



Alameda CTC Commission Agenda

Thursday, December 2, 2021, 2:00 p.m.

Pursuant to AB 361 and the findings made by the Commission governing its meetings and the meetings of its Committees in light of the current statewide State of Emergency, the Commission and its Committees will not be convening at Alameda CTC's Commission Room but will instead convene remote meetings.

Members of the public wishing to submit a public comment may do so by emailing the Clerk of the Commission at vlee@alamedactc.org. Public comments received by 5:00 p.m. the day before the scheduled meeting will be distributed to Commissioners or Committee members before the meeting and posted on Alameda CTC's website; comments submitted after that time will be distributed to Commissioners or Committee members and posted as soon as possible. Submitted comments will be read aloud to the Commission or 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: Pauline Russo Cutter,
Mayor City of San Leandro

Vice Chair: John Bauters,
Councilmember City of Emeryville

Executive Director: Tess Lengyel

Clerk of the Commission: [Vanessa Lee](#)

Location Information:

Virtual Meeting Information: <https://us06web.zoom.us/j/82697151701?pwd=ZjB4S3kyWXdQZnl1NUNNM3ZONjN0dz09>
Webinar ID: 826 9715 1701
Password: 577922

For Public Access Dial-in Information: **1 (669) 900 6833**
Webinar ID: 826 9715 1701
Password: 577922

To request accommodation or assistance to participate in this meeting, please contact Vanessa Lee, the Clerk of the Commission, at least 48 hours prior to the meeting date at: vlee@alamedactc.org

Meeting Agenda

1. Call to Order

2. Roll Call

3. Public Comment

4. Chair and Vice Chair Report

5. Executive Director Report

6. Consent Calendar Page/Action

Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1, 6.2, and 6.15.

- | | | |
|---|-----|---|
| 6.1. <u>Approve October 28, 2021 Commission Meeting Minutes and November 8, 2021 Special Commission Meeting</u> | 1 | A |
| 6.2. <u>Approve Alameda CTC meeting schedule for the 2022 calendar year</u> | 5 | A |
| 6.3. <u>FY2021-22 First Quarter Report of Claims Acted Upon Under the Government Claims Act</u> | 9 | I |
| 6.4. <u>Annual Local Business Contract Equity Program Utilization Report for Payments Processed between July 1, 2020 and June 30, 2021</u> | 11 | I |
| 6.5. <u>Approve the Alameda CTC FY2021-22 First Quarter Investment Report</u> | 21 | A |
| 6.6. <u>Approve the Alameda CTC FY2020-21 First Quarter Consolidated Financial Report</u> | 39 | A |
| 6.7. <u>Approve an Amendment to Agreement with the California Department of Tax and Fee Administration for State Administration of District Transactions and Use Taxes for Measure BB, an Agreement for Preparation to Administer and Operate Alameda CTC's Transaction and Use Tax Ordinance, and an Agreement for State Administration of District Transaction and Use Taxes, and adopt related resolutions</u> | 45 | A |
| 6.8. <u>Approve the Fiscal Year 2022-23 Professional Services Contracts Plan</u> | 67 | A |
| 6.9. <u>Approve the Bay Area Express Lanes Network Executive Steering Committee Memorandum of Understanding</u> | 71 | A |
| 6.10. <u>Approve Amendment No. 6 to Agreement A17-0070 with Electronic Transaction Consultants, LLC for Operations and Maintenance of the I-580 Express Lanes</u> | 79 | A |
| 6.11. <u>GoPort – Freight Intelligent Transportation System Project: Approve Actions to Facilitate Construction Completion and Project Status Update</u> | 83 | A |
| 6.12. <u>Approve actions to facilitate advancement of the East Bay Greenway (from Lake Merritt BART to South Hayward BART) Project</u> | 95 | A |
| 6.13. <u>Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments</u> | 101 | I |
| 6.14. <u>Multimodal Corridor Project Updates: San Pablo Avenue and East 14th Street/Mission and Fremont Boulevard</u> | 103 | I |
| 6.15. <u>Community Advisory Appointments</u> | 113 | A |

7. Community Advisory Committees

- | | | |
|--|-----|---|
| 7.1. Bicycle and Pedestrian Advisory Committee | 117 | I |
| 7.2. Independent Watchdog Committee | 123 | I |

8. Regular Matters

- | | | |
|---|-----|-----|
| 8.1. Approve the Alameda CTC Draft Audited Annual Comprehensive Financial Report for the Year Ended June 30, 2021 | 131 | A |
| 8.2. Approve Alameda CTC Staff and Retiree Benefits for Calendar Year 2022 and Salary Ranges for FY2022-23 | 135 | A |
| 8.3. Federal, state, regional, and local legislative activities update | 151 | I/A |
| 8.4. Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Remote Commission and Committee Meetings | 163 | A |

9. Commission Member Reports

10. Adjournment

Next Meeting: December 13, 2021

Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda, submit an email to the clerk or use the Raise Hand feature or if you are calling by telephone press *9 prior to or during the Public Comment section of the agenda. Generally public comments will be limited to 3 minutes.
- 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.
- 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 Schedule of Upcoming Meetings December 2021 through January 2022

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

Mayor Melissa Hernandez

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

Councilmember Jen Cavanaugh

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 Special Commission Meeting	December 13, 2021
9:00 a.m.	Multi-Modal Committee (MMC)	January 10, 2022
10:00 a.m.	Programs and Projects Committee (PPC)	
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	
2:00 p.m.	Alameda CTC Commission Meeting	January 27, 2022

Advisory Committee Meetings

1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	January 6, 2022
5:30 p.m.	Independent Watchdog Committee (IWC)	January 10, 2022
9:30 a.m.	Paratransit Technical Advisory Committee (ParaTAC)	January 11, 2022
5:30 p.m.	Bicycle and Pedestrian Advisory Committee (BPAC)	January 20, 2022
1:30 p.m.	Paratransit Advisory and Planning Committee (PAPCO)	January 24, 2022

Pursuant to AB 361 and the findings made by the Commission governing its meetings and the meetings of its Committees in light of the current statewide State of Emergency, the Commission and its Committees will not be convening at Alameda CTC's Commission Room but will instead convene remote meetings.

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



Alameda County Transportation Commission Commission Meeting Minutes Thursday, October 28, 2021, 2 p.m.

6.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

1. Call to Order

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Brown, Cavanaugh, Droste, Mei, Miley, Saltzman, Thao, and Valle.

Commissioner Cox attended as an alternate for Commissioner Chan.

Subsequent to the roll call:

Commissioner Cavanaugh arrived during item 3.

Commissioner Thao arrived during item 4.

Commissioners Brown, Miley, and Saltzman arrived during item 5.

Commissioner Mei arrived during item 6.

3. Public Comment

There were no public comments.

4. Chair and Vice Chair Report

Chair Cutter emphasized the progress and achievements of Alameda CTC, despite the significant challenges caused by the COVID-19 pandemic. The Chair highlighted programs and projects, which have continued to make progress throughout the pandemic, including the East Bay Greenway project and the Student Transit Pass Program (STPP).

Vice Chair Bauters provided instructions to the Commission regarding technology procedures, including administering public comments during the meeting.

5. Executive Director Report

Tess Lengyel stated that the Executive Director Report is available on the website. Ms. Lengyel noted that as part of the ongoing efforts of the Biden-Harris Task Force on supply chain issues and the U.S. Department of Transportation, Governor Newsom announced a strategic partnership to help facilitate innovative projects and financing opportunities for supporting the supply chain. The California State Transportation Agency (CalSTA) will identify a suite of projects that they will be working on with the federal government. Ms. Lengyel mentioned that on October 28, 2021, she will be presenting at the League of California Cities on the state of transportation in the East Bay with the Executive Director of the Contra Costa Transportation Authority. She noted that on October 29, 2021, Assemblymember Laura Friedman will be at the Bay Area Transportation Agencies Roundtable, which will allow the directors a chance to share their interest in addressing the state budget.

Commissioner Kaplan asked if there will be a process to identify which projects Alameda CTC is pursuing in response to the Governors proposition. Ms. Lengyel stated that Alameda CTC will need to hear from CalSTA on what their process will be and will update the Commission as Alameda CTC receives more information.

Dave Campbell, Bike East Bay, commented on the East Bay Greenway project, noting that he has met with staff to discuss potential changes to the project and offered the help of Bike East Bay to talk to the community during the outreach phase of the project.

6. Consent Calendar

- 6.1.** Approve September 23, 2021 Commission Meeting Minutes
- 6.2.** Approve Alameda County 2022 State Transportation Improvement Program
- 6.3.** East Bay Greenway (from Lake Merritt BART to South Hayward BART) Project Update
- 6.4.** Approve FY 2021-22 Transportation Fund for Clean Air Funding for Oakland Projects
- 6.5.** Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments
- 6.6.** Approve the 2021 Congestion Management Program (CMP) and an amendment to Professional Services Agreement A20-0003 with Iteris, Inc. to provide multimodal performance monitoring of the Alameda County transportation network

Commissioner Ortiz moved to approve all items on the consent calendar.

Commissioner Ezzy Ashcraft seconded the motion. The motion passed with the following roll call votes:

Yes: *Bauters, Brown Carson, Cavanaugh, Cox, Cutter, Dutra-Vernaci, Ezzy Ashcraft, Freitas, Halliday, Haubert, Hernandez, Kaplan, Mei, Miley, Nason, Ortiz, Saltzman, Thao, Woerner*

No: *None*

Abstain: *None*

Absent: *Droste, Valle*

7. Regular Matters

7.1. AB 361 and the Brown Act

Tess Lengyel noted that AB 361 defines rules and regulations governing how Alameda CTC can continue facilitating public meetings remotely. Ms. Lengyel pointed out that staff is working with the Metropolitan Transportation Commission and the California Association of Councils of Governments (CALCOG) to see if an update can be made to AB 361 language considering the fact that all agencies do not hold meetings every 30 days. Ms. Lengyel introduced Alameda CTC General Counsel Zack Wasserman to present this item and highlighted the requirements of AB 361. Mr. Wasserman stated if a local agency wishes to continue to rely on the law's exemption to the Brown Act teleconferencing rules while the state of emergency remains active, a local agency must make the finding again by majority vote every 30 days to continue using the law's exemption. He noted that since the Commission and Committees do not meet every 30 days during the holidays, this

requirement means that the Commission will have to hold several special meetings in order to be in full compliance with AB 361. Mr. Wasserman stated that, hopefully, either the Legislature or the Governor by Executive Order will address this and related procedural issues in the future.

7.2. Student Transit Pass Program Update

Kate Lefkowitz provided an update on the Student Transit Pass Program's (STPP) implementation for the 2021-2022 school year. She noted that given the impact of the COVID-19 pandemic, the STPP team has been actively working with schools to support students and families and modify program offerings to prepare for the evolving developments of the school year and the return to in-person learning. The key programmatic change implemented due to COVID-19 was the transition to online applications; however, paper applications are still available upon request. The STPP team has worked closely with transit agency staff to ensure coordinated and smooth program operations in this dynamic environment.

7.3. Federal, state, regional, and local legislative activities update

Carolyn Clevenger and Maisha Everhart presented this item. Ms. Clevenger and Ms. Everhart noted that the California state legislature is in recess until January 3, 2022 and provided an overview of federal legislation that included highlights of budget resolutions and budget reconciliation.

8. Commission Member Reports

Commissioner Ortiz announced that AC Transit will attend the San Leandro Chamber of Commerce job fair to encourage recruitment of drivers.

Commissioner Bauters noted that staff from City of Emeryville and AC Transit are cross-training on sharing road space and multimodal safety as it relates to transit.

Commissioner Saltzman shared that BART plans to reopen the restrooms within the next two years. She noted that restrooms in Alameda County BART stations will open in two years, and two bathrooms in San Francisco stations will follow.

Commissioner Ezzy Ashcraft applauded Alameda County for implementing Vision Zero initiatives such as Safe Routes to School to promote and increase safety in jurisdictions.

9. Adjournment

The next meeting is Thursday, December 2, 2021, at 2:00 p.m.



Alameda County Transportation Commission Special Commission Meeting Minutes Monday, November 8, 2021, 11:15 a.m.

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

1. Call to Order

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Droste, Dutra-Vernaci, Haubert, Kaplan, Mei, Thao, and Valle.

Commissioner Cox attended as an alternate for Commissioner Chan.

Commissioner McQuaid attended as an alternate for Commissioner Carson.

3. Public Comment

There were no public comments.

4. Regular Matters

4.1. AB 361 and the Brown Act

Tess Lengyel introduced the item which focused on AB 361 and the necessary steps for the continuation of remote meetings. Ms. Lengyel noted that AB 361 requires that each local agency make appropriate findings at least every 30 days if the agency wishes to continue holding remote meetings of its legislative bodies. Due to the holiday meeting schedule, the Commission is required to hold certain special meetings between the regularly scheduled meetings, solely for the purpose of making the required findings to continue holding remote meetings. Ms. Lengyel recommended the Commission take the appropriate steps to acknowledge the ongoing state of emergency by Alameda County and the State of California, and continue remote meetings. She noted that in order to hold the regularly scheduled December 2, 2021 meeting remotely, the Commission must approve the required findings.

Commissioner Ortiz moved to approve this item. Commissioner Nason seconded the motion. The motion passed with the following roll call vote:

Yes: Bauters, Brown Cavanaugh, Cox, Cutter, Ezzy Ashcraft, Freitas, Halliday, Hernandez, McQuaid, Miley, Nason, Ortiz, Saltzman, Woerner

No: None

Abstain: None

Absent: Droste, Dutra-Vernaci, Haubert, Kaplan, Mei, Thao, Valle

5. Adjournment

The next meeting is Thursday, December 2, 2021, at 2:00 p.m.



Memorandum

6.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Tess Lengyel, Executive Director
Vanessa Lee, Clerk of the Commission

SUBJECT: Approve Alameda CTC meeting schedule for the 2022 calendar year

Recommendation

It is recommended that the Commission approve the Alameda CTC meeting schedule for the 2022 calendar year.

Summary

Per the Alameda County Transportation Commission (Alameda CTC) administrative code, the Alameda CTC annually adopts a schedule of regular meetings. The schedule outlines the meetings for the full Commission in addition to standing committee meetings and quarterly ad-hoc or steering committee meetings including: I-680 Joint Powers Authority (I-680 JPA); Finance and Administration Committee (FAC); Planning, Policy and Legislation Committee (PPLC); Programs and Projects Committee (PPC); Multi-modal Committee (MMC); and Audit Committee. Any additional Ad-hoc or steering committee meeting schedules are developed at the discretion of the Commission and are noticed in accordance with any applicable California Government Codes.

Background

Pursuant to the Alameda CTC Administrative Code, the Commission shall adopt the schedule of regular meetings of the Commission and the Standing Committees for the upcoming year. The Commission and each Standing Committee may change the date for a regular meeting of such body to another business day if the regular date is a holiday or as otherwise determined by the Commission or such Standing Committee.

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

Attachment:

- A. Alameda CTC 2022 Meeting Calendar

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Alameda County Transportation Commission 2022 Meeting Calendar*

All meetings dates and materials are available on the [Alameda CTC website](#).

Meetings	Meeting Start Time	Meeting Dates
I-680 Sunol Smart Carpool Lane JPA (I-680 JPA)	9:00 a.m.	February 14, 2022 May 9, 2022 September 12, 2022 November 14, 2022
Multi-Modal Committee (MMC)	9:00 a.m.	January 10, 2022 April 11, 2022 July 11, 2022 October 10, 2022
Finance and Administration Committee (FAC)	9:30 a.m.	March 14, 2022 May 9, 2022 September 12, 2022 November 14, 2022
Alameda CTC Audit Committee	1:00 p.m. 4:00 p.m.	June 13, 2022 October 27, 2022
Programs and Projects Committee (PPC)	10:00 a.m.	January 10, 2022 February 14, 2022 March 14, 2022 April 11, 2022 May 9, 2022 June 13, 2022 July 11, 2022 September 12, 2022 October 10, 2022 November 14, 2022
Planning, Policy & Legislation Committee (PPLC)	11:30 a.m. Note: PPC & PPLC meet on same meeting dates	
Alameda County Transportation Commission	2:00 p.m.	January 27, 2022 February 24, 2022 March 24, 2022 April 28, 2022 May 26, 2022 June 23, 2022 July 28, 2022 September 22, 2022 October 27, 2022 December 1, 2022

*Standing Committees meet on the second Monday of the month. The full Commission meets on the fourth Thursday of the month. The Alameda CTC Commission is in recess during the month of August. There is no Commission meeting in the month of November and no Committee meetings during the month of December.

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Memorandum

6.3

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration

SUBJECT: FY2021-22 First Quarter Report of Claims Acted Upon Under the Government Claims Act

Recommendation

This item is to provide the Commission with an update on the FY2021-22 First Quarter Report of Claims Acted upon under the Government Claims Act. This item is for information only.

Summary

There were no actions taken by staff under the Government Claims Act during the first quarter of FY2021-22.

Background

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

California Government Code section 935.4 states:

“A charter provision, or a local public entity by ordinance or resolution, may authorize an employee of the local public entity to perform those functions of the governing body of the public entity under this part that are prescribed by the local public entity, but only a charter provision may authorize that employee to allow, compromise, or settle a claim against the local public entity if the amount to be paid pursuant to the allowance, compromise or

settlement exceeds fifty thousand dollars (\$50,000). A Charter provision, ordinance, or resolution may provide that, upon the written order of that employee, the auditor or other fiscal officer of the local public entity shall cause a warrant to be issued upon the treasury of the local public entity in the amount for which a claim has been allowed, compromised, or settled."

On June 30, 2016, the Commission adopted a resolution which authorized the Executive Director to reject claims or allow, settle, or compromise claims up to and including \$50,000.

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

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



Memorandum

6.4

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Seung Cho, Director of Procurement and Information Technology
Erika Cheng, Manager of Procurement and Information Technology

SUBJECT: Annual Local Business Contract Equity Program Utilization Report for Payments Processed between July 1, 2020 and June 30, 2021

Recommendation

This item is for information only to provide the Commission with an update on the Annual Local Business Contract Equity (LBCE) Program Utilization Report for payments processed between July 1, 2020 and June 30, 2021.

Summary

Alameda CTC established the LBCE Program to create economic growth and jobs within the county by requiring local contracting that supports residents and businesses in Alameda County. The LBCE Program helps to identify and engage the participation of Local Business Enterprise (LBE), Small Local Business Enterprise (SLBE), and Very Small Local Business Enterprise (VSLBE) firms located in Alameda County on contracts which are (i) administered by Alameda CTC or related to, or in support of, a sponsor agency-administered capital project and (ii) funded either in whole or in part by VRF, Measure B, and/or Measure BB funds in combination with other local funds. The LBCE Program does not apply to contracts that include state and/or federal funds.

This report provides an update of business utilization with payments processed in Fiscal Year (FY) 2020-21 on active professional services and construction contracts administered by Alameda CTC and active project funding agreements administered by sponsor agencies. Business utilization is reported for LBE, SLBE and VSLBE firm participation on locally-funded contracts subject to the LBCE Program that were awarded and administered by Alameda CTC or sponsor agencies. Utilization data is also included for contracts that are not subject to the LBCE Program due to having federal, state, regional, or non-local funds or having a contract amount equal to or less than \$75,000. Additionally, an update on the LBCE Program certification activities within the same timeframe is provided.

In the current reporting period, there were 36 active professional services contracts administered by Alameda CTC with LBCE Program goals totaling \$19.4M in payments, of which \$17.7M (91%) went to LBE firms, \$6.0M (31%) went to SLBE firms, and \$147,615 (1%) went to VSLBE firms. There were no active construction contracts administered by Alameda CTC with LBCE Program goals for which payments were processed in FY2020-21. This information is shown in Table 1 below.

TABLE 1 – Alameda CTC Contracts with LBCE Program Goals						
Contract Type	LBCE Program Goals	Number of Contracts	Payments in FY2020-21 (July 1, 2020 and June 30, 2021)			
			Payment Amount	LBE	SLBE	VSLBE
Professional Services	70% for LBE; 30% for SLBE	36	\$19,423,879	91%	31%	1%
				\$17,727,721	\$6,014,862	\$147,615
Construction	60% for LBE; 20% for SLBE	0	-	-	-	-
				-	-	-
TOTAL		36	\$19,423,879	91%	31%	1%
				\$17,727,721	\$6,014,862	\$147,615

There were 29 active Alameda CTC contracts exempt from the LBCE Program in the reporting period, of which 19 were in the professional services category, 1 was in the construction category and 9 were for Caltrans administered cooperative contracts. For such contracts exempt from LBCE Program goals, approximately \$8.7M (22%) went to LBE firms, \$1.2M (3%) went to SLBE firms, and \$124,531 (<1%) went to VSLBE firms. This information is shown in Table 2A below.

TABLE 2A – Alameda CTC Contracts Exempt from LBCE Program Goals ¹					
Contract Type	Number of Contracts	Payments in FY2020-21 (July 1, 2020 and June 30, 2021)			
		Payment Amount	LBE	SLBE	VSLBE
Professional Services	19	\$12,209,711	72%	10%	1%
			\$8,734,074	\$1,188,874	\$124,531
Construction	1	\$6,834,970	0%	0%	0%
			\$0	\$0	\$0
Caltrans Cooperative Agreements	9	\$19,953,914	0%	0%	0%
			\$0	\$0	\$0
TOTAL	29	\$38,998,595	22%	3%	<1%
			\$8,734,074	\$1,188,874	\$124,531

¹ Includes contracts not subject to the LBCE Program, including those subject to the Federal DBE Program.

There were no active contracts administered by sponsor agencies with LBCE Program goals for which payments were processed in FY2020-21. There were 30 active contracts administered by sponsor agencies exempt from the LBCE Program in the reporting period, of which \$14M (55%) went to LBE firms, \$10.1M (40%) went to SLBE firms, and \$6,219 (<1%) went to VSLBE firms. This information is shown in Table 2B below.

