	\$61,176,456		\$61,176,456
FY 07/08	\$62,543,374		\$62,543,374
FY 08/09	\$54,501,184		\$54,501,184
FY 09/10	\$50,808,873		\$50,808,873
FY 10/11	\$56,693,936		\$56,693,936
FY 11/12	\$60,556,173		\$60,556,173
FY 12/13	\$64,812,051		\$64,812,051
FY 13/14	\$66,662,145		\$66,662,145
FY 14/15	\$69,516,036	\$13,429,323	\$82,945,359
FY 15/16	\$72,008,976	\$69,875,475	\$141,884,451
FY 16/17	\$74,971,061	\$72,194,974	\$147,166,035
FY 17/18	\$81,030,004	\$78,118,871	\$159,148,875
FY 18/19	\$87,708,370	\$84,886,228	\$172,594,597
FY 19/20	\$81,490,405	\$78,839,935	\$160,330,340
FY 20/21 <sup>2</sup>	\$76,052,893	\$73,796,184	\$149,849,077
<b>Total</b>	<b>\$1,248,841,232</b>	<b>\$471,140,990</b>	<b>\$1,719,982,222</b>

Notes:

1. Distributions are from the fiscal year start of each respective funding program, July 1 to June 30.
2. Alameda CTC Direct Local Distribution Projections for Fiscal Year 2020-2021.

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## 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 record of Measure projects, programs, and expenditures.

**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.

**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 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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# Independent Watchdog Committee

## Issues Identification Process 8.2

### 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:

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.

(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

## Issues Identification Form

8.2A

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).

<b>Date</b>	
<b>Name</b>	
<b>Email Address</b>	

<b>Governmental Agency of Concern</b> Include name of agency and all individual contacts from list of project/program sponsor contacts.	
<b>Agency/Contact Phone</b>	
<b>Agency/Contact E-mail</b>	
<b>Agency Address</b> Include City and Zip Code.	
<b>Indicate Applicable Measure</b>	Measure B      Measure BB
<b>Indicate the type of Measure B and/or Measure BB expenditure to which this concern relates</b> Please check one.	Capital Project Program Program Grant Administration

Complete the following with the name of the project or program, dates, times, and places where the issues of which you have concerns took place.

<b>Project/Program Name</b>	
<b>Date</b>	
<b>Time</b>	
<b>Location</b>	

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 FY2020-21 Calendar/Work Plan**  
**IWC FY2020-21 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 13, 2020</b>	<b>Monday, November 9, 2020</b>	<b>Monday, January 11, 2021</b>	<b>Monday, March 8, 2021</b>	<b>Monday, July 12, 2021</b>
<b>IWC Annual Report</b>	<ul style="list-style-type: none"> <li>Public Hearing on IWC Annual Report (substantially final)</li> <li>Finalize/Approve 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> <li>IWC photo for Annual Report</li> </ul>	<ul style="list-style-type: none"> <li>Public Hearing on IWC Annual Report (substantially final)</li> <li>Finalize/Approve 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 required to keep IWC informed in July)</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 FY2019-20 Comprehensive Annual Financial Report by Independent Auditor</li> </ul>	<ul style="list-style-type: none"> <li>Measure B and Measure BB FY2019-20 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 FY2019-20 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 FY2020-21</li> <li>Approve IWC FY2020-21 Annual Calendar/Work Plan</li> <li>IWC Member Reports</li> <li>Staff Responses to IWC Members Requests for Information</li> <li>IWC FY2020-21 Budget</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>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 FY2021-22</li> <li>Approve IWC FY2021-22 Annual Calendar/Work Plan</li> <li>IWC Member Reports</li> <li>Staff Responses to IWC Members Requests for Information</li> <li>IWC FY2021-22 Budget</li> </ul>

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**Alameda County Transportation Commission**  
**Independent Watchdog Committee**  
**Roster - Fiscal Year 2020-2021**

	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	Mr.	Rubin	Thomas	Oakland	Alameda County Taxpayers Association	Jan-19		N/A
9	Ms.	Ryan	Karina	Oakland	League of Women Voters	May-19		N/A
10	Mr.	Tilchen	Carl	Dublin	Alameda County Supervisor Scott Haggerty, D-1	Oct-18		Oct-20
11	Ms.	Waltz	Esther Ann	Livermore	Paratransit Advisory and Planning Committee	Jul-20		N/A
12	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Jan-20	Jan-22

Alameda County Transportation Commission  
Independent Watchdog Committee  
 Roster - Fiscal Year 2020-2021

13		Vacancy			Alameda County Mayors' Conference, D-2			
14		Vacancy			Alameda County Mayors' Conference, D-3			
15		Vacancy			Alameda County Mayors' Conference, D-4			
16		Vacancy			Alameda County Mayors' Conference, D-5			
17		Vacancy			Alameda County Supervisor Wilma Chan, D-3			