TABLE 2B – Sponsor Agency Administered Contracts Exempt from LBCE Program Goals					
Contract Type	Number of Contracts	Payments in FY2020-21 (July 1, 2020 and June 30, 2021)			
		Payment Amount	LBE	SLBE	VSLBE
Professional Services	24	\$4,883,319	32% \$1,581,524	9% \$441,364	0% \$6,219
Construction	6	\$20,690,990	60% \$12,517,803	47% \$9,676,043	0% \$0
TOTAL	30	\$25,574,309	55% \$14,099,327	40% \$10,117,40	0% \$6,219

Reporting Process

Staff generated the LBCE Program Contract Equity Utilization Report from the agency database to reflect payment data on all active and open contracts during the reporting period of July 1, 2020 through June 30, 2021. Utilization of local dollars is determined by collecting and analyzing financial data relative to the amounts paid to LBE, SLBE, and VSLBE firms in two contract categories:

- Professional Services – includes contracts of an administrative nature to support Alameda CTC's projects and programs, as well as architectural and engineering services contracts to assist Alameda CTC in the development and delivery of its capital program.
- Construction – includes construction contracts and suppliers awarded to builders of transportation facilities such as roadway and transit improvements.

The participation data and statistics, which serve as a basis for this report, have been independently reviewed and verified by GCAP Services, Inc. (GCAP). As stated in the Letter of Independent Review issued by GCAP (Attachment B), this report was found to be materially accurate and complete.

LBCE Program Certification Update

Table 3 shows the firms certified in this reporting period by contract and certification types.

Table 3 – LBCE Program Certified Firms by Contract Types				
Contract Type	Firms Certified this Reporting Period	LBE	SLBE ¹	VSLBE ²
Professional Services	90	90	53	33
Construction	29	29	18	7
TOTAL	119	119	71	40

¹ Includes LBE and SLBE firms.

² Includes LBE, SLBE and VSLBE firms.

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

Attachments:

- A. FY2020-21 LBCE Program Contract Equity Utilization Report
- B. Letter of Independent Review of Alameda CTC's Contract Equity Annual Utilization Report for the Period of July 1, 2020 through June 30, 2021



Contract Equity Utilization Report

2020-2021

6.4A

Reporting Period Start Date: 7/1/2020 End Date: 6/30/2021

Contract Number/Company Name	Contract Amount	Total Payment to Date	Reporting Period	LBE %	LBE \$	SLBE %	(Reporting Period)		VSLBE %	VSLBE \$	DBE %	DBE \$
							SLBE \$					
Contract Type: Professional Services Agreement												
Professional Services Agreement - Goal Requirements for LBCE (70% for LBE and 30% for SLBE)												
A05-0004 - URS Corporation	\$16,760,000.00	\$16,352,263.36	\$141,609.60	100.00%	\$141,609.60	24.50%	\$34,694.35	0.00%		\$0.00	0.00%	\$0.00
A14-0051 - HNTB	\$10,293,000.00	\$10,141,016.12	\$1,645,673.34	94.35%	\$1,552,692.80	22.62%	\$372,251.31	2.69%		\$44,268.61	2.36%	\$38,837.89
A16-0027 - Nelson/Nygaard Consulting Associates	\$2,808,651.42	\$1,886,410.97	\$260,619.77	100.00%	\$260,619.77	7.57%	\$19,728.92	0.00%		\$0.00	7.27%	\$18,947.06
A16-0075 - HNTB	\$2,445,000.00	\$1,582,812.50	\$231,649.27	100.00%	\$231,649.27	0.66%	\$1,528.89	0.00%		\$0.00	0.66%	\$1,528.89
A17-0001 - Kapsch TrafficCom Transportation NA, Inc.	\$15,000,000.00	\$6,245,065.27	\$2,243,044.05	98.27%	\$2,204,239.39	0.62%	\$13,906.87	0.00%		\$0.00	0.00%	\$0.00
A17-0004 - Jacobs Engineering Group, Inc.	\$30,761,967.99	\$17,492,240.51	\$1,314,618.12	100.00%	\$1,314,618.12	9.17%	\$120,550.48	0.00%		\$0.00	8.54%	\$112,268.39
A17-0005 - Nelson/Nygaard Consulting Associates	\$1,241,701.00	\$1,085,786.86	\$198,631.25	100.00%	\$198,631.25	5.39%	\$10,706.22	0.00%		\$0.00	5.39%	\$10,706.22
A17-0006 - L. Luster & Associates, Inc.	\$1,295,654.00	\$1,208,544.61	\$259,987.30	100.00%	\$259,987.30	100.00%	\$259,987.30	0.00%		\$0.00	100.00%	\$259,987.30
A17-0010 - H.T. Harvey & Associates Ecological Cons	\$177,617.00	\$160,148.00	\$17,561.50	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A17-0021 - Novani, LLC	\$1,868,615.00	\$1,489,019.10	\$243,460.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	100.00%	\$243,460.00
A17-0035 - VSCE, Inc.	\$2,259,659.00	\$1,494,598.86	\$222,002.13	100.00%	\$222,002.13	100.00%	\$222,002.13	0.00%		\$0.00	100.00%	\$222,002.13
A17-0036 - DMR Management Consultants, Inc.	\$2,094,771.00	\$1,989,227.50	\$452,876.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A17-0037 - Sidhu Consulting, LLC	\$2,167,769.00	\$2,167,349.00	\$498,832.00	100.00%	\$498,832.00	100.00%	\$498,832.00	0.00%		\$0.00	100.00%	\$498,832.00
A17-0057 - VSCE, Inc.	\$1,465,000.00	\$1,011,118.36	\$218,981.68	100.00%	\$218,981.68	100.00%	\$218,981.68	0.00%		\$0.00	100.00%	\$218,981.68
A17-0071 - VSCE, Inc.	\$1,822,650.00	\$1,798,885.00	\$269,760.00	100.00%	\$269,760.00	100.00%	\$269,760.00	0.00%		\$0.00	100.00%	\$269,760.00
A17-0073 - Kimley-Horn and Associates, Inc.	\$9,672,128.00	\$2,645,582.55	\$384,210.86	100.00%	\$384,210.86	10.21%	\$39,227.93	0.00%		\$0.00	3.73%	\$14,331.07
A18-0001 - Meyers Nave Riback Silver & Wilson	\$1,508,520.53	\$664,506.65	\$162,048.77	100.00%	\$162,048.77	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A18-0002 - Wendel, Rosen, Black & Dean, LLP	\$5,962,941.00	\$2,043,348.61	\$1,059,696.74	98.79%	\$1,046,874.41	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A18-0023 - AECOM Technical Services, Inc.	\$5,500,000.00	\$4,026,184.80	\$750,722.28	91.06%	\$683,607.71	11.96%	\$89,786.38	1.06%		\$7,957.66	1.20%	\$9,008.67
A18-0024 - Kittelson & Associates, Inc.	\$2,588,000.00	\$1,317,025.88	\$71,913.66	100.00%	\$71,913.66	4.40%	\$3,164.20	0.00%		\$0.00	0.00%	\$0.00
A18-0026 - Mark Thomas & Company	\$4,136,734.00	\$3,418,105.64	\$177,226.75	100.00%	\$177,226.75	55.05%	\$97,563.33	0.00%		\$0.00	23.05%	\$40,850.77
A18-0028 - TY Lin International/CCS	\$7,500,000.00	\$4,251,839.43	\$1,889,202.13	96.76%	\$1,827,991.98	32.93%	\$622,114.26	1.65%		\$31,171.84	9.37%	\$177,018.24
A18-0029 - HNTB	\$2,516,750.00	\$2,364,140.72	\$887,338.51	96.35%	\$854,950.65	28.13%	\$249,608.32	0.00%		\$0.00	22.58%	\$200,361.04
A18-0030 - WMH Corporation	\$18,300,000.00	\$16,277,619.18	\$2,838,608.32	92.73%	\$2,632,241.50	47.78%	\$1,356,287.06	1.88%		\$53,365.84	9.25%	\$262,571.27
A18-0035 - WMH Corporation	\$455,000.00	\$355,521.79	\$40,779.80	94.31%	\$38,459.43	94.31%	\$38,459.43	26.61%		\$10,851.50	28.59%	\$11,658.94
A18-0037 - VSCE, Inc.	\$1,022,736.00	\$884,702.81	\$255,529.04	100.00%	\$255,529.04	100.00%	\$255,529.04	0.00%		\$0.00	100.00%	\$255,529.04
A18-0038 - VSCE, Inc.	\$3,249,197.00	\$1,166,764.17	\$114,604.89	100.00%	\$114,604.89	100.00%	\$114,604.89	0.00%		\$0.00	100.00%	\$114,604.89
A18-0040 - Oberkamper Associates	\$245,000.00	\$239,608.00	\$62,490.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A18-0043 - Public Trust Advisors, LLC	\$510,000.00	\$457,321.77	\$146,938.86	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A18-0047 - Platinum Advisors, LLC	\$315,000.00	\$204,750.00	\$63,000.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A18-0048 - Kimley-Horn & Associates	\$4,000,000.00	\$2,914,594.79	\$816,650.02	95.02%	\$775,980.85	30.39%	\$248,179.94	0.00%		\$0.00	17.44%	\$142,423.76
A18-0060 - CJ Lake, LLC	\$345,000.00	\$211,401.53	\$66,000.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A19-0007 - VSCE, Inc.	\$3,425,000.00	\$2,768,358.56	\$994,715.32	99.72%	\$991,930.12	78.00%	\$775,877.95	0.00%		\$0.00	78.00%	\$775,877.95
A19-0014 - Maze and Associates	\$259,181.00	\$205,894.00	\$86,370.00	0.00%	\$0.00	0.00%	\$0.00	0.00%		\$0.00	0.00%	\$0.00
A20-0002 - Koff & Associates Inc	\$25,000.00	\$20,256.10	\$251.10	100.00%	\$251.10	100.00%	\$251.10	0.00%		\$0.00	0.00%	\$0.00
A20-0003 - Iteris, Inc.	\$431,527.00	\$375,976.77	\$336,276.37	100.00%	\$336,276.37	24.17%	\$81,278.00	0.00%		\$0.00	24.17%	\$81,278.00
Total Professional Services Agreement - Professional Services Agreement - Goal Requirements for LBCE (70% for LBE and 30% for SLBE)												
	\$164,429,769.94	\$112,917,989.77	\$19,423,879.43	91.27%	\$17,727,721.39	30.97%	\$6,014,861.98	0.76%		\$147,615.45	20.49%	\$3,980,825.18



Contract Equity Utilization Report

2020-2021

Reporting Period Start Date: 7/1/2020 End Date: 6/30/2021

							(Reporting Period)				
Contract Number/Company Name	Contract Amount	Total Payment to Date	Reporting Period	LBE %	LBE \$	SLBE %	SLBE \$	VSLBE %	VSLBE \$	DBE %	DBE \$
Professional Services Agreement - Exempt from Goal Requirements											
A10-013 - RBF Consulting	\$11,299,000.00	\$11,102,307.62	\$364,626.13	13.85%	\$50,500.72	9.73%	\$35,478.12	9.73%	\$35,478.12	16.93%	\$61,731.20
A13-0088 - Acumen Building Enterprise, Inc.	\$7,220,948.00	\$6,685,607.26	\$24,652.88	51.38%	\$12,666.65	51.38%	\$12,666.65	0.00%	\$0.00	51.38%	\$12,666.65
A15-0030 - HNTB	\$4,198,570.00	\$3,184,772.65	\$189,018.54	100.00%	\$189,018.54	33.50%	\$63,321.21	0.00%	\$0.00	7.41%	\$14,006.27
A15-0034 - Parsons Transportation Group Inc.	\$13,873,000.00	\$12,566,803.10	\$2,722,043.99	81.86%	\$2,228,265.21	8.74%	\$237,906.64	2.17%	\$59,068.35	13.39%	\$364,481.69
A16-0045 - Iteris, Inc.	\$922,953.00	\$810,836.45	\$21,573.24	100.00%	\$21,573.24	19.15%	\$4,131.28	0.00%	\$0.00	19.15%	\$4,131.28
A17-0075 - Alta Planning + Design, Inc.	\$5,408,778.00	\$3,327,740.32	\$1,173,918.59	50.85%	\$596,937.60	31.66%	\$371,662.63	0.00%	\$0.00	0.09%	\$1,056.53
A17-0076 - Alta Planning + Design, Inc.	\$1,775,219.00	\$1,512,217.28	\$406,845.31	100.00%	\$406,845.31	4.95%	\$20,138.84	0.00%	\$0.00	4.95%	\$20,138.84
A17-0077 - Toole Design Group, LLC	\$4,528,751.00	\$4,083,171.07	\$1,509,810.88	32.38%	\$488,876.76	0.00%	\$0.00	0.00%	\$0.00	28.19%	\$425,615.69
A20-0011 - Parson Transportation Group	\$3,174,647.00	\$938,445.00	\$390,106.00	47.06%	\$183,583.88	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A11-0038 - Delcan Corporation	\$7,926,523.00	\$7,923,184.00	\$47,661.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A15-0035 - WMH Corporation	\$11,725,405.00	\$11,465,025.84	\$98,288.85	100.00%	\$98,288.85	91.36%	\$89,796.69	0.00%	\$0.00	0.37%	\$363.67
A17-0070 - ETC - Electronic Transaction Consultants	\$7,500,000.00	\$6,507,579.65	\$1,506,079.45	95.79%	\$1,442,673.51	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A18-0027 - Nelson/Nygaard Consulting Associates	\$1,757,647.00	\$951,135.75	\$218,605.12	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A18-0039 - Union Pacific Railroad	\$75,000.00	\$62,492.48	\$37,775.77	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A18-0049 - HDR Engineering, Inc.	\$15,500,000.00	\$9,400,815.39	\$1,313,573.12	100.00%	\$1,313,573.12	19.36%	\$254,307.76	0.00%	\$0.00	5.17%	\$67,911.73
A18-0052 - HDR Engineering Inc	\$3,530,000.00	\$3,056,364.52	\$1,612,054.36	71.24%	\$1,148,427.53	6.17%	\$99,463.75	1.86%	\$29,984.21	0.00%	\$0.00
A19-0001 - HNTB	\$4,000,000.00	\$1,523,116.86	\$520,619.65	100.00%	\$520,619.65	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A19-0009 - Kapsch TrafficCom Transportation NA, Inc.	\$56,488,439.00	\$1,186,797.40	\$32,223.05	100.00%	\$32,223.05	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A19-0015 - C&M Associates, Inc.	\$750,000.00	\$749,225.87	\$20,235.45	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
Total Professional Services Agreement - Professional Services Agreement - Exempt from Goal Requirements											
	\$161,654,880.00	\$87,037,638.51	\$12,209,711.38	71.53%	\$8,734,073.62	9.74%	\$1,188,873.58	1.02%	\$124,530.69	7.96%	\$972,103.55
Total Professional Services Agreement											
	\$326,084,649.94	\$199,955,628.28	\$31,633,590.81	83.65%	\$26,461,795.01	22.77%	\$7,203,735.56	0.86%	\$272,146.13	15.66%	\$4,952,928.73
Contract Type: Construction Contract											
Construction Contract - Exempt from Goal Requirements											
A20-0006 - Aldridge Electric, Inc.	\$16,796,108.62	\$9,649,016.92	\$6,834,969.97	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	15.91%	\$1,087,443.72
Total Construction Contract - Construction Contract - Goal Requirements for DBE (Contract Specific)											
	\$16,796,108.62	\$9,649,016.92	\$6,834,969.97	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	15.91%	\$1,087,443.72
Total Construction Contract											
	\$16,796,108.62	\$9,649,016.92	\$6,834,969.97	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	15.91%	\$1,087,443.72
Contract Type: Cooperative Agreement											
Cooperative Agreement - Exempt from Goal Requirements											
04-2550 - Caltrans	\$3,700,000.00	\$3,700,000.00	\$366,603.56	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2558 - Caltrans	\$8,520,000.00	\$6,895,767.44	\$25,863.35	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2568 - Caltrans	\$1,720,000.00	\$1,311,357.46	\$429.93	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2632 - Caltrans	\$114,360,000.00	\$90,341,168.14	\$18,936,967.20	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2654 - Caltrans	\$1,260,000.00	\$1,123,603.88	\$275,006.64	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2672 - Caltrans	\$334,000.00	\$128,334.85	(\$40,000.00)	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2695 - Caltrans	\$300,000.00	\$249,874.88	\$88,636.71	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
04-2719 - Caltrans	\$200,000.00	\$121,069.13	\$116,271.30	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00



Contract Equity Utilization Report

2020-2021

Reporting Period Start Date: 7/1/2020 End Date: 6/30/2021

Contract Number/Company Name	Contract Amount	Total Payment to Date	Reporting Period	LBE %	LBE \$	SLBE %	(Reporting Period)				
							SLBE \$	VSLBE %	VSLBE \$	DBE %	DBE \$
4-2138 - Caltrans	\$31,666,610.00	\$29,851,079.01	\$184,135.63	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
Total Cooperative Agreement - Cooperative Agreement - Exempt from Goal Requirements											
	\$162,060,610.00	\$133,722,254.79	\$19,953,914.32	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
Total Cooperative Agreement											
	\$162,060,610.00	\$133,722,254.79	\$19,953,914.32	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00

Contract Type: Project Funding Agreement

Professional Services Agreement - Exempt from Goal Requirements

A07-0058 - City of Livermore - Mark Thomas & Company, Inc.	\$1,609,056.36	\$1,609,056.36	\$4,578.00	100.00%	\$4,578.00	100.00%	\$4,578.00	0.00%	\$0.00	0.00%	\$0.00
A07-0058 - City of Livermore - Terracare Associates	\$83,942.29	\$83,942.29	\$1,482.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A07-0058 - City of Livermore - Swaim Biological, Inc.	\$24,593.00	\$22,681.35	\$1,839.10	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A07-0058 - City of Livermore - Ruggeri-Jensen-Azar	\$674,165.03	\$649,789.76	\$22,290.64	100.00%	\$22,290.64	0.99%	\$220.68	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - LOMC Clearinghouse	\$353,994.07	\$353,994.07	\$75,936.35	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - B & C Transit Consultants	\$1,106,482.63	\$1,106,482.63	\$63,215.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - UBCm, a Joint Venture	\$1,672,224.68	\$1,671,679.44	\$62,604.73	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - Kal Krishnan Consulting Services	\$477,281.76	\$477,281.76	\$77,750.02	100.00%	\$77,750.02	0.00%	\$0.00	0.00%	\$0.00	100.00%	\$77,750.02
A10-0027 - Bay Area Rapid Transit - Aon Risk Insurance Services West, Inc.	\$1,753,847.42	\$1,753,847.42	\$59,321.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - PB Americas, Inc.	\$12,013,891.69	\$11,693,874.85	\$399,580.46	99.77%	\$398,661.42	23.43%	\$93,621.70	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - Seattle International Engineering, Inc	\$305,370.07	\$305,370.07	\$6,138.02	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - AECOM Technical Services, Inc.	\$440,271.67	\$440,271.67	\$7,600.13	100.00%	\$7,600.13	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A10-0027 - Bay Area Rapid Transit - The Allen Group, LLC	\$2,528,207.83	\$2,528,157.39	\$7,541.76	100.00%	\$7,541.76	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A16-0087 - City of Fremont - MNS Engineers, Inc.	\$5,270,951.28	\$4,029,487.98	\$1,986,946.41	15.52%	\$308,374.08	15.52%	\$308,374.08	0.00%	\$0.00	3.83%	\$76,100.05
A17-0060 - City of Fremont - Kimley-Horn & Associates	\$66,702.32	\$19,034.21	\$9,835.54	100.00%	\$9,835.54	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A17-0091 - City of Dublin - Mark Thomas & Company	\$1,294,000.00	\$714,821.48	\$153,548.04	100.00%	\$153,548.04	11.40%	\$17,504.48	4.05%	\$6,218.70	4.05%	\$6,218.70
A17-0101 - City of Fremont - Parson Transportation Group	\$826,480.67	\$689,844.57	\$430,342.76	100.00%	\$430,342.76	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A17-0103 - City of Fremont - Kimley-Horn & Associates	\$81,940.00	\$69,934.02	\$3,514.56	100.00%	\$3,514.56	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A17-0107 - Livermore Amador Valley Transportation A - Kimley-Horn & Associates	\$119,305.16	\$119,300.17	\$13,633.72	100.00%	\$13,633.72	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A17-0109 - City of Livermore - Ruggeri-Jensen-Azar	\$1,617,000.00	\$1,592,766.34	\$1,394,032.45	3.97%	\$55,343.09	0.95%	\$13,243.31	0.00%	\$0.00	0.00%	\$0.00
A18-0018 - City of Dublin - BKF	\$500,000.00	\$439,422.69	\$8,884.15	100.00%	\$8,884.15	43.02%	\$3,821.96	0.00%	\$0.00	0.00%	\$0.00
A18-0034 - Bay Area Rapid Transit - Nelson/Nygaard Consulting Associates	\$493,129.20	\$358,391.64	\$994.20	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A18-0034 - Bay Area Rapid Transit - Arup North America, Ltd.	\$327,882.74	\$317,260.30	\$79,625.92	100.00%	\$79,625.92	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A18-0058 - City of Alameda - Terraphase Engineering, Inc.	\$62,570.00	\$56,618.98	\$12,084.42	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
Total Project Funding Agreement - Professional Services Agreement - Exempt from Goal Requirements											
	\$33,703,289.87	\$31,103,311.44	\$4,883,319.38	32.38%	\$1,581,523.84	9.04%	\$441,364.21	0.13%	\$6,218.70	3.28%	\$160,068.76

Construction Contract - Exempt from Goal Requirements



Contract Equity Utilization Report 2020-2021

Reporting Period Start Date: 7/1/2020 End Date: 6/30/2021

Contract Number/Company Name	Contract Amount	Total Payment to Date	Reporting Period	LBE %	LBE \$	SLBE %	(Reporting Period)				
							SLBE \$	VSLBE %	VSLBE \$	DBE %	DBE \$
A14-0070 - A C Transit District - O.C. Jones & Sons, Inc.	\$925,000.00	\$925,000.00	\$730.36	100.00%	\$730.36	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A16-0087 - City of Fremont - Shimmick Construction Company, Inc.	\$14,389,236.86	\$14,389,236.86	\$544,782.93	100.00%	\$544,782.93	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A16-0087 - City of Fremont - Schindler Elevator Corporation	\$9,009,488.42	\$8,864,252.18	\$5,810,699.77	16.20%	\$941,333.36	16.20%	\$941,333.36	0.00%	\$0.00	0.00%	\$0.00
A17-0043 - City of Oakland - California Capital & Investment Group, Inc.	\$41,000,000.00	\$41,000,000.00	\$8,500,000.00	100.00%	\$8,500,000.00	100.00%	\$8,500,000.00	0.00%	\$0.00	0.00%	\$0.00
A17-0127 - City of San Leandro - DeSilva Gates Construction	\$10,163,845.00	\$10,031,759.96	\$414,234.57	100.00%	\$414,234.57	0.00%	\$0.00	0.00%	\$0.00	0.00%	\$0.00
A18-0019 - City of Hayward - DeSilva Gates Construction	\$10,600,000.00	\$9,775,523.85	\$5,420,542.50	39.05%	\$2,116,721.85	4.33%	\$234,709.49	0.00%	\$0.00	0.00%	\$0.00
Total Project Funding Agreement - Construction Contract - Exempt from Goal Requirements	\$86,087,570.28	\$84,985,772.85	\$20,690,990.13	60.50%	\$12,517,803.07	46.76%	\$9,676,042.85	0.00%	\$0.00	0.00%	\$0.00
Total Project Funding Agreement	\$119,790,860.15	\$116,089,084.29	\$25,574,309.51	55.13%	\$14,099,326.91	39.56%	\$10,117,407.06	0.02%	\$6,218.70	0.63%	\$160,068.76
Total for All Contracts	\$624,732,228.71	\$459,415,984.28	\$83,996,784.61	48.20%	\$40,561,121.91	20.58%	\$17,321,142.62	0.33%	\$278,364.83	7.37%	\$6,200,441.22

DATE: October 12, 2021

TO: Seung Cho, Director of Procurement and Information Technology, Alameda CTC

FROM: Edward Salcedo, Jr., GCAP Services, Inc.
Sarah Mee, GCAP Services, Inc.
Nicole Change, GCAP Services, Inc.

CC: Patricia Reavey, Deputy Executive Director Finance & Administration, Alameda CTC
Erika Cheng, Manager of Procurement and Information of Technology

RE: Independent Review of Alameda County Transportation Commission's Contract Equity Annual Utilization Report for the July 1, 2020 through June 30, 2021

GCAP Services, Inc. (GCAP) has reviewed Alameda County Transportation Commission (Alameda CTC) payment and vendor for the reporting period July 1, 2020 through June 30, 2020.

GCAP staff was given full access to the Project Control System (PCS) database, contract/agreement files, payment invoices and responses to the vendor survey. GCAP utilized these resources to perform quality control and to ensure the integrity of all payments made during the reporting period to vendors and sponsor agencies on contracts fully or partially funded by Alameda CTC. Additionally, GCAP answered questions and resolved issues received from responsive vendors and sponsor agencies.

Having completed the review process, GCAP found no material defects in the Alameda CTC Contract Equity Annual Utilization Report for the reporting period July 1, 2020 through June 30, 2021.



Edward Salcedo, Jr. Esq.



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Memorandum

6.5

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration
Lily Balinton, Principal Financial Analyst

SUBJECT: Approve the Alameda CTC FY2021-22 First Quarter Investment Report

Recommendation

It is recommended that the Commission approve the Alameda CTC FY2021-22 First Quarter Investment Report.

Summary

Alameda CTC's investments for the first quarter were in compliance with the Agency's investment policy, and the Agency has sufficient cash flow to meet expenditure requirements over the next six months.

The Consolidated Investment Report as of September 30, 2021 (Attachment A) provides balance and average return on investment information for all investments held by Alameda CTC at the end of the first quarter of fiscal year 2021-22. The report also shows balances as of June 30, 2021 for comparison purposes. The *Portfolio Review for the Quarter Ending September 30, 2021* (Attachment B), prepared by Public Trust Advisors, provides a review and outlook of market conditions and information regarding investment strategy, portfolio allocation, compliance, and returns by portfolio compared to the benchmarks.

Background

The following are highlights of key investment balance information as of September 30, 2021 compared to prior year-end balances at June 30, 2021:

- The 1986 Measure B investment balance decreased by \$0.3 million or 0.2 percent related to payments for capital project expenditures.
- The 2000 Measure B investment balance increased \$19.4 million or 9.1 percent mainly due to 2000 Measure B sales tax collections outpacing expenditures in

the capital projects fund and the accumulation of sales tax funds in the Bond Principal Fund reserved for the debt service payment due in March 2022.

- The 2014 Measure BB investment balance decreased \$12.2 million or 8.1 percent due to payments for Measure BB capital project expenditures outpacing sales tax revenue collections in the first quarter as Measure BB capital projects continue to ramp up and move forward to the construction phase.
- The Non-Sales Tax investment balance increased \$2.2 million or 1.7 percent mostly related to the collection of FY2021-22 Member Agency Fees in the first quarter and deferred expenditures for projects and programs.

Investment yields have decreased from last fiscal year with an approximate average return on investments of 0.5 percent through September 30, 2021 compared to the prior fiscal year's average return of 1.0 percent. Return on investments for most funds for the FY2021-22 budget year were projected at approximately 0.25 percent.

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

Attachments:

- A. Consolidated Investment Report as of September 30, 2021
- B. Portfolio Review for Quarter Ending September 30, 2021 (provided by Public Trust Advisors)
- C. Holdings by Security Type as of September 30, 2021

Alameda CTC Consolidated Investment Report As of September 30, 2021							
1986 Measure B	Un-Audited	Interest Earned				FY 2020-2021	
		As of September 30, 2021				Investment Balance	Interest earned
	Investment Balance	Interest earned	Approx. ROI	Budget	Difference	June 30, 2021	FY 2020-2021
Bank Accounts	\$ 717,467	\$ 17	0.01%			\$ 1,375,007	36
State Treasurer Pool (LAIF) ⁽¹⁾	16,953,975	9,358	0.22%			16,940,144	98,858
Investment Advisor ^{(1) (2)}	126,246,535	356,602	1.13%			125,887,220	2,325,449
1986 Measure B Total	\$ 143,917,977	\$ 365,977	1.02%	\$ 87,500	\$ 278,477	\$ 144,202,371	\$ 2,424,343
Approx. ROI							1.68%
2000 Measure B	Un-Audited	Interest Earned				FY 2020-2021	
		As of September 30, 2021				Investment Balance	Interest earned
	Investment Balance	Interest earned	Approx. ROI	Budget	Difference	June 30, 2021	FY 2020-2021
Bank Accounts	\$ 6,130,135	\$ 125	0.01%			\$ 7,639,742	\$ 512
State Treasurer Pool (LAIF) ⁽¹⁾	68,034,714	36,316	0.21%			59,481,534	320,489
California Asset Management Program (CAMP)	20,328,574	1,899	0.04%			14,326,675	396
Investment Advisor ^{(1) (2)}	122,375,215	230,895	0.75%			122,188,752	2,242,950
2014 Series A Bond Revenue Fund ⁽¹⁾	838	-	0.00%			838	-
2014 Series A Bond Interest Fund ^{(1) (2)}	425,068	58	0.04%			679,555	461
2014 Series A Bond Principal Fund ^{(1) (2)}	15,467,852	1,692	0.06%			9,052,383	14,314
Project Deferred Revenue ^{(1) (3)}	180,182	101	0.22%			184,647	1,931
2000 Measure B Total	\$ 232,942,578	\$ 271,086	0.47%	\$ 113,125	\$ 157,961	\$ 213,554,126	\$ 2,581,053
Approx. ROI							1.21%
2014 Measure BB	Un-Audited	Interest Earned				FY 2020-2021	
		As of September 30, 2021				Investment Balance	Interest earned
	Investment Balance	Interest earned	Approx. ROI	Budget	Difference	June 30, 2021	FY 2020-2021
Bank Accounts	\$ 3,935,128	\$ 104	0.01%			\$ 9,723,542	\$ 472
State Treasurer Pool (LAIF) ⁽¹⁾	68,795,018	39,170	0.23%			71,236,855	440,380
California Asset Management Program (CAMP)	1,000,885	685	0.27%			5,000,200	200
Investment Advisor ^{(1) (2)}	62,507,280	9,029	0.06%			62,466,632	283,451
Project Deferred Revenue ^{(1) (3)}	1,574,767	869	0.22%			1,573,483	5,431
2014 Measure BB Total	\$ 137,813,078	\$ 49,857	0.14%	\$ 87,500	\$ (37,643)	\$ 150,000,712	\$ 729,934
Approx. ROI							0.49%
Non-Sales Tax	Un-Audited	Interest Earned				FY 2020-2021	
		As of September 30, 2021				Investment Balance	Interest earned
	Investment Balance	Interest earned	Approx. ROI	Budget	Difference	June 30, 2021	FY 2020-2021
Bank Accounts	\$ 9,493,190	\$ 146	0.01%			\$ 8,337,322	\$ 795
State Treasurer Pool (LAIF) ⁽¹⁾	47,486,985	26,639	0.22%			47,661,935	261,058
California Asset Management Program (CAMP)	59,348,751	7,790	0.05%			58,340,961	89,238
Project Deferred Revenue ^{(1) (3)}	13,088,867	6,799	0.21%			12,864,499	64,913
Non-Sales Tax Total	\$ 129,417,793	\$ 41,374	0.13%	\$ 70,000	\$ (28,626)	\$ 127,204,717	\$ 416,004
Approx. ROI							0.33%
Alameda CTC TOTAL	\$ 644,091,426	\$ 728,294	0.45%	\$ 358,125	\$ 370,169	\$ 634,961,926	\$ 6,151,334

Notes:

- (1) All investments are marked to market on the financial statements at the end of the fiscal year per GASB 31 requirements.
- (2) See attachments for detail of investment holdings managed by Investment Advisor
- (3) Project funds in deferred revenue are invested in LAIF with interest accruing back to the respective projects, as required per individual funding contracts

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**Alameda County Transportation Commission
Portfolio Review for the Quarter Ending September 30, 2021**

Fixed Income Market Review and Outlook

The U.S. economy continues to expand despite ongoing virus concerns and persistent supply chain bottlenecks and labor shortages. Amidst a surge in COVID-19 cases over the quarter, economists downgraded their forecasts for growth over the remainder of the year as rising public health concerns weigh on consumer confidence and threaten to derail the developing service sector recovery. While the pace of growth is expected to slow from last quarter's 6.7% annualized rate, it is expected to remain well above trend in coming quarters as the economic reopening continues and then decelerate to a more sustainable long-term growth trajectory. The Institute for Supply Management's manufacturing and service sector indices provide a range of important insights into the breadth and vitality of underlying economic momentum. With readings above 50 denoting expansion, current index levels are consistent with expectations for continued above-trend near-term growth. Survey respondents report that persistent supply chain disruptions and labor scarcity continue to impede their ability to meet growing demand and represent significant barriers to more robust growth.

The pace of job growth slowed dramatically in the final two months of the quarter as concerns over surging COVID-19 cases likely weighed on hiring. Following job gains of nearly 1.1 million in July, the pace of hiring stalled in August and September with payrolls rising much less than the expected gains of 366K and 194K, respectively. While the unemployment rate fell sharply to 4.8% in September from 5.2% in the prior month, much of that drop is due to declines in the labor force participation rate which indicates a number of workers displaced during the pandemic remain on the sidelines. Businesses report that hiring challenges continue to represent a significant headwind to meeting customer demand and the recent slowdown in hiring likely reflects, in part, the struggle between businesses striving to meet demand and job candidates seeking better opportunities and remain slow to re-enter the labor force.

Measures of consumer price inflation have shown a sharp rise in recent months as logistical challenges associated with reviving previously shuttered global supply chains collided with resurgent consumer demand as global economies began to reopen. While the moderating pace of price gains in August is consistent with the Federal Reserve's (Feds) contention that current price flare-ups are transitory, mounting wage pressures stemming from persistent labor scarcity and record rises in home prices, and related rent increases, may prove more enduring and will keep core inflation above the Fed's 2% target for some time. Through September, headline and core measures of the Consumer Price Index (CPI) are up 5.4% and 4.0%, respectively, on a year-over-year basis. Persistent price pressures are raising concerns that inflation may be less "transitory" than Fed officials believed and may risk curtailing consumer spending which is a primary driver of U.S. economic output.

Speaking at the Federal Reserve's annual Jackson Hole symposium, Chair Jerome Powell said the U.S. central bank may begin tapering its monthly asset purchases by the end of the year as the economy continues to recover from the pandemic. Striking a cautiously optimistic tone, Powell reiterated that the Fed's framework for raising interest rates includes a "different and substantially more stringent test." This message was clearly received by the market with a rate hike still not anticipated until the end of 2022.

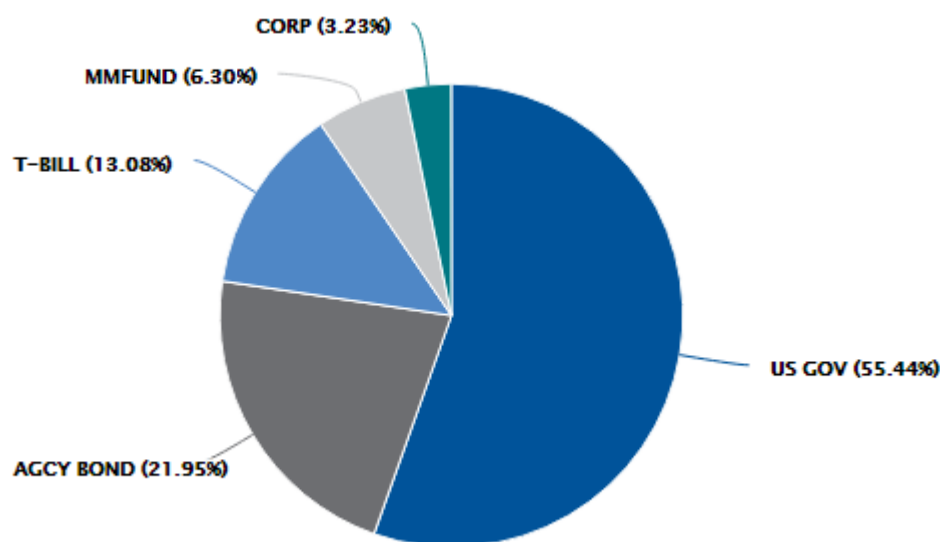
Although Treasury yields changed only slightly over the quarter, trading ranges were volatile reflecting divergent market narratives and crosscurrents. In response to the surge in virus cases that took place in August through mid-September, Treasury yields traded lower as rising economic uncertainties resulted in a wave of downgraded third quarter growth forecasts. As new cases crested in mid-September and began to retreat, yields rose dramatically in the final two weeks of the quarter on the improving public health backdrop and the expectation that the Fed would commence the balance sheet taper in November. Over the quarter, 2-, 5-, and 10- year Treasury yields traded in ranges of, 0.13% - 0.30% (2-year), 0.57% - 1.02% (5-year) and 1.17% - 1.54% (10-year), respectively. While uncertainties to the outlook remain, rising inflation, continued public health progress, persistent fiscal deficits, and the likely tapering of the Fed's balance sheet contribute to expectations of higher interest rates and a steeper yield curve in the quarters ahead.

Investment Strategy Update

Alameda CTC's liquidity portfolios remain invested in short-term securities to match anticipated expenditure dates to provide necessary liquidity for ongoing project costs. The long-term core portfolios remain invested in eligible and permitted securities as set forth in Alameda CTC's investment policy and California state code. Over the quarter, the core portfolios' durations were modestly shorter than their benchmark and their continued allocation to high-quality corporate bonds served to enhance overall portfolio yield and income. Public Trust Advisors is working with Alameda CTC to review potential adjustments to current Core and Liquidity investment strategies as the agency reviews upcoming cash flow needs for projects and programs.

Portfolio Allocation

Provided below is a summary of the Alameda CTC consolidated portfolio as of the quarter ended September 30, 2021.



U.S. Treasury Notes/Bonds:	55.44%
U.S. Agency Bonds:	21.95%
U.S. Treasury Bills:	13.08%
Money Market Fund:	6.30%
U.S. Corporate Bonds:	3.23%

Compliance with Investment Policy Statement

As of the quarter ending September 30, 2021, the Alameda CTC portfolios were in compliance with the adopted investment policy.

Core Portfolios

The performance for the core 1986 and 2000 Measure B portfolios (the Portfolios) is reported on a total return basis. This method includes the coupon interest, amortization of discounts and premiums, capital gains and losses and price changes (i.e., unrealized gains and losses), but does not include the deduction of management fees. Total return performance for the Portfolios for the quarter ending September 30, 2021 is summarized in the table below. The Portfolios slightly outperformed their respective benchmarks over the quarter as rates increased and the yield curve steepened. In addition, the Portfolios' continued allocation to high-quality corporate bonds served to enhance overall core portfolio yield and income.

Core Portfolio & Benchmark Total Return ¹

1986 Measure B Portfolio

Portfolio Return: 0.08%

Benchmark Return: 0.06%

2000 Measure B Portfolio

Portfolio Return: 0.07%

Benchmark Return: 0.06%

¹ Note: Past performance is not an indication of future results. Performance is presented prior to the deduction of investment management fees.

1986 Measure B benchmark is the BofAML 1-3 Year AAA-AA US Corporate & Government Index.

2000 Measure B benchmark is the BofAML 1-3 Year AAA-AA US Corporate & Government Index.

Over the quarter, durations for the core portfolios were generally shorter than their benchmark. The core 1986 Measure B portfolio ended the period with a duration of 1.43, shorter than the benchmark duration of 1.82 as of September 30, 2021, as Public Trust continues to work with Alameda CTC to align strategy with spending needs. The core 2000 Measure B portfolio ended the quarter with a duration of 1.75, slightly shorter than the ending benchmark duration of 1.82.

The Portfolios' yield to maturity represents the return the Portfolios will earn in the future if all securities are held to maturity. This calculation is based on the current market value of the Portfolios including unrealized gains and losses. Portfolio yield to maturity for the quarter ending September 30, 2021 is summarized below:

Core Portfolio & Benchmark Yield to Maturity

1986 Measure B Portfolio

Portfolio YTM: 0.21%

Benchmark YTM: 0.28%

2000 Measure B Portfolio

Portfolio YTM: 0.27%

Benchmark YTM: 0.28%

Liquidity and Bond Portfolios

The liquidity portions of the 1986 and 2000 Measure B portfolios (Liquidity portfolios), as well as the 2014 Measure BB and the Bond Interest and Principal Fund portfolios, remain invested in short-term cash equivalents and high-grade fixed income securities, as permitted by the Investment Policy, with maturity dates matched to appropriate anticipated expenditure and debt service payment dates.

One way to measure the anticipated return of the Liquidity and Bond portfolios is their yield to maturity. This is the return the portfolios will earn in the future if all securities are held to maturity. This calculation is based on the current market value of the portfolios. The yield to maturity and weighted average maturity (WAM) for the Liquidity and Bond portfolios and the comparable maturity of U.S. Treasury securities as of the quarter ending September 30, 2021 are summarized below:

Liquidity Portfolio & Comparable U.S. Treasury Security Yield to Maturity
1986 Measure B Portfolio

Portfolio YTM: 0.10%

Comparable TSY YTM: 0.05%

Portfolio WAM: 0.5 Years

2000 Measure B Portfolio

Portfolio YTM: 0.11%

Comparable TSY YTM: 0.08%

Portfolio WAM: 0.8 Years

2014 Measure BB Portfolio

Portfolio YTM: 0.06%

Comparable TSY YTM: 0.05%

Portfolio WAM: 0.4 Years

Note: WAM is the weighted average amount of time until the securities in the portfolio mature.

Bond Portfolio & Comparable U.S. Treasury Security Yield to Maturity
Interest Fund Portfolio

Portfolio YTM: 0.03%

Comparable TSY YTM: 0.03%

Portfolio WAM: 0.0 Years

Principal Fund Portfolio

Portfolio YTM: 0.06%

Comparable TSY YTM: 0.05%

Portfolio WAM: 0.3 Years

Note: WAM is the weighted average amount of time until the securities in the portfolio mature.

For the quarter ending September 30, 2021, the Alameda CTC Series 2014 Bonds Interest Fund and Principal Fund portfolios were invested in compliance with Section 5.11 of the Bond Indenture dated February 1, 2014.

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Holdings by Security Type ACTC

Base Currency: USD As of 09/30/2021

ACTC 1986 Measure B (159781)

Dated: 10/14/2021

AGCY BOND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
FEDERAL NATIONAL MORTGAGE ASSOCIATION	3135G04Q3	05/22/2023	2,480,000.00	100.0357	2,480,884.64	2,474,544.00	2,476,964.94	0.325	1.951%	AA+	Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION	3135G05G4	07/10/2023	1,850,000.00	99.9747	1,849,532.43	1,849,790.95	1,849,869.32	0.254	1.454%	AA+	Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION	3135G0S38	01/05/2022	5,800,000.00	100.4882	5,828,317.57	5,705,283.80	5,791,611.85	2.575	4.583%	AA+	Aaa
FEDERAL HOME LOAN MORTGAGE CORP	3137EAER6	05/05/2023	2,500,000.00	100.2187	2,505,468.60	2,503,150.00	2,501,696.15	0.332	1.970%	AA+	Aaa
FEDERAL HOME LOAN MORTGAGE CORP	3137EAS4	06/26/2023	1,850,000.00	100.0252	1,850,465.46	1,850,111.00	1,850,068.82	0.248	1.455%	AA+	Aaa
FEDERAL HOME LOAN MORTGAGE CORP	3137EAEV7	08/24/2023	1,850,000.00	99.9563	1,849,192.14	1,850,162.80	1,850,104.31	0.247	1.454%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130AFE78	12/09/2022	5,300,000.00	103.4267	5,481,612.61	5,367,787.00	5,320,688.86	2.651	4.310%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130ADRG9	03/10/2023	4,600,000.00	103.6918	4,769,824.27	4,613,018.00	4,604,517.15	2.677	3.751%	AA+	Aaa
FEDERAL HOME LOAN BANKS	313381BR5	12/09/2022	2,285,000.00	102.0466	2,331,765.02	2,313,242.60	2,296,740.70	1.432	1.833%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3133834G3	06/09/2023	2,480,000.00	103.1561	2,558,272.05	2,612,010.40	2,554,399.27	0.337	2.012%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130AKDH6	10/21/2022	1,720,000.00	100.0007	1,720,011.63	1,717,729.60	1,718,800.95	0.191	1.352%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130AFFN2	12/10/2021	3,300,000.00	100.5477	3,318,074.99	3,335,475.00	3,302,347.12	2.611	2.609%	AA+	Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP	3133ELGN8	10/13/2022	2,285,000.00	101.5451	2,320,306.47	2,294,962.60	2,288,805.37	1.435	1.824%	AA+	Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP	3133EMGX4	11/23/2022	1,450,000.00	99.9947	1,449,923.34	1,447,941.00	1,448,821.01	0.196	1.140%	AA+	Aaa
---	---	11/26/2022	39,750,000.00	101.4417	40,313,651.22	39,935,208.75	39,855,435.83	1.534	31.699%	AA+	Aaa

CASH

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
Receivable	CCYUSD	09/30/2021	378.46	1.0000	378.46	378.46	378.46	0.000	0.000%	AAA	Aaa
Receivable	CCYUSD	09/30/2021	378.46	1.0000	378.46	378.46	378.46	0.000	0.000%	AAA	Aaa

CORP

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
TOYOTA MOTOR CREDIT CORP	89233P5T9	01/12/2022	1,300,000.00	100.8637	1,311,228.27	1,316,588.00	1,301,627.20	2.834	1.031%	A+	A1
PFIZER INC	717081DZ3	12/15/2021	1,300,000.00	100.4028	1,305,236.67	1,301,768.00	1,300,144.44	2.144	1.026%	A+	A2
MICROSOFT CORP	594918BH6	11/03/2022	1,000,000.00	102.1780	1,021,780.32	1,023,660.00	1,008,297.00	1.726	0.803%	AAA	Aaa
APPLE INC	037833DC1	09/12/2022	2,000,000.00	101.6803	2,033,605.98	2,028,106.00	2,009,707.66	1.525	1.599%	AA+	Aa1
---	---	05/26/2022	5,600,000.00	101.2871	5,671,851.24	5,670,122.00	5,619,776.32	2.008	4.460%	AA-	Aa3

MMFUND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
MORG STAN I LQ:GV I	61747C707	09/30/2021	19,640,479.92	1.0000	19,640,479.92	19,640,479.92	19,640,479.92	0.030	15.443%	AAAm	Aaa
MORG STAN I LQ:GV I	61747C707	09/30/2021	19,640,479.92	1.0000	19,640,479.92	19,640,479.92	19,640,479.92	0.030	15.443%	AAAm	Aaa

US GOV

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	912828YK0	10/15/2022	2,600,000.00	101.3125	2,634,125.00	2,581,414.06	2,593,180.96	1.634	2.071%	AA+	Aaa
UNITED STATES TREASURY	912828TY6	11/15/2022	2,600,000.00	101.6797	2,643,672.20	2,599,492.19	2,599,804.32	1.632	2.079%	AA+	Aaa
UNITED STATES TREASURY	912828ZD5	03/15/2023	1,840,000.00	100.4648	1,848,552.32	1,854,878.13	1,847,670.63	0.212	1.454%	AA+	Aaa
UNITED STATES TREASURY	912828Z86	02/15/2023	1,840,000.00	101.6523	1,870,402.32	1,898,937.50	1,869,586.63	0.201	1.471%	AA+	Aaa
UNITED STATES TREASURY	912828Z29	01/15/2023	1,840,000.00	101.7422	1,872,056.48	1,903,034.37	1,870,639.00	0.204	1.472%	AA+	Aaa

Holdings by Security Type ACTC

ACTC 1986 Measure B (159781)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	912828ZH6	04/15/2023	1,850,000.00	100.0664	1,851,228.40	1,854,769.53	1,852,819.50	0.151	1.456%	AA+	Aaa
UNITED STATES TREASURY	912828F96	10/31/2021	1,150,000.00	100.1583	1,151,820.45	1,170,484.38	1,151,765.89	0.129	0.906%	AA+	Aaa
UNITED STATES TREASURY	9128283C2	10/31/2022	1,450,000.00	102.0391	1,479,566.95	1,501,429.69	1,478,491.90	0.180	1.163%	AA+	Aaa
UNITED STATES TREASURY	91282CAP6	10/15/2023	2,750,000.00	99.6406	2,740,116.50	2,740,654.29	2,742,764.61	0.255	2.155%	AA+	Aaa
UNITED STATES TREASURY	91282CAW1	11/15/2023	2,750,000.00	99.8555	2,746,026.25	2,748,388.67	2,748,741.15	0.272	2.159%	AA+	Aaa
UNITED STATES TREASURY	91282CBA8	12/15/2023	2,750,000.00	99.5234	2,736,893.50	2,737,646.48	2,740,269.49	0.286	2.152%	AA+	Aaa
UNITED STATES TREASURY	91282CAK7	09/15/2023	2,750,000.00	99.6914	2,741,513.50	2,741,943.35	2,743,821.22	0.240	2.156%	AA+	Aaa
UNITED STATES TREASURY	91282CAR2	10/31/2022	2,000,000.00	100.0039	2,000,078.00	1,999,453.12	1,999,647.03	0.141	1.573%	AA+	Aaa
UNITED STATES TREASURY	91282CBM2	02/15/2024	1,950,000.00	99.4219	1,938,727.05	1,940,554.69	1,942,140.99	0.296	1.524%	AA+	Aaa
UNITED STATES TREASURY	91282CBG5	01/31/2023	1,935,000.00	99.9531	1,934,092.49	1,934,470.89	1,934,610.76	0.140	1.521%	AA+	Aaa
UNITED STATES TREASURY	91282CBU4	03/31/2023	1,935,000.00	99.9062	1,933,184.97	1,934,168.55	1,934,370.36	0.147	1.520%	AA+	Aaa
UNITED STATES TREASURY	91282CBE0	01/15/2024	1,950,000.00	99.4570	1,939,411.50	1,941,392.58	1,942,882.49	0.285	1.525%	AA+	Aaa
UNITED STATES TREASURY	91282CBN0	02/28/2023	1,935,000.00	99.9219	1,933,488.76	1,934,319.73	1,934,492.26	0.144	1.520%	AA+	Aaa
UNITED STATES TREASURY	91282CBR1	03/15/2024	1,950,000.00	99.6445	1,943,067.75	1,946,267.58	1,946,877.45	0.316	1.528%	AA+	Aaa
UNITED STATES TREASURY	91282XDX7	05/31/2022	1,725,000.00	101.1953	1,745,618.93	1,727,425.78	1,725,540.55	1.826	1.373%	AA+	Aaa
UNITED STATES TREASURY	9128286Y1	06/15/2022	2,200,000.00	101.1641	2,225,610.20	2,197,765.61	2,199,463.33	1.786	1.750%	AA+	Aaa
UNITED STATES TREASURY	912828XW5	06/30/2022	5,700,000.00	101.2422	5,770,805.40	5,557,500.00	5,669,238.09	2.510	4.538%	AA+	Aaa
UNITED STATES TREASURY	912828XW5	06/30/2022	2,200,000.00	101.2422	2,227,328.40	2,196,992.18	2,199,245.97	1.797	1.751%	AA+	Aaa
UNITED STATES TREASURY	9128287C8	07/15/2022	2,100,000.00	101.3047	2,127,398.70	2,105,906.25	2,101,656.98	1.647	1.673%	AA+	Aaa
UNITED STATES TREASURY	9128282S8	08/31/2022	2,100,000.00	101.3984	2,129,366.40	2,099,015.63	2,099,692.73	1.641	1.674%	AA+	Aaa
UNITED STATES TREASURY	912828L57	09/30/2022	5,300,000.00	101.6523	5,387,571.90	5,156,734.38	5,261,428.49	2.519	4.236%	AA+	Aaa
UNITED STATES TREASURY	---	02/02/2023	61,150,000.00	100.6655	61,551,724.31	61,005,039.61	61,130,842.78	1.007	48.398%	AA+	Aaa

Summary

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
---	---	10/17/2022	126,140,858.38	85.5895	127,178,085.16	126,251,228.74	126,246,913.31	1.067	100.000%	AA+	Aaa

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Weighted by: Market Value + Accrued, except Book Yield by Base Book Value + Accrued. * Holdings Displayed by: Lot.

Holdings by Security Type ACTC

ACTC 2000 Measure B (159783)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

AGCY BOND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
FEDERAL NATIONAL MORTGAGE ASSOCIATION	3135G04Q3	05/22/2023	1,370,000.00	100.0357	1,370,488.69	1,366,986.00	1,368,323.37	0.325	1.117%	AA+	Aaa
FEDERAL NATIONAL MORTGAGE ASSOCIATION	3135G05G4	07/10/2023	1,425,000.00	99.9747	1,424,639.85	1,424,838.98	1,424,899.34	0.254	1.161%	AA+	Aaa
FEDERAL HOME LOAN MORTGAGE CORP	3137EAER6	05/05/2023	2,300,000.00	100.2187	2,305,031.11	2,302,898.00	2,301,560.46	0.332	1.879%	AA+	Aaa
FEDERAL HOME LOAN MORTGAGE CORP	3137EAS4	06/26/2023	1,425,000.00	100.0252	1,425,358.53	1,425,085.50	1,425,053.01	0.248	1.162%	AA+	Aaa
FEDERAL HOME LOAN MORTGAGE CORP	3137EAEV7	08/24/2023	1,425,000.00	99.9563	1,424,377.73	1,425,125.40	1,425,080.35	0.247	1.161%	AA+	Aaa
FEDERAL HOME LOAN BANKS	313381BR5	12/09/2022	2,200,000.00	102.0466	2,245,025.40	2,227,192.00	2,211,303.95	1.432	1.830%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3133834G3	06/09/2023	1,370,000.00	103.1561	1,413,238.99	1,442,925.10	1,411,099.60	0.337	1.152%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130AFE78	12/09/2022	3,500,000.00	103.4267	3,619,932.85	3,544,765.00	3,513,662.45	2.651	2.950%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130AFFN2	12/10/2021	6,500,000.00	100.5477	6,535,602.25	6,569,875.00	6,504,623.11	2.611	5.326%	AA+	Aaa
FEDERAL HOME LOAN BANKS	3130AKDH6	10/21/2022	2,205,000.00	100.0007	2,205,014.91	2,202,089.40	2,203,462.85	0.191	1.797%	AA+	Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP	3133ELGN8	10/13/2022	2,200,000.00	101.5451	2,233,993.10	2,209,592.00	2,203,663.81	1.435	1.821%	AA+	Aaa
FEDERAL FARM CREDIT BANKS FUNDING CORP	3133EMGX4	11/23/2022	2,045,000.00	99.9947	2,044,891.88	2,042,096.10	2,043,337.22	0.196	1.667%	AA+	Aaa
---	---	11/08/2022	27,965,000.00	101.0286	28,247,595.30	28,183,468.48	28,036,069.53	1.295	23.021%	AA+	Aaa

CASH

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
Receivable	CCYUSD	09/30/2021	14.53	1.0000	14.53	14.53	14.53	0.000	0.000%	AAA	Aaa
Receivable	CCYUSD	09/30/2021	14.53	1.0000	14.53	14.53	14.53	0.000	0.000%	AAA	Aaa

CORP

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
TOYOTA MOTOR CREDIT CORP	89233P5T9	01/12/2022	1,350,000.00	100.8637	1,361,660.13	1,367,226.00	1,351,689.79	2.834	1.110%	A+	A1
MICROSOFT CORP	594918BH6	11/03/2022	1,675,000.00	102.1780	1,711,482.04	1,714,630.50	1,688,897.48	1.726	1.395%	AAA	Aaa
APPLE INC	037833CM0	02/09/2022	1,350,000.00	100.6187	1,358,352.02	1,341,454.50	1,348,954.75	2.726	1.107%	AA+	Aa1
---	---	05/15/2022	4,375,000.00	101.2981	4,431,494.18	4,423,311.00	4,389,542.02	2.373	3.612%	AA	Aa2

MMFUND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
MORG STAN I LQ:GV I	61747C707	09/30/2021	33,108.87	1.0000	33,108.87	33,108.87	33,108.87	0.030	0.027%	AAAm	Aaa
MORG STAN I LQ:GV I	61747C707	09/30/2021	33,108.87	1.0000	33,108.87	33,108.87	33,108.87	0.030	0.027%	AAAm	Aaa

T-BILL

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	912796C31	01/27/2022	3,150,000.00	99.9861	3,149,562.15	3,149,158.10	3,149,529.17	0.046	2.567%	A-1+	P-1
UNITED STATES TREASURY	912796H77	11/26/2021	1,300,000.00	99.9940	1,299,922.00	1,299,774.02	1,299,915.07	0.043	1.059%	A-1+	P-1
UNITED STATES TREASURY	---	01/09/2022	4,450,000.00	99.9884	4,449,484.15	4,448,932.12	4,449,444.24	0.045	3.626%	A-1+	P-1

US GOV

Holdings by Security Type ACTC

ACTC 2000 Measure B (159783)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	912828SF8	02/15/2022	3,150,000.00	100.7227	3,172,765.05	3,188,390.63	3,172,867.46	0.056	2.586%	AA+	Aaa
UNITED STATES TREASURY	912828TY6	11/15/2022	2,000,000.00	101.6797	2,033,594.00	1,999,849.38	1,999,849.48	1.632	1.657%	AA+	Aaa
UNITED STATES TREASURY	912828UN8	02/15/2023	2,680,000.00	102.5156	2,747,418.08	2,752,967.19	2,748,723.32	0.128	2.239%	AA+	Aaa
UNITED STATES TREASURY	912828F96	10/31/2021	1,500,000.00	100.1583	1,502,374.50	1,526,718.75	1,502,303.34	0.129	1.224%	AA+	Aaa
UNITED STATES TREASURY	912828Q29	03/31/2023	2,625,000.00	101.9609	2,676,473.63	2,676,782.22	2,676,687.55	0.182	2.181%	AA+	Aaa
UNITED STATES TREASURY	912828S35	06/30/2023	500,000.00	101.9922	509,961.00	476,250.00	490,579.86	2.522	0.416%	AA+	Aaa
UNITED STATES TREASURY	912828T26	09/30/2023	1,375,000.00	102.1719	1,404,863.63	1,408,300.78	1,404,533.17	0.295	1.145%	AA+	Aaa
UNITED STATES TREASURY	912828XT2	05/31/2024	1,375,000.00	104.0938	1,431,289.75	1,437,250.98	1,431,820.08	0.437	1.166%	AA+	Aaa
UNITED STATES TREASURY	912828XW5	06/30/2022	4,000,000.00	101.2422	4,049,688.00	3,900,000.00	3,978,412.70	2.510	3.300%	AA+	Aaa
UNITED STATES TREASURY	912828XW5	06/30/2022	1,950,000.00	101.2422	1,974,222.90	1,947,333.98	1,949,331.65	1.797	1.609%	AA+	Aaa
UNITED STATES TREASURY	9128282P4	07/31/2022	3,150,000.00	101.4844	3,196,758.60	3,210,662.10	3,196,415.70	0.100	2.605%	AA+	Aaa
UNITED STATES TREASURY	9128283C2	10/31/2022	1,875,000.00	102.0391	1,913,233.13	1,941,503.91	1,911,842.98	0.180	1.559%	AA+	Aaa
UNITED STATES TREASURY	9128286G0	02/29/2024	1,375,000.00	104.7617	1,440,473.38	1,447,563.48	1,440,634.93	0.385	1.174%	AA+	Aaa
UNITED STATES TREASURY	9128286H8	03/15/2022	3,150,000.00	101.0625	3,183,468.75	3,201,556.65	3,182,972.28	0.066	2.594%	AA+	Aaa
UNITED STATES TREASURY	912828Z29	01/15/2023	1,900,000.00	101.7422	1,933,101.80	1,965,089.84	1,931,638.10	0.204	1.575%	AA+	Aaa
UNITED STATES TREASURY	912828Z86	02/15/2023	1,900,000.00	101.6523	1,931,393.70	1,960,859.38	1,930,551.41	0.201	1.574%	AA+	Aaa
UNITED STATES TREASURY	912828ZD5	03/15/2023	1,900,000.00	100.4648	1,908,831.20	1,915,363.29	1,907,920.76	0.212	1.556%	AA+	Aaa
UNITED STATES TREASURY	912828ZH6	04/15/2023	1,425,000.00	100.0664	1,425,946.20	1,428,673.83	1,427,171.78	0.151	1.162%	AA+	Aaa
UNITED STATES TREASURY	912828ZM5	04/30/2022	2,700,000.00	100.0312	2,700,842.40	2,701,054.70	2,700,732.05	0.078	2.201%	AA+	Aaa
UNITED STATES TREASURY	912828ZP8	05/15/2023	1,550,000.00	99.8516	1,547,699.80	1,549,697.27	1,549,786.24	0.134	1.261%	AA+	Aaa
UNITED STATES TREASURY	912828ZR4	05/31/2022	2,700,000.00	100.0312	2,700,842.40	2,701,054.70	2,700,761.90	0.082	2.201%	AA+	Aaa
UNITED STATES TREASURY	91282CAF8	08/15/2023	800,000.00	99.7422	797,937.60	799,093.75	799,236.78	0.176	0.650%	AA+	Aaa
UNITED STATES TREASURY	91282CAG6	08/31/2022	3,150,000.00	100.0234	3,150,737.10	3,150,492.19	3,150,384.99	0.112	2.568%	AA+	Aaa
UNITED STATES TREASURY	91282CAK7	09/15/2023	2,550,000.00	99.6914	2,542,130.70	2,548,107.42	2,548,592.39	0.153	2.072%	AA+	Aaa
UNITED STATES TREASURY	91282CAN1	09/30/2022	3,150,000.00	100.0195	3,150,614.25	3,149,507.81	3,149,607.97	0.137	2.568%	AA+	Aaa
UNITED STATES TREASURY	91282CAP6	10/15/2023	2,550,000.00	99.6406	2,540,835.30	2,548,007.81	2,548,502.84	0.154	2.071%	AA+	Aaa
UNITED STATES TREASURY	91282CAR2	10/31/2022	1,850,000.00	100.0039	1,850,072.15	1,850,361.32	1,850,222.65	0.114	1.508%	AA+	Aaa
UNITED STATES TREASURY	91282CAW1	11/15/2023	2,550,000.00	99.8555	2,546,315.25	2,556,873.04	2,555,217.05	0.153	2.075%	AA+	Aaa
UNITED STATES TREASURY	91282CBA8	12/15/2023	2,550,000.00	99.5234	2,537,846.70	2,547,011.73	2,547,711.17	0.166	2.068%	AA+	Aaa
UNITED STATES TREASURY	91282CBE0	01/15/2024	1,900,000.00	99.4570	1,889,683.00	1,891,613.29	1,893,065.00	0.285	1.540%	AA+	Aaa
UNITED STATES TREASURY	91282CBG5	01/31/2023	2,680,000.00	99.9531	2,678,743.08	2,679,895.31	2,679,901.58	0.128	2.183%	AA+	Aaa
UNITED STATES TREASURY	91282CBM2	02/15/2024	1,900,000.00	99.4219	1,889,016.10	1,890,796.88	1,892,342.51	0.296	1.539%	AA+	Aaa
UNITED STATES TREASURY	91282CBN0	02/28/2023	1,900,000.00	99.9219	1,898,516.10	1,899,332.04	1,899,501.45	0.144	1.547%	AA+	Aaa
UNITED STATES TREASURY	91282CBR1	03/15/2024	1,900,000.00	99.6445	1,893,245.50	1,896,363.29	1,896,957.52	0.316	1.543%	AA+	Aaa
UNITED STATES TREASURY	91282CBU4	03/31/2023	1,900,000.00	99.9062	1,898,217.80	1,899,183.59	1,899,381.75	0.147	1.547%	AA+	Aaa
UNITED STATES TREASURY	91282CBV2	04/15/2024	2,760,000.00	99.8750	2,756,550.00	2,767,654.69	2,766,725.97	0.279	2.247%	AA+	Aaa
UNITED STATES TREASURY	91282CCC3	05/15/2024	2,760,000.00	99.5039	2,746,307.64	2,756,010.94	2,756,481.54	0.299	2.238%	AA+	Aaa
UNITED STATES TREASURY	91282CCL3	07/15/2024	3,400,000.00	99.7109	3,390,170.60	3,397,609.38	3,397,680.03	0.400	2.763%	AA+	Aaa
UNITED STATES TREASURY	---	03/22/2023	85,030,000.00	100.6163	85,542,180.75	85,564,597.53	85,467,049.93	0.375	69.714%	AA+	Aaa

Summary

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
---	---	01/23/2023	121,853,123.40	100.6867	122,703,877.78	122,653,432.53	122,375,229.13	0.646	100.000%	AA+	Aaa

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Weighted by: Market Value + Accrued, except Book Yield by Base Book Value + Accrued. * Holdings Displayed by: Lot.

Holdings by Security Type ACTC

ACTC 2014 Measure BB (159782)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

CASH

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
Receivable	CCYUSD	09/30/2021	27.11	1.0000	27.11	27.11	27.11	0.000	0.000%	AAA	Aaa
Receivable	CCYUSD	09/30/2021	27.11	1.0000	27.11	27.11	27.11	0.000	0.000%	AAA	Aaa

MMFUND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
MORG STAN I LQ:GV I	61747C707	09/30/2021	22,998.80	1.0000	22,998.80	22,998.80	22,998.80	0.030	0.037%	AAAm	Aaa
MORG STAN I LQ:GV I	61747C707	09/30/2021	22,998.80	1.0000	22,998.80	22,998.80	22,998.80	0.030	0.037%	AAAm	Aaa

T-BILL

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	912796M55	10/26/2021	5,185,000.00	99.9965	5,184,818.53	5,184,150.23	5,184,819.96	0.051	8.295%	A-1+	P-1
UNITED STATES TREASURY	912796C31	01/27/2022	5,185,000.00	99.9861	5,184,279.29	5,183,614.21	5,184,225.01	0.046	8.294%	A-1+	P-1
UNITED STATES TREASURY	912796J75	12/23/2021	5,185,000.00	99.9924	5,184,605.94	5,183,679.33	5,184,377.18	0.053	8.294%	A-1+	P-1
UNITED STATES TREASURY	912796H77	11/26/2021	5,185,000.00	99.9940	5,184,688.90	5,184,098.69	5,184,661.25	0.043	8.294%	A-1+	P-1
UNITED STATES TREASURY	912796J42	06/16/2022	5,210,000.00	99.9570	5,207,759.70	5,207,636.90	5,207,890.38	0.057	8.331%	A-1+	P-1
UNITED STATES TREASURY	912796ZC6	11/01/2021	5,210,000.00	99.9948	5,209,729.08	5,209,484.07	5,209,742.04	0.058	8.334%	A-1+	P-1
UNITED STATES TREASURY	912796F38	03/24/2022	2,625,000.00	99.9782	2,624,427.75	2,624,434.71	2,624,437.94	0.045	4.199%	A-1+	P-1
UNITED STATES TREASURY	912796J42	06/16/2022	2,625,000.00	99.9570	2,623,871.25	2,623,959.40	2,623,963.42	0.056	4.198%	A-1+	P-1
UNITED STATES TREASURY	---	01/22/2022	36,410,000.00	99.9840	36,404,180.43	36,401,057.54	36,404,117.18	0.051	58.239%	A-1+	P-1

US GOV

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	9128286H8	03/15/2022	5,185,000.00	101.0625	5,240,090.63	5,269,863.88	5,239,273.41	0.066	8.383%	AA+	Aaa
UNITED STATES TREASURY	912828SF8	02/15/2022	5,185,000.00	100.7227	5,222,472.00	5,248,192.19	5,222,640.57	0.056	8.355%	AA+	Aaa
UNITED STATES TREASURY	912828ZR4	05/31/2022	5,185,000.00	100.0312	5,186,617.72	5,187,025.42	5,186,463.14	0.082	8.297%	AA+	Aaa
UNITED STATES TREASURY	9128286Y1	06/15/2022	5,185,000.00	101.1641	5,245,358.58	5,267,230.89	5,245,380.97	0.095	8.391%	AA+	Aaa
UNITED STATES TREASURY	912828ZM5	04/30/2022	5,185,000.00	100.0312	5,186,617.72	5,187,025.42	5,186,405.80	0.078	8.297%	AA+	Aaa
UNITED STATES TREASURY	---	04/21/2022	25,925,000.00	100.6053	26,081,156.64	26,159,337.80	26,080,163.89	0.076	41.724%	AA+	Aaa

Summary

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
---	---	02/28/2022	62,358,025.91	100.2071	62,508,362.98	62,583,421.25	62,507,306.98	0.061	100.000%	AAA	Aaa

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Weighted by: Market Value + Accrued, except Book Yield by Base Book Value + Accrued. * Holdings Displayed by: Lot.

Holdings by Security Type ACTC

ACTC Series 2014-Interest Fd (159784)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

CASH

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
Receivable	CCYUSD	09/30/2021	7.63	1.0000	7.63	7.63	7.63	0.000	0.002%	AAA	Aaa
Receivable	CCYUSD	09/30/2021	7.63	1.0000	7.63	7.63	7.63	0.000	0.002%	AAA	Aaa

MMFUND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
MORG STAN I LQ:GV I	61747C707	09/30/2021	425,068.24	1.0000	425,068.24	425,068.24	425,068.24	0.030	99.998%	AAAm	Aaa
MORG STAN I LQ:GV I	61747C707	09/30/2021	425,068.24	1.0000	425,068.24	425,068.24	425,068.24	0.030	99.998%	AAAm	Aaa

Summary

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
---	---	09/30/2021	425,075.87	1.0000	425,075.87	425,075.87	425,075.87	0.030	100.000%	AAA	Aaa

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Weighted by: Market Value + Accrued, except Book Yield by Base Book Value + Accrued. * Holdings Displayed by: Lot.

Holdings by Security Type ACTC

ACTC Series 2014-Principal Fd (159786)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

CASH

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
Receivable	CCYUSD	09/30/2021	54.74	1.0000	54.74	54.74	54.74	0.000	0.000%	AAA	Aaa
Receivable	CCYUSD	09/30/2021	54.74	1.0000	54.74	54.74	54.74	0.000	0.000%	AAA	Aaa

MMFUND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
MORG STAN I LQ:GV I	61747C707	09/30/2021	4,259,779.19	1.0000	4,259,779.19	4,259,779.19	4,259,779.19	0.030	27.540%	AAAm	Aaa
MORG STAN I LQ:GV I	61747C707	09/30/2021	4,259,779.19	1.0000	4,259,779.19	4,259,779.19	4,259,779.19	0.030	27.540%	AAAm	Aaa

T-BILL

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	912796D30	02/24/2022	2,235,000.00	99.9807	2,234,568.65	2,234,485.73	2,234,575.80	0.047	14.447%	A-1+	P-1
UNITED STATES TREASURY	912796D30	02/24/2022	2,235,000.00	99.9807	2,234,568.65	2,234,485.73	2,234,575.80	0.047	14.447%	A-1+	P-1

US GOV

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
UNITED STATES TREASURY	9128286C9	02/15/2022	2,675,000.00	100.9062	2,699,240.85	2,732,575.20	2,699,420.44	0.064	17.451%	AA+	Aaa
UNITED STATES TREASURY	9128286C9	02/15/2022	2,075,000.00	100.9062	2,093,803.65	2,115,527.34	2,093,949.64	0.061	13.537%	AA+	Aaa
UNITED STATES TREASURY	912828SF8	02/15/2022	4,150,000.00	100.7227	4,179,992.05	4,200,578.13	4,180,126.97	0.056	27.024%	AA+	Aaa
UNITED STATES TREASURY	---	02/15/2022	8,900,000.00	100.8207	8,973,036.55	9,048,680.67	8,973,497.06	0.059	58.012%	AA+	Aaa

Summary

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
---	---	01/09/2022	15,394,833.93	73.2540	15,467,439.12	15,543,000.33	15,467,906.79	0.050	100.000%	AA+	Aaa

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Weighted by: Market Value + Accrued, except Book Yield by Base Book Value + Accrued. * Holdings Displayed by: Lot.

Holdings by Security Type ACTC

ACTC Series 2014-Revenue Fd (159787)

Base Currency: USD As of 09/30/2021

Dated: 10/14/2021

CASH

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
Receivable	CCYUSD	09/30/2021	0.02	1.0000	0.02	0.02	0.02	0.000	0.002%	AAA	Aaa
Receivable	CCYUSD	09/30/2021	0.02	1.0000	0.02	0.02	0.02	0.000	0.002%	AAA	Aaa

MMFUND

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
MORG STAN I LQ:GV I	61747C707	09/30/2021	838.33	1.0000	838.33	838.33	838.33	0.030	99.998%	AAAm	Aaa
MORG STAN I LQ:GV I	61747C707	09/30/2021	838.33	1.0000	838.33	838.33	838.33	0.030	99.998%	AAAm	Aaa

Summary

Description	Identifier	Final Maturity	Current Units	Market Price	Market Value	Original Cost	Book Value	Book Yield	% of Market Value	S&P Rating	Moody's Rating
---	---	09/30/2021	838.35	1.0000	838.35	838.35	838.35	0.030	100.000%	AAA	Aaa

* Grouped by: Security Type. * Groups Sorted by: Security Type. * Weighted by: Market Value + Accrued, except Book Yield by Base Book Value + Accrued. * Holdings Displayed by: Lot.



Memorandum

6.6

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Patricia Reavey, Deputy Executive Director of Finance & Administration
Yoana Navarro, Accounting Manager

SUBJECT: Approve the Alameda CTC FY2020-21 First Quarter Consolidated Financial Report

Recommendation

It is recommended that the Commission approve the Alameda CTC FY2021-22 First Quarter Consolidated Financial Report.

Summary

Alameda CTC's expenditures through September 30, 2021 are within year-to-date budget authority per the currently adopted budget. The agency remains in a strong financial position compared to budget through the first quarter of FY2021-22.

The attached FY2021-22 First Quarter Financial Report has been prepared on a consolidated basis and is compared to the currently adopted budget on a year-to-date basis. This report provides a summary of FY2021-22 actual revenues and expenditures through September 30, 2021. Variances from the year-to-date budget are demonstrated as a percentage of the budget used by line item as well as stating either a favorable or unfavorable variance in dollars. Percentages over 100 percent indicate that actual revenue or expenditure items are more than 25 percent of the total annual budget through the first quarter of the fiscal year, and percentages under 100 percent indicate that actual revenue or expenditure items are less than 25 percent of the total annual budget through the first quarter of the fiscal year. As of September 30, 2021, Alameda CTC activity for the fiscal year results in a net increase in fund balance in the amount of \$28.0 million. While various funds saw an increase in their fund balances, the most significant contributors were the 2000 Measure B Capital Projects Fund and the 2014 Measure BB Special Revenue Fund which both collected sales tax revenues that outpaced expenditures during the fiscal year and the debt service fund which is accumulating funds for the final principal and interest payment on the 2014 Measure B Sales Tax Revenue Bonds in March 2022.

Background

The following are highlights of actual revenues and expenditures compared to budget as of September 30, 2021 by major category:

Revenues

Sales tax revenues are over budget by \$8.8 million, or 11.2 percent, and grant revenues are under budget by \$14.1 million mostly related to timing on capital projects. Grant revenues are recognized on a reimbursement basis and, therefore, correlate directly with related expenditures. Consequently, capital and other project expenditures are also under budget.

Salaries and Benefits

Salaries and benefits are under budget by \$0.2 million, or 9.9 percent, as of September 30, 2021.

Administration

Costs for overall administration are under budget by \$6.8 million, or 77.7 percent, mainly due to debt service costs which incurred cost for only one of the two semi-annual interest payments and no principal payments as of September 30, 2021. Principal payments are made annually on March 1. Debt service costs are required to be recorded when incurred per government accounting standards. Actual expenditures in the debt service fund will equal 100% of the budget by the end of the fiscal year.

Freeway Operations

Freeway Operations expenditures are under budget by \$2.0 million, or 65.6 percent, primarily related to operations and maintenance costs.

Programs

Programs expenditures are under budget by \$0.5 million or 0.97 percent, largely due to lower than projected expenditures for the Affordable Student Transit Pass Program as the use of public transit by students continues to be affected by the pandemic and the Safe Routes to School Program related to delays in the submission of invoices from vendors. These reductions in expenditures were offset by an increase in expenditures for Measure B and Measure BB direct local distributions (DLD) which is directly related to sales tax revenues coming in higher than projected.

Capital Projects

Capital Projects expenditures are under budget by \$52.4 million, or 74.4 percent. This variance is due, in part, to prolonged right-of-way acquisition negotiations resulting in project construction delays. Alameda CTC utilizes a rolling capital budget system in which any unused approved budget from prior years is available to pay for costs in subsequent fiscal years. Additional budget authority is requested by project only as needed in accordance with the budget process. The year-to-date budget amount used for comparisons is a straight-line amortization of the total approved project budget including unspent budget authority rolled over from the prior year. Expenditures planned

through September 30, 2021 in the budget process generally will differ from the straight-line budgeted amount used for this financial statement comparison. However, presenting the information with this comparison helps financial report users, project managers, and the project control team review year-to-date expenditures to give them an idea of how projects are progressing as compared to the approved budget. There are currently no real budget issues on capital projects.

Limitations Calculations

Staff has completed the limitation calculations required in both the 2000 Measure B and 2014 Measure BB Transportation Expenditure Plans related to salaries and benefits and administration costs, and Alameda CTC is compliant with all limitation requirements.

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

Attachment:

- A. Alameda CTC Consolidated Revenues/Expenditures as of September 30, 2021

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ALAMEDA COUNTY TRANSPORTATION COMMISSION
Consolidated Revenues/Expenditures
September 30, 2021

	Total Consolidated			Favorable (Unfavorable)/
	YTD	YTD	% Used	Variance
	Actuals	Budget		
REVENUES				
Sales Tax Revenue	\$ 87,323,526	\$ 78,500,000	111.24	\$ 8,823,526
Investment Income	720,525	358,125	201.19	362,400
Member Agency Fees	387,592	387,592	100.00	-
VRF Funds	3,084,351	3,000,000	102.81	84,351
TFCA Funds	598,988	598,988	100.00	-
Toll Revenues	2,638,813	1,875,000	140.74	763,813
Toll Violation and Penalty Revenues	559,176	375,000	149.11	184,176
Regional/State/Federal Grants	1,975,294	13,192,563	14.97	(11,217,269)
Local and Other Grants	203,108	3,129,355	6.49	(2,926,247)
Total Revenues	\$ 97,491,373	\$ 101,416,623	96.13	\$ (3,925,250)
EXPENDITURES				
Administration				
Salaries and Benefits ⁽¹⁾	\$ 681,705	\$ 699,940	97.39	\$ 18,235
General Office Expenses	407,975	580,575	70.27	172,600
Travel Expense	1,761	8,000	22.01	6,239
Debt Service ⁽²⁾	509,100	6,618,300	7.69	6,109,200
Professional Services	292,198	674,318	43.33	382,120
Commission and Community Support	59,275	55,675	106.47	(3,600)
Contingency	-	125,000	-	125,000
Subtotal	1,952,014	8,761,808	22.28	6,809,794
Freeway Operations				
Salaries and Benefits ⁽¹⁾	52,358	81,648	64.13	29,290
Operating Expenditures	940,361	1,558,480	60.34	618,119
Special Project Expenditures	35,254	1,343,750	2.62	1,308,496
Subtotal	1,027,973	2,983,878	34.45	1,955,905
Planning				
Salaries and Benefits ⁽¹⁾	378,560	414,023	91.43	35,463
Subtotal	378,560	414,023	91.43	35,463
Programs				
Salaries and Benefits ⁽¹⁾	675,724	632,926	106.76	(42,798)
Programs Management and Support	145,505	609,533	23.87	464,028
Safe Routes to School Program	85,440	781,860	10.93	696,420
VRF Programming	2,064,859	2,325,868	88.78	261,009
Measure B/BB Direct Local Distribution	45,119,611	40,414,742	111.64	(4,704,869)
Grant Awards	83,633	3,066,884	2.73	2,983,251
TFCA Programming	(137,931)	675,667	(20.41)	813,598
Subtotal	48,036,841	48,507,480	99.03	470,639
Capital Projects				
Salaries and Benefits ⁽¹⁾	203,650	381,837	53.33	178,187
Capital Project Expenditures	17,852,442	70,113,294	25.46	52,260,852
Subtotal	18,056,092	70,495,131	25.61	52,439,039
Total Expenditures	\$ 69,451,480	\$ 131,162,320	52.95	\$ 61,710,840
Net Change in Fund Balance	\$ 28,039,893	\$ (29,745,697)		
Beginning Fund Balance	620,818,871	620,818,871		
Ending Fund Balance	<u>\$ 648,858,764</u>	<u>\$ 591,073,174</u>		

(1) Salaries and benefits are under budget by \$218,377 or 9.9% as of September 30, 2021.

(2) Debt service cost are required to be recorded when incurred per government accounting standards and will equal budget by year end.

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Memorandum

6.7

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration

SUBJECT: Approve an Amendment to Agreement with the California Department of Tax and Fee Administration for State Administration of District Transactions and Use Taxes for Measure BB, an Agreement for Preparation to Administer and Operate Alameda CTC's Transaction and Use Tax Ordinance, and an Agreement for State Administration of District Transaction and Use Taxes, and adopt related resolutions

Recommendation

It is recommended that the Commission approve agreements and an amendment with the California Department of Tax and Fee Administration (CDTFA) related to the administration of Measure BB transaction and use taxes for the period from April 1, 2022 through March 31, 2045, and adopt resolutions authorizing the Executive Director to execute the amendment and these agreements as follows:

- An Amendment to the Agreement for State Administration of District Transactions and Use Taxes with the California Department of Tax and Fee Administration, originally entered into with the State Board of Equalization (BOE)
- A Resolution Authorizing the Executive Director to Execute an Amendment to the Agreement with the CDTFA for Implementation of a Local Transaction and Use Tax
- An Agreement for Preparation to Administer and Operate Alameda CTC's Transaction and Use Tax Ordinance
- An Agreement for State Administration of District Transaction and use Taxes
- A Resolution Authorizing the Executive Director to Execute Agreements with the CDTFA for Implementation of a Local Transaction and Use Tax
- A Resolution Authorizing Examination of Sales or Transaction and Use Tax Records

Summary

Following the voters' approval of Measure BB in 2014, Alameda CTC entered into an agreement with the Board of Equalization (BOE) so that the BOE could administer the

Measure BB sales tax. The original Measure BB agreement covered the BOE's administration of both the initial ½ cent sales tax to be collected through March 31, 2045, as well as the additional ½ cent augmentation to be collected from April 1, 2022 through March 31, 2045. This additional ½ cent tax will take effect immediately after the expiration of the current Measure B sales tax, so that the rate paid by Alameda County taxpayers will remain at one percent. The CDTFA, as successor to the BOE, disagreed with the BOE's interpretation and application of the Measure BB ordinance, and does not believe it is legally possible to collect the current Measure BB ½ cent sales tax and the Measure BB ½ cent augmentation starting next year in a single account. They are instead requiring that these ½ cent sales tax segments be collected in two separate accounts. Finance staff, with assistance from legal counsel, held multiple meetings and held follow-up discussions to determine the most efficient means to address CDTFA's concerns without overly complicating either agency's procedures.

To meet CDTFA's requirements while ensuring that revenues are properly tracked and accounted for under two separate accounts, Alameda CTC must first amend the original BOE agreement to remove references to the ½ cent sales tax augmentation, as well as to update the contact information to show the CDTFA rather than the BOE for all communications related to this agreement. The Commission must also adopt a resolution authorizing the Executive Director to execute this amendment, to comply with CDTFA requirements.

Alameda CTC must then enter into new agreements with the CDTFA in order to implement the collection of the additional ½ cent sales tax, including one for preparation to administer and operate the transaction and use tax ordinance and one for State administration of the transaction and use tax. The Commission also is required to adopt a resolution authorizing the Executive Director to execute these agreements.

In addition, the Commission must adopt a resolution which authorizes the examination of sales or transaction and use tax records for the additional ½ cent sales tax in order to be able to receive and review the data related to the sales tax revenues on a monthly basis as the agency currently does for current active sales tax collections for both Measure B and Measure BB.

Background

On November 4, 2014, more than 70 percent of Alameda County voters responded positively in support of Alameda CTC's Measure BB, an extension and augmentation by one-half of one percent of the existing Alameda County transaction and use tax through March 31, 2045. The tax authorized by Measure BB, both the initial ½ cent sales tax collected beginning in 2015 along with the additional ½ cent sales tax to be collected starting in April of 2022, was designed to fund the 2014 Transportation Expenditure Plan (TEP). The program authorized by the 2014 TEP and funded by Measure BB is well on its way in its efforts to increase mobility, create jobs, reduce congestion, protect the environment, restore and expand transit services, fix potholes, reduce highway

congestion, expand bicycle and pedestrian access and connect transit with housing and jobs and will continue to do so through March 31, 2045.

Fiscal Impact: Approval of the amendment and agreements with the CDTFE and adoption of the resolutions recommended in this report will allow Alameda CTC to continue to receive Measure BB transaction and use tax revenues, including the additional ½ cent sales tax to be collected under Measure BB beginning April 1, 2022.

Attachments

- A. Amendment to Agreement for State Administration of District Transaction and use Taxes
- B. A Resolution of the Alameda County Transportation Commission Authorizing Executive Director to Execute an Amendment to Agreement with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax
- C. Agreement for Preparation to Administer and Operate Alameda CTC's Transaction and Use Tax Ordinance
- D. Agreement for State Administration of District Transaction and Use Tax
- E. A Resolution of the Alameda County Transportation Commission Authorizing Executive Director to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax
- F. A Resolution of Alameda County Transportation Commission Authorizing Examination of Sales or Transactions and Use Tax Records

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**AMENDMENT TO AGREEMENT FOR STATE ADMINISTRATION
OF DISTRICT TRANSACTIONS AND USE TAXES**

The Alameda County Transportation Commission (“District”) has adopted, and the voters of Alameda County have approved by the required majority vote in November 2014, the Measure BB Transactions and Use Tax Ordinance (“Ordinance”). The State Board of Equalization (“Board”) and the District entered into an agreement in March 2015 to carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance (“Agreement”), and the Ordinance is attached to and incorporated into the Original Agreement. The Agreement was assigned from the Board to the California Department of Tax and Fee Administration (“Department”) on July 1, 2017, and all references to the Board were deemed to mean and refer to the Department on or after that date.

In order to address an ambiguity in the Agreement, the Department and the District agree to amend the Agreement by deleting the subsections referenced below and replacing them with the text shown below.

Except as expressly modified in this Amendment to Agreement for State Administration of District Transactions and Use Taxes, all of the terms, covenants and conditions of the Agreement shall remain in full force and effect and are hereby ratified and confirmed.

**ARTICLE V
MISCELLANEOUS PROVISIONS**

A. Communications. Communications and notices may be sent by first class United States mail to the addresses listed below or to such other addresses as the parties may from time to time designate. A notification is complete when deposited in the mail.

Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration
P.O. Box 942879
Sacramento, California 94279-0032
Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to the District shall be addressed to:

Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607
Attention: Deputy Executive Director of Finance and Administration

B. Term. The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on April 1, 2015 with a transaction and use tax rate of one-half (1/2) of one percent through March 31, 2045. This Agreement shall continue until December 31 next following the expiration date of the District Ordinance, and shall thereafter be renewed automatically from year to year until the Board completes all work necessary to the administration of the District Ordinance and has received all District Taxes and disbursed all payments due under that Ordinance.

D. [Intentionally Deleted]

ALAMEDA COUNTY
TRANSPORTATION COMMISSION

CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION

By _____
Tess Lengyel
Executive Director

By _____
Administrator

**ALAMEDA COUNTY TRANSPORTATION COMMISSION****RESOLUTION 21-017**

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
Mayor Melissa Hernandez

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
Councilmember Jen Cavanaugh

City of Pleasanton
Mayor Karla Brown

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

**AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE AN
AMENDMENT TO AGREEMENT WITH THE
CALIFORNIA DEPARTMENT OF TAX AND FEE
ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL
TRANSACTIONS AND USE TAX**

WHEREAS, on June 26, 2014, the Alameda County Transportation Commission (Alameda CTC) approved Ordinance No. 2014-1 (Ordinance) providing for a local transactions and use tax; and

WHEREAS, the State Board of Equalization (Board) and the Alameda CTC entered into an agreement in March 2015 to carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance (Agreement); and

WHEREAS, the California Department of Tax and Fee Administration (Department) now administers and collects the transactions and use taxes for all applicable jurisdictions within the state, and the Agreement was assigned from the Board to the California Department of Tax and Fee Administration (Department) on July 1, 2017; and

WHEREAS, in order to address an ambiguity in the Agreement, the Department and Alameda CTC agree to amend the Agreement; and

NOW, THEREFORE, BE IT RESOLVED in order to address an ambiguity in the Agreement, the Department and Alameda CTC agree to amend the Agreement; and

Duly passed and adopted by the Alameda CTC at the regular meeting of the Commission held on Thursday, December 2, 2021, in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Pauline Cutter,
Chairperson, Alameda CTC

Vanessa Lee,
Clerk of the Commission

**AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE
ALAMEDA CTC'S TRANSACTIONS AND USE TAX ORDINANCE**

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the Alameda County Transportation Commission, hereinafter called *Alameda CTC*, and the CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, hereinafter called *Department*, do agree as follows:

1. The Department agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of Alameda County and whose ordinance has been adopted by the governing body of Alameda CTC.

2. Alameda CTC agrees to pay to the Department at the times and in the amounts hereinafter specified all of the Department's costs for preparatory work necessary to administer Alameda CTC's transactions and use tax ordinance. The Department's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Department's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Department. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by Alameda CTC.

4. Any dispute as to the amount of preparatory costs incurred by the Department shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.

5. Preparatory costs incurred by the Department shall be billed by the Department periodically, with the final billing within a reasonable time after the operative date of the ordinance. Alameda CTC shall pay to the Department the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by Alameda CTC for the Department's preparatory costs shall not exceed one hundred seventy-five thousand dollars (\$175,000) (Revenue and Taxation Code Section 7272.)

7. Communications and notices may be sent by first class United States mail. Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration
P.O. Box 942879
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to Alameda CTC shall be addressed to:

Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607
Attention: Deputy Executive Director of Finance and Administration

8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer Alameda CTC's transactions and use tax ordinance has been completed and the Department has received all payments due from Alameda CTC under the terms of this agreement.

ALAMEDA COUNTY TRANSPORTATION
COMMISSION

By _____
Tess Lengyel
Executive Director

CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION

By _____
Administrator

**AGREEMENT FOR STATE ADMINISTRATION
OF DISTRICT TRANSACTIONS AND USE TAXES**

The Alameda County Transportation Commission (hereafter called “District”) has adopted, and the voters of Alameda County have approved by the required majority vote, the Alameda County Transportation Commission Transactions and Use Tax Ordinance (hereafter called “Ordinance”), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance, the California Department of Tax and Fee Administration, (hereinafter called the “Department”) and the District do agree as follows:

**ARTICLE I
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in the Agreement, they shall be interpreted to mean the following:

1. "District taxes" shall mean the transactions and use taxes, penalties, and interest imposed under an ordinance specifically authorized by Revenue and Taxation code Section 180201 Public Utilities Code section 108201, and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.

2. "District Ordinance" shall mean the District's Transactions and Use Tax Ordinance referred to above and attached hereto, Ordinance No. 2014-1, as amended from time to time, or as deemed to be amended from time to time pursuant to Revenue and Taxation Code Section 7262.2.

**ARTICLE II
ADMINISTRATION AND COLLECTION
OF DISTRICT TAXES**

A. Administration. The Department and District agree that the Department shall perform exclusively all functions incident to the administration and operation of the District Ordinance.

B. Other Applicable Laws. District agrees that all provisions of law applicable to the administration and operation of the State Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the District Ordinance. District agrees that money collected pursuant to the District Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Department pursuant to Article IV of this Agreement, and transmitting to District the amount to which District is entitled.

C. Transmittal of money.

1. For the period during which the tax is in effect, and except as otherwise provided herein, all District taxes collected under the provisions of the District Ordinance shall be transmitted to District periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax, whether by District's self-imposed limits or by final judgment of any court of the State of California holding that District's ordinance is invalid or void, all District taxes collected under the provisions of the District Ordinance shall be transmitted to District not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the District designated and authorized by District. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

D. Rules. The Department shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the District Ordinance and the distribution of the District taxes collected thereunder.

E. Preference. Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Department shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and District transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts, and District as their interests appear.

F. Security. The Department agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of the District for District taxes owing to it as its interest appears. The Department shall not be required to change the terms of any security now held by it and District shall not participate in any security now held by the Department.

G. Records of the Department.

When requested by resolution of the legislative body of the District under section 7056 of the Revenue and Taxation Code, the Department agrees to permit authorized personnel of the District to examine the records of the Department, including the name, address, and account number of each seller holding a seller's permit with a registered business location in the District, pertaining to the ascertainment of transactions and use taxes collected for the District. Information obtained by the District from examination of the Department's records shall be used by the District only for purposes related to the collection of transactions and use taxes by the Department pursuant to this Agreement.

H. Annexation. District agrees that the Department shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing District transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Department. The notice shall include the name of the county or counties annexed to the extended District boundary. In the event the District shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the District showing the area annexed and the location address of the property nearest to the extended District boundary on each side of every street or road crossing the boundary.

ARTICLE III

ALLOCATION OF TAX

A. Allocation. In the administration of the Department's contracts with all districts that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:

1. Any payment not identified as being in payment of liability owing to a designated district or districts may be apportioned among the districts as their interest appear, or, in the discretion of the Department, to all districts with which the Department has contracted using ratios reflected by the distribution of district taxes collected from all taxpayers.

2. All district taxes collected as a result of determinations or billings made by the Department, and all amounts refunded or credited may be distributed or charged to the respective districts in the same ratio as the taxpayer's self-declared district taxes for the period for which the determination, billing, refund, or credit applies.

B. Vehicles, Vessels, and Aircraft. For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Department in determining the place of use.

ARTICLE IV

COMPENSATION

The District agrees to pay to the Department as the Department's cost of administering the District Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Department for the District.

ARTICLE V

MISCELLANEOUS PROVISIONS

A. Communications. Communications and notices may be sent by first class United States mail to the addresses listed below or to such other addresses as the parties may from time to time designate. A notification is complete when deposited in the mail.

Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration
P.O. Box 942879
Sacramento, California 94279-0032

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to the District shall be addressed to:

Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Attention: Deputy Executive Director of Finance and Administration

Unless otherwise directed, transmittals of payment of District transactions and use taxes will be sent to the address above.

B. Term. The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on April 1, 2022. This Agreement shall continue until December 31 next following the expiration date of the District Ordinance, and shall thereafter be renewed automatically from year to year until the Department completes all work necessary to the administration of the District Ordinance and has received and disbursed all payments due under that Ordinance.

C. Notice of Repeal of Ordinance. District shall give the Department written notice of the repeal of the District Ordinance not less than 110 days prior to the operative date of the repeal.

ARTICLE VI
ADMINISTRATION OF TAXES IF THE
ORDINANCE IS CHALLENGED AS BEING INVALID

A. Impoundment of funds.

1. When a legal action is begun challenging the validity of the imposition of the tax, the District shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the District shall transmit to the Department the moneys retained in escrow, including any accumulated interest, within ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

B. Costs of administration. Should a final judgment be entered in any court of the State of California, holding that District's Ordinance is invalid or void and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Department may retain all payments made by District to Department to prepare to administer the District Ordinance.

2. District will pay to Department and allow Department to retain Department's cost of administering the District Ordinance in the amounts set forth in Article IV of this Agreement.

3. District will pay to Department or to the State of California the amount of any taxes plus interest and penalties, if any, that Department or the State of California may be required to rebate or refund to taxpayers.

4. District will pay to Department its costs for rebating or refunding such taxes, interest, or penalties. Department's costs shall include its additional cost for developing procedures for processing the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Department's staff for use in making these rebates or refunds and any other costs incurred by Department which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Department's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Department. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by District.

6. Any dispute as to the amount of costs incurred by Department in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Department in connection with such refunds shall be billed by Department on or before the 25th day of the second month following the month in which the judgment of a court of the State of California holding District's Ordinance invalid or void becomes final. Thereafter Department shall bill District on or before the 25th of each month for all costs incurred by Department for the preceding calendar month. District shall pay to Department the amount of such costs on or before the last day of the succeeding month and shall pay to Department the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Department costs incurred in making those refunds.

ALAMEDA COUNTY TRANSPORTATION
COMMISSION

CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION

By _____
Tess Lengyel
Executive Director

By _____
Administrator

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

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

Mayor Melissa Hernandez

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

Councilmember Jen Cavenaugh

City of Pleasanton

Mayor Karla Brown

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Tess Lengyel

RESOLUTION 21-018

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX

WHEREAS, on June 26, 2014, the Alameda County Transportation Commission (Alameda CTC) approved Ordinance No. 2014-1 providing for a local transactions and use tax; and

WHEREAS, the California Department of Tax and Fee Administration (Department) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

WHEREAS, the Department will be responsible to administer and collect the transactions and use tax for Alameda CTC; and

WHEREAS, the Department requires that Alameda CTC enter into a "Preparatory Agreement" and an "Administration Agreement" prior to implementation of said taxes, and

WHEREAS, the Department requires that Alameda CTC authorize the agreements;

NOW, THEREFORE, BE IT RESOLVED by the governing body of Alameda CTC (Commission) that the attached "Preparatory Agreement" and "Administrative Agreement" are hereby approved and the Executive Director is hereby authorized to execute each agreement.

Duly passed and adopted by the Alameda CTC at the regular meeting of the Commission held on Thursday, December 2, 2021, in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Pauline Cutter,
Chairperson, Alameda CTC

Vanessa Lee,
Clerk of the Commission



ALAMEDA COUNTY TRANSPORTATION COMMISSION

RESOLUTION 21-019

Authorizing Examination of Sales or Transactions and Use Tax Records

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
Mayor Melissa Hernandez

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
Councilmember Jen Cavanaugh

City of Pleasanton
Mayor Karla Brown

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

WHEREAS, pursuant to Ordinance Number 2014-1, Alameda County Transportation Commission (Alameda CTC) entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of sales and use taxes; and

WHEREAS, pursuant to Revenue and Taxation Code section 7270, the City entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of transactions and use taxes; and

WHEREAS, Alameda CTC's governing body (Commission) deems it desirable and necessary for authorized officers, employees and representatives of Alameda CTC to examine confidential sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected by the Department for Alameda CTC pursuant to that contract; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Deputy Executive Director of Finance and Administration and the Director of Finance, or other officer or employee of Alameda CTC designated in writing by Executive Director to the California Department of Tax and Fee Administration is hereby appointed to represent Alameda CTC with authority to examine sales or transactions and use tax records of the Department pertaining to sales or transactions and use taxes collected for Alameda CTC by the Department pursuant to the contract between Alameda CTC and the Department.

Section 2. The information obtained by examination of Department records shall be used only for purposes related to the collection of Alameda CTC sales or transactions and use taxes by the Department pursuant to that contract, and for purposes related to the following governmental functions of Alameda CTC:

(a) Revenue Projections and Analysis

The information obtained by examination of Department records shall be used only for those governmental functions of Alameda CTC listed above.

BE IT FURTHER RESOLVED that the information obtained by examination of Department records shall be used only for purposes related to the collection of Alameda CTC sales or transactions and use taxes by the Department pursuant to the contract between Alameda CTC and the Department and for those purposes relating to the governmental functions of Alameda CTC listed in section 2 of this resolution.

Section 3. That this resolution supersedes all prior resolutions of Alameda CTC Commission adopted pursuant to subdivision (b) of Revenue and Taxation Code section 7056.

Duly passed and adopted by the Alameda CTC at the regular meeting of the Commission held on Thursday, December 2, 2021, in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Pauline Cutter,
Chairperson, Alameda CTC

Vanessa Lee,
Clerk of the Commission



Memorandum

6.8

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Erika Cheng, Manager of Procurement and Information Technology
Seung Cho, Director of Procurement and Information Technology

SUBJECT: Approve the Fiscal Year 2022-23 Professional Services Contracts Plan

Recommendation

It is recommended that the Commission approve the Fiscal Year (FY) 2022-23 Professional Services Contracts Plan.

Summary

Alameda CTC contracts for certain professional services in areas where factors such as cost, work volume, or the degree of specialization required would not justify the use of permanent in-house staff, including, but not limited to, services such as project management, project controls, financial auditing, financial/municipal advisory, and legal counsel services. Involvement of the private sector continues to be critical to the success of Alameda CTC and its work in delivering transportation programs and projects in Alameda County.

Approval of the staff recommendation will:

- A. Authorize the Executive Director to enter into negotiations and execute a professional services contract amendment with the existing firms for each of the following:
 - a. Project Management and Project Controls Services; and
 - b. Independent Financial Auditing Services.
- B. Authorize the Executive Director to issue Requests for Qualifications (RFQs) and/or Requests for Proposals (RFPs), enter into negotiations, and execute professional services contract(s) with the top-ranked firm(s) for the following:
 - a. Financial/Municipal Advisory Services; and
 - b. General and Special Counsel Services.

Background

Alameda CTC contracts with a number of consultant firms to support and supplement staff resources to administer and deliver its projects and programs. Each year, staff outlines the proposed action plan for the following fiscal year and seeks Commission authorization to continue and/or modify existing contracts or to initiate a competitive process to consider new firms to provide specific services. The initial term of these professional services contracts are typically one to three years in length, with the option to renew for additional years of services for a term totaling five years. This practice of seeking the Commission's approval of its fiscal year professional services contracts plan is intended to ensure high performance from quality consultants and continued accountability from Alameda CTC.

The background and recommendations for each of the professional services contracts are discussed below and summarized in Table 1:

A. Amendment Execution

1. **Project Management and Project Controls Services** – These services include: overall program management, programming and project controls, project development and management, and construction management oversight. Acumen Building Enterprise, Inc. (Acumen), an Alameda CTC-certified Small Local Business Enterprise and California Unified Certification Program-certified Disadvantaged Business Enterprise firm with offices in Oakland, California, was awarded a 17-month contract in 2021 through a competitive process to provide these services for Alameda CTC. The current fiscal year budget for this contract is \$4,160,000. Staff recommends authorization to execute an amendment with Acumen to extend the term by fourteen months from November 1, 2022 to December 31, 2023, with a budget increase of \$7,072,890.

Cole Management & Engineering, a subconsultant on the Project Management and Project Controls Services contract, reported a conflict with the Levine Act regarding Commissioner David Haubert. Pursuant to the Alameda CTC Conflict of Interest Code, Commissioner Haubert will be required to recuse himself from the vote on this matter. No other Levine Act conflicts were reported.

2. **Independent Financial Auditing Services** – These services include: required independent audits of Alameda CTC's and the Sunol Smart Carpool Lane's financial statements, issuance of audited financial reports with opinions, completion of the Federal Single Audit, and performance of limitation calculations with reports and worksheets, which attest that Alameda CTC has complied with the administrative cost limitations required by the 2000 and 2014 Transportation Expenditure Plans. Maze and Associates Accounting Corporation (Maze & Associates) was awarded a three-year contract in 2019 through a competitive process to provide these services. The current fiscal year budget for this contract is \$88,811. Staff recommends authorization to execute an amendment with Maze and Associates to extend the term by two years from May 1, 2022 to April 30, 2024, with a budget increase of \$185,240.

B. Contract Procurement and Execution

1. **Financial/Municipal Advisory Services** – A financial/municipal advisor has a fiduciary responsibility to act in the agency's best interest. The services they provide include:

analysis, consultation and support of financial and other related matters associated with advancing projects and programs as outlined in the Comprehensive Investment Plan (CIP) and municipal advisory services for bond issuances to ensure Alameda CTC makes informed decisions throughout the process. They help to develop the plan for financing, develop the credit rating strategy, advise on the method of sale, assist in the development of bond documents, and plan and coordinate the bond closing. The current financial/municipal advisor, PFM Financial Advisors LLC, was awarded a contract in 2012 through a competitive process to provide these services. In 2017, to ensure continuity of arbitrage and other bond services throughout the life of the outstanding bonds, the Commission authorized extending the term of this contract through January 1, 2023. In September 2021, the Commission authorized a strategy for a series of bond issuances to support the Measure BB capital program and extending the term of this contract through January 1, 2024 if the first Measure BB bond issuance process is not yet completed by January 1, 2023. With approval of this request, staff can move forward with an RFQ or RFP for these services to continue work on the approved strategy if the first Measure BB bond issuance process is completed before January 1, 2023. The current fiscal year budget for this contract is \$40,800.

Staff recommends the issuance of an RFQ and/or RFP and authorization to enter into negotiations and execute a professional services contract with the top-ranked firm for an anticipated initial contract term of up to two years beginning January 1, 2023 or January 1, 2024 (contingent upon closing date of the 2021 bonds), including options to exercise additional years if any, totaling no more than five years.

2. **General and Special Counsel Services** – These services include: representation at Committee and Commission meetings, review of contracts and agreements, as well as highly specialized legal services such as counseling on personnel-related matters, ongoing condemnation and eminent domain proceedings, right-of-way activities, preparation for mediations and expert witness testimonies, as well as other general counsel services.

Two firms were each awarded a contract in 2017 through a competitive process to provide legal services to support specific activities related to the delivery of capital projects and programs:

- Meyers, Nave, Riback, Silver & Wilson, PLC is an Alameda CTC-certified Local Business Enterprise firm with offices in Oakland, California. The current fiscal year budget for this contract is \$193,002.
- Wendel Rosen LLP is an Alameda CTC-certified Local Business Enterprise firm with offices in Oakland, California. The current fiscal year budget for this contract is \$2,644,411.

Staff recommends the issuance of an RFQ and/or RFP and authorization to enter into negotiations and execute professional services contract(s) with the top-ranked firm(s) for an anticipated initial contract term of up to three years beginning July 1, 2022, including options to exercise additional years if any, totaling no more than five years.

Table 1 – Summary of the FY2022-23 Professional Services Contracts Plan

Services	Current Firm	Approved FY2021-22 Budget	Last RFP Issuance	Recommended Action
Project Management and Project Controls Services	Acumen Building Enterprise, Inc.	\$4,160,000	2020	Execute Amendment for 14 months and \$7,072,890
Independent Financial Auditing Services	Maze and Associates Accounting Corporation	\$88,811	2019	Execute Amendment for 2 years and \$185,240
Financial/Municipal Advisory Services	PFM Financial Advisors LLC	\$40,800	2012	Issue RFQ and/or RFP
General and Special Counsel Services	Meyers, Nave, Riback, Silver & Wilson, PLC	\$193,002	2017	Issue RFQ and/or RFP
	Wendel Rosen LLP	\$2,644,411		

Fiscal Impact

The fiscal impact for contracts, including amendments, that are executed or procured as a result of approving this item will be included in the FY2022-23 budget, which is scheduled for Commission approval in Spring 2022.



Memorandum

6.9

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Liz Rutman, Director of Express Lanes Implementation and Operations

SUBJECT: Approve the Bay Area Express Lanes Network Executive Steering Committee Memorandum of Understanding

Recommendation

It is recommended that the Commission approve and authorize the Executive Director to execute the Bay Area Express Lanes Network Executive Steering Committee Memorandum of Understanding.

Summary

The Alameda CTC operates and maintains both the I-580 Express Lanes and the I-680 Sunol Express Lane, the latter on behalf of the Sunol Smart Carpool Lane Joint Powers Authority (Sunol JPA). The Bay Area Express Lanes Strategic Plan, dated April 2, 2021 and adopted by the Metropolitan Transportation Commission on April 28, 2021, recommends the formalization of the function of an Executive Steering Committee (ESC) for the purpose of developing consistent policies for recommendation to policy boards and other coordination efforts. Staff and legal counsels from the Metropolitan Transportation Commission (MTC), Caltrans, and several Bay Area county transportation authorities, including Alameda CTC, have worked cooperatively to develop a Memorandum of Understanding (MOU) that defines the purpose of the ESC, membership in the ESC, and governance and administration of the ESC. In addition, the MOU affirms that recommendations made by the ESC are non-binding and participation in the ESC does not constitute any type of partnership or joint venture among member agencies.

Background

The Bay Area Express Lanes Network ("Network") is conceived as a robust regional network of dedicated managed lanes that allows operators to better manage travel demand by primarily serving people in eligible carpools and buses, providing reliable travel times to lower-occupancy vehicles by allowing paid access, and thereby generating revenue for maintenance, operations, capital investments, and programs. The development of the Network has been a cooperative effort among Bay Area Express Lanes operators; several

Bay Area county transportation authorities ("CTAs"); the California Department of Transportation; and the California Highway Patrol; and with input from supporting subcommittees and other stakeholders with a vested interest in the success of the Network such as transit operators and those advancing equity, carpooling, and vanpooling. The Express Lanes Network Executive Steering Committee has existed for over five years as an informal venue for discussing express lane project development and tolling policies and practices.

As the Network is built out, not only will more express lanes connect along corridors, but corridors will also begin to connect to each other. This can create complex interactions between multiple operators with different goals and/or policies, which may affect the user experience. Consistency of public-facing operating policies is critical to the smooth functioning of a connected Network as well as the traffic safety and highway operational efficiency.

The Memorandum of Understanding (MOU) formalizes an ESC to provide the following activities that support the goals of Network as identified in the Bay Area Express Lanes Strategic Plan:

- Develop recommendations for consistent operating policies and practices among Member Agencies, particularly concerning aspects of the Network that are user-facing;
- Serve as a resource for consistency in tolling practices, project development, and operations for Member Agencies and other stakeholders;
- Other activities, to be determined by the ESC, e.g., examining new tolling technologies or interfacing with other organizations.

The ESC will strive for unanimous consent on matters of consistency in operations and will otherwise endeavor to achieve recommendations by consensus. When presenting actions on express lane operating policies to their decision-making bodies, Member Agencies commit to identifying the recommendations made by the ESC.

Staff recommends that the Commission approve and authorized the Executive Director to execute the Bay Area Express Lanes Network Executive Steering Committee Memorandum of Understanding

Fiscal Impact: There is no fiscal impact associated with this action.

Attachment:

- A. Bay Area Express Lanes Network Executive Committee Memorandum of Understanding

BAY AREA EXPRESS LANES NETWORK EXECUTIVE STEERING COMMITTEE

MEMORANDUM OF UNDERSTANDING

This Bay Area Express Lanes Network Executive Steering Committee Memorandum of Understanding (“MOU”), is entered into as of _____, 20__.

Article I – Purpose and Mission

The Bay Area Express Lanes Network (“Network”) is conceived as a robust regional network of dedicated managed lanes that allows operators to better manage travel demand by primarily serving people in eligible carpools and buses, providing reliable travel times to lower-occupancy vehicles by allowing paid access, and thereby generating revenue for maintenance, operations, capital investments, and programs. The Network leverages the investments made in the region’s highways and High-Occupancy Vehicle (“HOV”) lanes by making use of existing capacity to move more people, closing gaps in or expanding the managed lanes system, and improving operations to provide priority to carpools and buses, thereby expanding their use.

This purpose is further described in six strategic goals identified in the Bay Area Express Lanes Network Strategic Plan, dated April 2, 2021:

1. Manage congestion and bring reliability to the traveling public;
2. Increase person throughput by creating a seamless network that incentivizes the use of transit, vanpools, and carpools;
3. Minimize greenhouse gas emissions;
4. Focus on equity to improve transportation access and affordability, especially for Equity Priority Communities (also referred to as Communities of Concern);
5. Deliver the Network in a timely manner; and
6. Be responsible in the use of public funds.

The development of the Network has been a cooperative effort among Bay Area Express Lanes operators; several Bay Area county transportation authorities (“CTAs”); the California Department of Transportation; and the California Highway Patrol; and with input from supporting subcommittees and other stakeholders with a vested interest in the success of the Network such as transit operators and those advancing equity, carpooling, and vanpooling. As the Network is built out, not only will more express lanes connect along corridors, but corridors will also begin to connect to each other. This can create complex interactions between multiple operators with different goals and/or policies, which may affect the user experience. Consistency of public-facing operating policies is critical to the smooth functioning of a connected Network as well as the traffic safety and highway operational efficiency.

This Memorandum of Understanding (MOU) formalizes an Executive Steering Committee (“ESC”) and its cooperative effort to:

1. Support the goals of the Network, described above, by following a formalized process to develop recommendations on matters of consistency in public-facing operational policies across the

Network, which would serve as a resource for Member Agencies and their decision-making bodies that may consider actions on these policies; and

2. Promote the goals of the Network through other activities as may be determined by the ESC.

Article II Membership

ESC membership conveys upon all Member Agencies the ability to offer and document recommendations on matters of consistency in operations across the Network, as described in Section IV.B. ESC membership includes the following groups of Member Agencies: Express Lanes Operators with authority granted in statute or by action of the California Transportation Commission to operate an express lane in the nine-county Bay Area; CTAs that are not operators; and other agencies.

Express Lanes Operators (“Operators”)

- Alameda County Transportation Commission (“Alameda CTC”)
- Bay Area Infrastructure Financing Authority (“BAIFA”)
- San Mateo County Express Lanes Joint Powers Authority (“SMCEL-JPA”)
- Santa Clara Valley Transportation Authority (“VTA”)
- Sunol Smart Carpool Lane Joint Powers Authority (“Sunol JPA”)

Non-Operator County Transportation Authorities (“Non-Operator CTAs”)

- Contra Costa Transportation Authority (“CCTA”)
- San Francisco County Transportation Authority (“SFCTA”)
- Solano Transportation Authority (“STA”)

Other Agencies

- Bay Area Toll Authority (“BATA”)
- California Department of Transportation (“Caltrans”), Ex Officio Member
- California Highway Patrol (“CHP”)

ESC membership is voluntary, and the ESC shall not and cannot require compliance with any actions that are inconsistent with policies, procedures, and board actions of any Member Agency.

The ESC may conduct business anticipated under this MOU once it is signed by all of the above-listed Operators.

If other entities wish to gain membership to the ESC, such entities may petition the ESC. Admittance will be decided by majority vote of Operators and Non-Operator CTAs.

Member Agencies may withdraw from the ESC by providing written notice to the ESC Chair 30 days prior to the effective date of the withdrawal. If all Member Agencies withdraw excepting one Member Agency, the MOU shall be terminated.

Article III – Governance

A. Composition

The ESC shall be composed of the Chief Executive or appointed designee of each Member Agency with the authority to represent the interests of the respective Member Agency¹.

B. Responsibilities

The ESC shall provide overall management to the extent necessary to accomplish the Purpose of this MOU, as described above, including, but not limited to, the following activities:

- Developing recommendations for consistent operating policies and practices among Member Agencies, particularly concerning aspects of the Network that are user-facing, as described in Section IV.B;
- Serving as a resource for consistency in tolling practices, project development, and operations for Member Agencies and other stakeholders;
- Other activities, to be determined by the ESC, e.g., examining new tolling technologies or interfacing with other organizations.

C. Amendment and Termination

This MOU may be amended or terminated by unanimous written agreement of the Member Agencies.

Article IV – Conduct of Business

A. Meetings

Member Agencies shall meet every six months or more frequently as may be necessary to carry out the mission and activities defined above.

B. Consistent Operating Policies

The ESC shall make recommendations on various operating policies and the importance of their consistency regionwide. These recommendations are intended to demonstrate the deliberative process taken to reach them. The ESC will strive for unanimous consent on matters of consistency in operations and will otherwise endeavor to achieve recommendations by consensus. For the purposes of this MOU, consensus means that a process to develop recommendations was undertaken with the aim of positive or indifferent acceptance by all, minimizing opposing opinions to the extent possible by considering modifications proposed by dissenters. The action of making a recommendation shall require a quorum be present, here defined as a simple majority of all Member Agencies.

¹ In the case of SMCEL-JPA, the Executive Council, made up of the Executive Directors of the San Mateo County Transportation Authority (SMCTA) and the City/County Association of Governments of San Mateo County (C/CAG), may represent the Member Agency; however, the Executive Council, regardless of number of attendees present at the ESC meetings to represent the Member Agency, will be afforded only one position for each recommendation made by the ESC.

Recommendations shall be recorded in ESC meeting minutes documenting the position of each Member Agency sorted by grouping defined in Article II and including a summary supporting statement for the recommended operating policy. At the request of any Member Agency, a summary dissenting statement may be included. Member Agencies not present on the date an action is taken may supplement the minutes with their position within a timeframe to be specified by the Chair.

The ESC may develop summary memoranda to document additional detail of recommendations.

When presenting actions on express lane operating policies to their decision-making bodies, Member Agencies commit to identifying the recommendations made by the ESC.

C. ESC Administration

Other business the ESC may conduct shall be considered ESC Administration. The ESC shall adopt by consensus methods to take actions on matters related to ESC Administration including:

1. Selection of Officers

The ESC will select a Chair and Vice-Chair of the Committee for a term of two years with the intention that positions rotate amongst Member Agencies. The sitting Vice-Chair will be the Chair pro tempore and, to the extent practicable, become the Chair at the end of the two-year term. At least one of the Chair and Vice-Chair positions shall be held by an Operator at any time.

Duties of the Chair include:

- Coordinating meetings, including the creation and distribution of meeting agendas;
- Taking ESC meeting minutes; and
- Drafting summary memoranda as described in Article IV.B. above.

Duties of the Vice-Chair include:

- Performing the duties of the Chair in the event of a vacancy or absence of the Chair; and
- Other support as coordinated between the Chair and Vice-Chair.

2. Other Business

Activities concerning topics other than consistency in operations may be beneficial to be undertaken by the ESC, particularly when such activities would promote the goals of the Network and/or benefit from unified regional support, such as:

- Examining new tolling technologies; or
- Interfacing with other organizations.

E. No Liability

This agreement is solely intended to guide the obligations, intentions, and policies of the Member Agencies. Nothing in the provision of this MOU is intended to create or imply duties or obligations to, or create or imply rights extending to or for the benefit of third parties not parties to this MOU, and/or affect the legal liability of any party to this MOU by imposing any standard of care with respect to the operation of Member Agencies' express lane facilities.

F. No Partnership

Neither this MOU nor the exercise of any activity described hereunder shall evidence or establish, or be construed as evidencing or establishing, any partnership, joint venture, or other similar legally binding relationship amongst the Member Agencies.

IN WITNESS WHEREOF, the parties have executed this MOU as of the last date written opposite their respective names below. This agreement may be executed in counterparts by the respective Member Agencies.

Member Agency	Signature	Date
Alameda County Transportation Commission ("Alameda CTC")		
Bay Area Infrastructure Finance Authority ("BAIFA")		
Bay Area Toll Authority ("BATA")		
California Department of Transportation ("Caltrans")		
California Highway Patrol ("CHP")		
Contra Costa Transportation Authority ("CCTA")		
San Francisco County Transportation Authority ("SFCTA")		
San Mateo County Express Lanes Joint Powers Authority ("SMCELJPA")		
Santa Clara Valley Transportation Authority ("VTA")		
Solano Transportation Authority ("STA")		
Sunol Smart Carpool Lane Joint Powers Authority ("Sunol JPA")		



Memorandum

6.10

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Liz Rutman, Director of Express Lanes Implementation and Operations

SUBJECT: Approve Amendment No. 6 to Agreement A17-0070 with Electronic Transaction Consultants, LLC for Operations and Maintenance of the I-580 Express Lanes

Recommendation

It is recommended that the Commission approve and authorize the Executive Director to execute Amendment No. 6 to Agreement A17-0070 with Electronic Transaction Consultants, LLC (ETC) for an additional amount of \$5,000,000 for a total not-to-exceed amount of \$12,500,000, and a two-year time extension to December 31, 2023 for continued Toll System Integration and Operations & Maintenance services for the I-580 Express Lanes.

Summary

Alameda CTC is the owner and operator of the Interstate 580 (I-580) Express Lanes, located in the Tri-Valley corridor through the Cities of Dublin, Pleasanton, and Livermore, which opened to traffic in February 2016. An All Electronic Toll (AET) collection method has been employed to collect tolls.

ETC was selected through competitive processes in 2009 and 2013 as the toll system integrator (TSI) for the I-580 Express Lanes. Agreement A17-0070 was approved in May 2017 to ensure on-going Operations and Maintenance (O&M) services for the express lanes for a term of three years, amended for an additional year of in May 2020, and amended for an additional six months in June 2021. The contract includes fixed monthly fees for normal maintenance activities and on-call services for larger-scale maintenance and unforeseen updates. The additional budget of \$5 million will allow for uninterrupted maintenance for the next two years while maintaining an on-call budget to handle limited updates. A summary of all contract actions related to Agreement No. A17-0070 is provided in Table A.

Background

Alameda CTC is the owner and operator of the Interstate 580 (I-580) Express Lanes, located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore, which opened to traffic in February 2016. The I-580 Express Lanes extend from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to the I-680 Interchange in the westbound direction. An All Electronic Toll (AET) collection method has been employed to collect tolls. Toll rates are calculated based on real-time traffic conditions (speed and volume) in express and general-purpose lanes, and can change as frequently as every three minutes. California Highway Patrol (CHP) officers provide enforcement services, and the California Department of Transportation (Caltrans) provides roadway maintenance services through reimbursable service agreements.

ETC was selected through competitive processes in 2009 and 2013 as the TSI for the I-580 Express Lanes. Once a new toll system has begun revenue services and completed all operational testing, ongoing operations and maintenance (O&M) is necessary to ensure transaction and toll collection is being performed accurately, toll pricing and other messages are being displayed accurately, and all operations are in accordance with the agency's business rules. A TSI typically provides on-going O&M services for the life of the toll system because of the proprietary nature of the software coding involved in most aspects of the system. Agreement A17-0070 was approved in May 2017 to ensure on-going O&M services for the express lanes and currently expires December 31, 2021.

The requested budget includes O&M services for an additional two years and provides for minor updates and unforeseen expenditures, such as updates needed to accommodate changes in regional or state-wide tolling policies and force majeure events such as impacts from an extended power outage or equipment struck by a vehicle. Updates to the toll system after several years of service are commonplace and these costs were included in the I-580 Toll Revenue Expenditure Plan adopted by the Commission in 2018.

The total increase to the contract amount is \$5,000,000, resulting in a not-to-exceed total amount of \$12,500,000. A summary of all contract actions related to Agreement No. A17-0070 is provided in Table A.

<u>Table A: Summary of Agreement No. A17-0070</u>			
Contract Status	Work Description	Value	Total Contract Not-to-Exceed Value
Original Professional Services Agreement with ETC (A17-0070) <i>Approved May 2017</i>	Toll System Operations and Maintenance Services for the I-580 Express Lanes. Term of agreement was 3 years: First year plus two optional.	\$7,500,000	\$7,500,000
Amendment No. 1 (Administrative Amendment) <i>Executed June 1, 2018</i>	Exercise option to extend Agreement for additional year of O&M Services	N/A	\$7,500,000
Amendment No. 2 (Administrative Amendment) <i>Executed June 30, 2019</i>	Exercise option to extend Agreement for additional year of O&M Services	N/A	\$7,500,000
Amendment No. 3 (Administrative Amendment) <i>Executed May 1, 2020</i>	One-year administrative amendment to continue O&M Services	N/A	\$7,500,000
Amendment No. 4 (Administrative Amendment) <i>Executed June 22, 2020</i>	Modification of indemnification and insurance requirement provisions	N/A	\$7,500,000
Amendment No. 5 <i>Approved June 2021</i>	6-month time extension to continue O&M Services	N/A	\$7,500,000
<i>Proposed Amendment No. 6</i> <i>December 2021 – (This Agenda Item)</i>	Provide additional budget and 2-year time extension to continue Integration and O&M Services	\$5,000,000	12,500,000
Total Amended Contract Not-to-Exceed Amount			\$12,500,000

Levine Act Statement: The ETC team did not report a conflict in accordance with the Levine Act.

Fiscal Impact: There is no fiscal impact. The associated expenditures for FY 2021-2022 were included in the adopted I-580 Express Lanes operations budget and future expenditures will be included in the future operations budgets adopted for subsequent fiscal years.

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Memorandum

6.11

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Gary Huisingsh, Deputy Executive Director of Projects
Kanda Raj, Project Manager (Consultant)
Angelina Leong, Deputy Project Manager

SUBJECT: GoPort – Freight Intelligent Transportation System Project: Approve Actions to Facilitate Construction Completion and Project Status Update

Recommendation

It is recommended that the Commission receive a project status update and approve the following actions related to the Freight Intelligent Transportation System (FITS) component of the Global Opportunities at the Port of Oakland (GoPort) program:

1. Approve reallocation of \$4.306 million 2014 Measure BB Countywide Freight Corridor funds (TEP-27; CIP ID 00155) from the Plans Specifications and Estimates (PS&E) phase to be utilized for the closeout of the construction phase;
2. Authorize the Executive Director to execute Contract Amendment No. 3 to Professional Services Agreement No. A19-0007 with VSCE, Inc. for an additional contract amount of \$0.5 million for a total not-to-exceed amount of \$3.925 million to provide construction management services; and
3. Authorize the Commission Engineer to execute additional Contract Change Orders within the construction phase allocation budget for Construction Services Agreement No. A20-0006 with Aldridge Electric, Inc. to provide construction services.

Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and implementing agency for the Global Opportunities at the Port of Oakland (GoPort) Project which includes a program of projects to improve truck and rail access to the Port of Oakland (Port), one of the nation's most vital seaports. The GoPort Program consists of three primary project components: FITS, 7th Street Grade Separation East (7SGSE), and 7th Street Grade Separation West (7SGSW).

The FITS Project consists of the deployment of fifteen (15) advanced and innovative demonstration technologies that seek to improve the efficiency, safety, operations, circulation and reliability of truck and rail access throughout the Port and surrounding arterial streets.

The FITS Project construction is being delivered as three contract packages. In October 2019 and April 2020, the Port and Alameda CTC awarded these three construction packages. Construction of the first package, the Joint Traffic Management Center /Emergency Operation Center (TMC/EOC) was completed in July 2020. Construction of the second and third construction packages, the Port of Oakland-FITS package and the System Integration/GoPort Application/Smart Parking System is underway and is expected to be complete in spring 2022. The Port of Oakland-FITS package is installing field devices and the System Integration/GoPort Application/Smart Parking System package will integrate all project elements for efficient traffic and incident management from the TMC/EOC, which will facilitate the dissemination of real-time travel and ship/shipment information to the truckers and other road users to make informed decisions.

Due to Coronavirus (COVID-19) impacts, the project has experienced related delays resulting from labor and construction material shortages. In addition, changed operational hours at the Port due to increased cargo demand and the discovery of several manmade buried objects in and out of the Port Terminals have resulted in schedule delays and cost increases.

The initial construction phase cost estimate was \$29.135 million with a construction capital cost of \$24 million (\$3.33 million to be implemented by the Port and \$20.67 million to be implemented by Alameda CTC), wholly funded by State and Federal funds secured by the Alameda CTC and the Port, and a construction support cost of \$5.135 million, funded by a combination of Local, State and Federal funds.

The revised construction phase cost is estimated at \$33.441 million with construction capital, construction support efforts, and contingency needs of \$27.45 million, \$5.546 million, and \$0.445 million, respectively. Staff has reviewed the project budget, assessed these impacts and determined that there is a total need of \$4.306 million to complete the FITS Project construction. Staff recommends reallocation of \$4.306 million TEP-27 funds from the PS&E phase to be utilized for the closeout of the construction phase.

Approval of the requested actions are necessary for the FITS contractors and consultants to complete construction, allowing physical construction to be completed by April 2022 with a System GoLive date in May 2022.

Background

Over the past decade, significant state, local and private-sector investments have been made as part of the redevelopment of the Oakland Army Base to modernize and expand rail facilities, warehousing, and transloading facilities to support the on-going productivity and efficiency of the Port as one of the top ten busiest container ports in the nation. The Port handles 99 percent of regional containerized goods in Northern California. In

addition, the Port is a major export port in the United States, supporting the economic vitality of the region.

As a critical global gateway providing access to the Pacific Rim, the Port has significant infrastructure deficiencies that, if not addressed, will limit the economic competitiveness of the Port. The Port's roadway network is greatly strained by arrivals of increasingly large ocean cargo carriers. Significant truck traffic congestion and idling lead to shipping delays, increased emissions, and unsafe truck maneuvers. In addition, the Port lacks integrated traffic management capabilities to respond to incidents or implement operational strategies.

Alameda CTC is the project sponsor and implementing agency for the GoPort Program, an approximately \$716 million program which includes three project components: FITS, 7SGSE, and 7SGSW. This program of major capital projects will substantially improve the safety, efficiency and reliability of truck and rail access to the Port, one of the nation's most vital seaports. The Program is expected to improve the competitiveness of the Port while generating benefits that extend beyond the Port area, such as reduced regional congestion and emissions and substantial job creation. It will also provide critical bicycle and pedestrian connectivity to the Bay Trail system. This item focuses exclusively on the FITS Project.

The FITS Project is the first component of the GoPort program of projects to begin construction. Implementing the advanced technology aspects of the FITS Project will effectively manage traffic throughout the seaport (in and near the Port) area and will be integral to managing traffic during construction of the 7SGSE and 7SGSW components. The FITS Project will reduce congestion, queuing and truck idling by providing real time travel and Port operational information to trucks and other vehicles entering the Port and reducing conflicts at the signals and rail crossings. Real time data also enables users to find available heavy-duty truck parking at designated spots rather than idling and queueing on the streets, search for alternative routes to enter/exit the Port and avoid delays due to at-grade crossings or traffic incidents.

Alameda CTC is the FITS Project sponsor and in cooperation with the Port, is implementing the strategy as described below to effectively and efficiently deliver the FITS Project in compliance with State and Federal funding requirements.

Alameda CTC leveraged Measure BB funds to secure \$9.72 million in federal funding from the Federal Highway Administration (FHWA) under the Fiscal Year (FY) 2017 Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program and \$12.456 million in state funding from the California Transportation Commission (CTC) under the 2018 Trade Corridor Enhancement Program (TCEP) established under Senate Bill 1 (SB 1) for construction phase expenditures. Additionally, the Port was awarded \$1.824 million from the U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) under the FY 2017 Port Security Grant Program (PSGP).

Project Status

Package No. 1 Joint TMC/EOC

The existing EOC at the Port will be reconfigured/modified with upgrades to space, communications, and other amenities necessary to efficiently manage traffic and incidents. Work includes interior building demolition, installing conduit, electrical panels, electrical power conductors, electrical transformers, electrical equipment, data cables and communications switches equipment, video wall displays, operator consoles, conferencing tables, video and audio-conferencing systems.

The Port awarded the contract in October 2019. The work is 100% complete and was accepted in July 2020.

Package No. 2: Port FITS (Field Installations)

Advanced Traffic Management System Platform, Signal Upgrades, Closed Circuit Television, Changeable Message Signs, Queue Detection, Communication Improvements, Center-to-center Communication, Supplemental Vehicle Detection, Train Detection Equipment, and Weigh-in-Motion are being implemented as part of Package 2. These Project elements will be installed along West Grand Avenue, Maritime Street, 7th Street, Middle Harbor Road, Adeline Street, and Embarcadero West. These improvements are intended to improve truck traffic flows, increase the efficiency of goods movement operations, and enhance the safety and incident response capabilities throughout the seaport.

Alameda CTC awarded the contract in October 2019 and work commenced in January 2020 with an estimated completion by December 2020. The construction, however incorporated the installation of Radio Frequency Identification Devices (RFID) that was initially planned to be implemented by a Port administrated project, via the approval of a construction change order (CCO) for approximately \$2.2 million. Inclusion of various CCOs including for this RFID installation has increased the construction duration and depleted previously approved project contingencies.

To date the Project has made progress by completing substantial portion of the underground work, such as signal and other pole foundations, conduit, fiber and vault installations, etc. The remaining 15% of construction work is anticipated to be completed in April 2022.

Package No. 3: System Integration/GoPort Application/Smart Parking System

Integration of real-time data gathered from the field device network installed by Package No. 2 and developing a software platform for efficient traffic management and incident responses along the Port arterial roadway network from the TMC/EOC are being implemented as part of Package 3. The Project will develop web applications that will provide users with real-time operation and traffic information at the Port complex to make informed decisions. In addition, the Project will improve parking system to reduce truck idling along the Port arterial streets.

Alameda CTC awarded the contract in April 2020 with the anticipation of work completion by July 2021 following the completion of field installations by Package 2. However, due to delays experienced in field installations, the system GoLive is now anticipated in May 2022.

To date the consultants have completed the detailed design of their system for integration/web application/and smart parking elements and are currently procuring software and hardware, required for project implementation. Their work has been closely coordinated with the construction of field elements and security protocols/requirements at the Port. The work is 50% complete and is anticipated to be fully completed in May 2022 with the System GoLive. A 90-day system testing period is expected to follow GoLive prior to entering in to a 9-month extended burn-in period. The Port is expected to perform the Operation and Maintenance (O&M) phase of the Project, following the final system acceptance by all parties.

Cost Increases/Added Efforts

During the on-going construction of the Port of Oakland – FITS project (Construction Package No. 2), the project has been encountering numerous unforeseen field conditions and operational challenges, including COVID-19 related and changed Port terminal hour operations that have caused delays to the project's schedule and resulted in Aldridge Electric, Inc., the contractor, incurring compensable costs beyond those known and/or assumed during their bid preparation. The Port, like several other ports throughout the country and globe, has been experiencing increased demand for shipment that resulted in prolonged operational hours. Therefore, it became necessary for the Project to accommodate the Port's changed operational hours that includes shifting construction activities from daytime to nighttime hours resulting in increased construction costs.

VSCE, Inc. has been retained to perform construction management services, including closeout, and is anticipated to incur additional management costs due to the extended construction schedule including nightwork.

Table A: FITS Construction Budget Summary		
Description	External Funds (X\$1000)	Measure BB Funds (X\$1000)
Current Construction Phase Budget	\$24,000	\$5,135
Revised Construction Phase Budget (subject to approval)	\$24,000	\$9,441
Increased Amount	\$0	\$4,306
Recommendation #1: Approve reallocation of \$4.306 million 2014 Measure BB Countywide Freight Corridor funds (TEP-27; CIP ID 00155) from	\$0	\$4,306

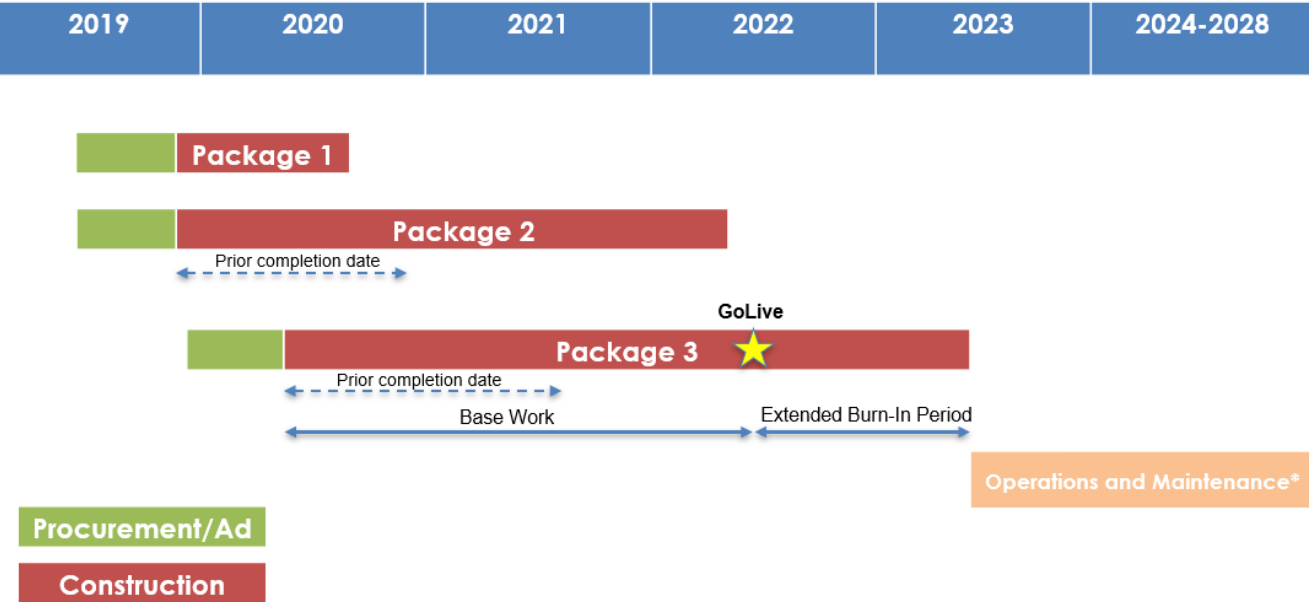
the PS&E phase to be utilized for the closeout of the construction phase		
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Key reasons for Project delays/cost increases are summarized below:

- COVID-19:
COVID-19 caused a 4-month delay in commencing some critical construction activities. The COVID-19 crisis also inflicted material procurement delays that were not initially envisioned. The delays created inefficiencies in the sequencing of construction activities.
- Operational Challenges:
The Port is the fourth busiest port in the Western United States and ranked as the top ten busiest ports in the country. The Port is responsible for 99% of the goods movement in and out of Northern California Region and is a critical source of economic vitality for the region. As mentioned above, the Port, like several other ports in the country and throughout the globe, has been experiencing increased demands for shipment and prolonged operational hours. Therefore, it became necessary for the Project to accommodate the Port's changed operational hours that requires shifting construction activities from daytime to nighttime hours. This involves significant coordination and requires flexibility in construction sequencing. The flexibility of construction sequencing coupled with limited access to work areas induced construction delays.
- Unforeseen Conditions:
The Port complex has been in existence for many years and not all past changes/modifications have been documented. Discoveries of unknown manmade objects have created delays throughout FITS field installations/construction activities.

Staff has reviewed and assessed these impacts and determined a total need of \$4.306 million to complete the FITS Project construction and related support services, and recommends reallocation of \$4.306 million TEP-27 funds from the PS&E phase to be utilized for the closeout of the construction phase. Contingencies are included in the request to address continued accommodation of Port's operational hours and unforeseen conditions.

Figure 1: FITS Project Construction Phase Schedule



* Funding by Port

As shown in Figure 1, system GoLive will occur in spring 2022 with all components of the FITS Project are anticipated to be completed by May 2023, which includes a one-year extended burn-in period (90-day testing period and 9-month monitoring) to ensure all technology elements are functioning as intended. The recommended action would authorize VSCE, Inc. to continue to provide construction management services through FITS Project completion. The amendment will be funded with Measure BB funds. Table B summarizes the contract actions related to Agreement No. A19-0007 with VSCE, Inc.

Table B: Summary of Agreement No. A19-0007 with VSCE, Inc.

Contract Status	Work Description	Value	Total Contract Not-to-Exceed Value
Original Professional Services Agreement with VSCE, Inc. (A19-0007) <i>Approved July 2018</i>	Construction management services for various construction projects	\$2,425,000	\$2,425,000
Amendment No. 1 <i>Commission Approval N/A</i>	Modify indemnification and insurance provisions in Contract	\$0	\$2,425,000
Amendment No. 2 <i>Approved November 2020</i>	Provide DSDC and support through FITS program completion and a 2 ½- year time extension to December 31, 2022	\$1,000,000	\$3,425,000
Proposed Amendment No. 3 <i>November 2021 (This Agenda Item)</i>	Additional construction management services for FITS Project	\$500,000	\$3,925,000
Total Amended Contract Not-to-Exceed Amount			\$3,925,000

Based on the above staff report, the recommendation is as follows:

1. Approve reallocation of \$4.306 million 2014 Measure BB Countywide Freight Corridor funds (TEP-27; CIP ID 00155) from the PS&E phase to be utilized for the closeout of the construction phase;
2. Authorize the Executive Director to execute Contract Amendment No. 3 to Professional Services Agreement No. A19-0007 with VSCE, Inc. for an additional contract amount of \$0.5 million for a total not-to-exceed amount of \$3.925 million to provide construction management services; and
3. Authorize the Commission Engineer to execute additional Contract Change Orders within the construction phase allocation budget for Construction Services Agreement No. A20-0006 with Aldridge Electric, Inc. to provide construction services.

Levine Act Statement: Aldridge Electric, Inc. and VSCE, Inc. have not reported any conflict in accordance with the Levine Act.

Fiscal Impact: The actions will authorize the allocation and encumbrance of previously allocated \$4.306 million in Measure BB funds, from the PS&E phase to the construction phase for subsequent expenditure. This amount is included in the project funding plan, and upon approval, budget will be amended in the Alameda CTC's FY 2021/22 Capital Program Budget through the Mid-Year Budget Update.

Attachment:

- A. Freight Intelligent Transportation System Project Fact Sheet

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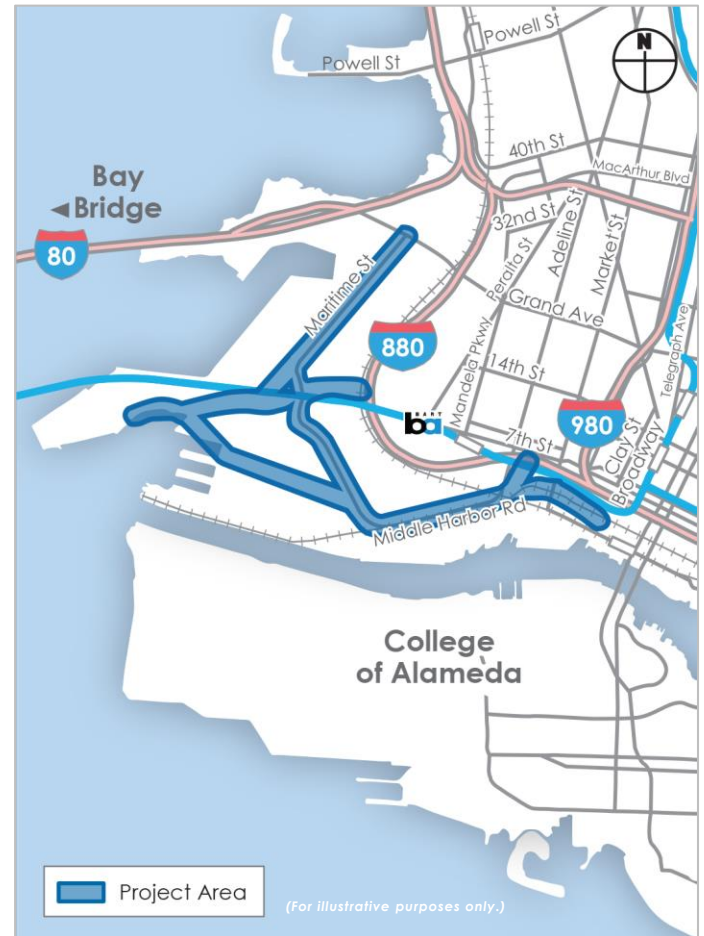
PROJECT OVERVIEW

The Alameda County Transportation Commission (Alameda CTC), in partnership with the City of Oakland and the Port of Oakland (Port), proposes to implement the Global Opportunities at the Port of Oakland (GoPort) Program, a package of landside transportation improvements within and near the Port. The Freight Intelligent Transportation System (FITS) project is a suite of demonstration information technology projects along West Grand Avenue, Maritime Street, 7th Street, Middle Harbor Road, Adeline Street, and Embarcadero West, that are intended to improve truck traffic flows, increase the efficiency of goods movement operations, and enhance the safety and incident response capabilities throughout the seaport.

The purpose of this project is aimed at traffic management and operations of arterial roadways in the Port environment and disseminating traveler information and data to users and stakeholders.

PROJECT NEED

- Support regional economic development and Port growth potential.
- Provide common platform to receive critical information on Port conditions, queue lengths, and incident alerts.
- Develop an ITS communication network that serves future needs
- Reduce truck idling that causes negative impacts to neighboring communities



PROJECT BENEFITS

- Improves safety, efficiency and reliability of truck and rail access to the Oakland Port Complex
- Provides real-time traveler information to users
- Improves traffic and incident management within the Port, its terminals and access routes
- Reduces congestion, truck idling and related emissions
- Improves Port competitiveness



Congestion, bottlenecks, and trucks queuing at the Port of Oakland.



GoPort mobile application.

Freight ITS operations overview.

STATUS

Implementing Agency: Alameda CTC

Current Phase: Construction

- California Environmental Quality Act (CEQA) clearance through the 2002 Oakland Army Base Environmental Impact Report (EIR) and the 2012 addendum.
- National Environmental Policy Act (NEPA) clearance through a Categorical Exclusion (CE) was completed on August 31, 2018.
- State and federal construction funds fully authorized in June 2019.
- Field construction and system integration completions are anticipated in spring 2022.

PARTNERS AND STAKEHOLDERS

City of Oakland, Port of Oakland, Federal Highway Administration, California Transportation Commission, California Department of Transportation, U.S. Department of Homeland Security and the Metropolitan Transportation Commission

COST ESTIMATE BY PHASE (\$ X 1,000)

PE/Environmental	\$2,500
Final Design (PS&E)	\$3,860
Construction	\$29,135
Total Expenditures	\$35,495

FUNDING SOURCES (\$ X 1,000)

Measure BB	\$11,474
Federal (ATCMTD) ¹	\$9,720
Federal (DEMO Earmark Repurposing) ²	\$21
Federal (PSGP) ³	\$1,824
State (SB 1 TCEP) ⁴	\$12,456
Total Revenues	\$35,495

¹ Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD).

² DEMO Earmark Repurposing.

³ Port Security Grant Program (PSGP).

⁴ Senate Bill 1 Trade Corridor Enhancement Program (TCEP).

SCHEDULE BY PHASE

	Begin	End
PE/Environmental	Fall 2016	Summer 2018
Final Design	Fall 2018	Early 2019
Right-of-Way	Fall 2018	Early 2019
Construction	Fall 2019	Spring 2022 ⁵

⁵ Reflects estimated GoLive.

Note: Information on this fact sheet is subject to periodic updates.



Memorandum

6.12

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Gary Huisingsh, Deputy Executive Director of Projects
Jhay Delos Reyes, Principal Transportation Engineer

SUBJECT: Approve actions to facilitate advancement of the East Bay Greenway (from Lake Merritt BART to South Hayward BART) Project

Recommendation

It is recommended that the Commission approve the following actions related to the East Bay Greenway (EBGW) (from Lake Merritt BART to South Hayward BART) Project (Project):

1. Allocate \$1.35 million of previously programmed 2014 Measure BB Gap Closure on Three Major Trails funds (TEP-42) for the Preliminary Engineering / Environmental (PE/ENV) Phase;
2. Authorize the Executive Director to execute Amendment No. 7 to the Professional Services Agreement A15-0030 with HNTB Corporation for an additional amount of \$750,000 for a not-to-exceed amount of \$4,948,570.
3. Allocate \$10.65 million of previously programmed 2014 Measure BB TEP-42 funds to the Plans, Specifications and Estimates (PS&E) Phase;
4. Release a Request for Proposals (RFP) for professional services for the PS&E Phase; and
5. Authorize the Executive Director or designee to negotiate with the top ranked firm;
6. Develop and design the East Bay Greenway Phase 1 with Class IV facilities, to the extent feasible.

Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and implementing agency for the East Bay Greenway (EBGW) project (from Lake Merritt BART to South Hayward BART), a 16-mile bicycle and pedestrian facility in the Cities of Oakland, San Leandro and Hayward as well as the unincorporated communities of Ashland and Cherryland. The Project connects seven BART stations as well as downtown areas, schools, and other major destinations.

The Project achieved environmental clearance as part of the PE/Env Phase. The Initial Study/Mitigated Negative Declaration (IS/MND) under the California Environmental

Quality Act (CEQA) in was adopted in March 2018 and the project obtained a Categorical Exclusion (CE) under the National Environmental Policy Act (NEPA) in November 2018. The environmental documents cleared the two alternatives below:

- **Rail-to-Trail** alternative assumes that the Union Pacific Railroad (UPRR) Oakland Subdivision would no longer have active rail service and the full 80-100-foot-wide right-of-way is available for the Project.
- **Rail-with-Trail** alternative assumes the minimum possible encroachment into UPRR right-of-way while still constructing a continuous facility alongside the rail. This concept requires encroachment into UPRR right-of-way for approximately six miles.

Staff presented a re-envisioning of EBGW to the Commission in October 2021 which included a near-term concept implemented as Phase 1 for the Project. Due to significant costs associated with UPRR right-of-way and likely hazardous material cleanup, staff recommended a new alternative be designed and environmentally cleared to deliver a continuous, high-quality bicycle facility along existing roadways/on-street from Lake Merritt BART to South Hayward BART and prepare the Project to begin the PS&E Phase. The Commission was supportive of this approach at the October 2021 meeting.

The recommended action would increase HNTB Corporation's contract not-to-exceed amount as shown in Table A of this report for additional PE/Env services related to the environmental clearance of a new alternative for the Project. Additionally staff is requesting funds programmed to EBGW from the 2020 Comprehensive Investment Plan be allocated to the PE/Env and PS&E Phases and allow staff to work on and release an RFP for professional services for the PS&E Phase.

Background

EBGW is envisioned as a 37-mile-long project connecting the northern cities of Alameda County to the southern cities. Passage of Measure BB in 2014 included funding for EBGW as one of the three major trails identified in the Transportation Expenditure Plan. Alameda CTC-led work on this Project began in 2015 and concluded in 2018 with Alameda CTC adoption of the CEQA IS/MND and certification by Caltrans for the NEPA Categorical Exemption, collectively described as the 2018 environmental documents. Alameda CTC also advanced efforts to appraise UPRR land under the Rail-to-Trail alternative in 2019.

The Project adopted in the 2018 environmental documents proposed to improve bicycle and pedestrian network connectivity between Downtown Oakland and South Hayward in Alameda County through Class IV and Class I facilities. The project included improving access to regional transit, schools, downtown areas, and major activity centers by creating a regional trail transportation facility to support bicyclists and pedestrians of all ages and abilities predominantly utilizing UPRR's Oakland Subdivision.

During project development through the PE/Env phase, several key risks were identified related to costs for land acquisition, timing of negotiations, removal of likely hazardous material, and ownership. The Rail-with-Trail alternative was developed as a solution to address many of these key risks, however six miles of the alignment in key areas connecting BART stations were still proposed in UPRR right-of-way. Many of these risks are

still present today with the most recent estimated costs for UPRR right-of-way exceeding the costs of construction for either of the two alternatives.

Recognizing the challenges to deliver either of the alternatives in the 2018 environmental documents, staff began looking into possibilities of pursuing a high-quality bicycle facility for all ages and abilities connecting the seven BART stations that does not encroach onto UPRR right-of-way and could take advantage by Senate Bill 288 (SB 288) for CEQA. Legislation under SB 288 streamlines environmental clearance primarily for transit and active transportation projects that do not require additional right-of-way or increase roadway capacity. In October 2021, staff presented a re-envisioning of EBGW to the Commission which outlined a phased approach to deliver the Project with three timelines described below:

Near-Term (3-5 years), EBGW Phase 1 – Advance a continuous, high quality on-street bicycle facility from Lake Merritt BART to South Hayward BART:

- *Lake Merritt BART to Fruitvale BART*, this segment already proposed a Class IV facility predominantly along E. 10th and 12th streets and would remain unchanged from the 2018 environmental document.
- *Fruitvale BART to San Leandro BART*, develop a high-quality facility along San Leandro St. and San Leandro Blvd. in Oakland and San Leandro, respectively. This would connect with the Oakland project going into construction from Seminary Ave. to Coliseum BART and the existing Class I trail from Coliseum BART to 85th Ave.
- *San Leandro BART to South Hayward BART*, develop a high-quality facility along San Leandro Blvd., East 14th St. and Mission Blvd. consistent with the May 2021 approval by the Commission for the East 14th St./Mission Blvd. Project including access roads to the BART stations along this segment. Through this segment, the two project corridors are less than ½ mile apart. There are local projects that construct Class IV cycle-tracks along Mission Blvd. in Ashland, Cherryland and northern Hayward.

Mid-Term (8-10 years) – Bus Rapid Transit Extension:

This will build upon the near-term project in San Leandro and evaluate a potential extension of the existing TEMPO Bus Rapid Transit line to Bay Fair BART.

Long-Term (10+ years), EBGW Phase 2 – Advance the alternatives described in the 2018 environmental document:

Staff will continue discussions with UPRR to deliver the ultimate vision for EBGW for either a Rail-to-Trail or Rail-with-Trail alternative.

Through opportunities provided by SB 288, incorporating synergies with the E14th St./Mission Blvd. Project, utilizing already completed work for the Lake Merritt BART to Fruitvale BART segment from the 2018 environmental document and connecting with constructed portions, Alameda CTC can advance EBGW Phase 1 in an expedited timeline by developing an alignment outside of the UPRR Corridor. This results in a significantly lower overall project cost, and a better-defined schedule that is not dependent on UPRR negotiations regarding right-of-way. Design of the entire facility could be complete in 2024 with construction starting soon after, pending the ability to

fund construction for the on-street alignment. PE/Env work would be completed by HNTB Corporation since they are already under contract to perform this work.

HNTB Corporation was selected by Alameda CTC to provide PE/Env services for the Project under a competitive selection process in 2015. Additional tasks to support the delivery of the Project have recently been identified that were not previously scoped.

The proposed amendment will provide additional financial resources for increased efforts in the following areas that were not previously identified:

1. Develop a new on-street alternative from Lake Merritt BART to South Hayward BART including all supporting activities;
2. Develop environmental documents for CEQA and NEPA for the on-street alternative from Lake Merritt BART to South Hayward BART including all supporting activities

Staff has negotiated the contract amendment amount with HNTB Corporation based on the level of effort anticipated to be required to conduct the additional work scope. The proposed amendment is for a value of \$750,000 for a contract total not-to-exceed amount of \$4,948,570. Table A below summarizes the contract actions related to Agreement No. A15-0030.

<u>Table A: Summary of Agreement No. A15-0030</u>			
Contract Status	Work Description	Value	Total Contract Not-to-Exceed Value
Original Professional Services Agreement with HNTB Corporation A15-0030 October 2015	PE/Env services for EBGW (Lake Merritt BART to South Hayward BART)	\$4,198,570	\$ 4,198,570
Amendment No. 1 November 2017	Update Contract Agreement Terms	\$0	\$ 4,198,570
Amendment No. 2 January 2019	Time Extension from 12/31/2018 to 12/31/2019	\$ 0	\$ 4,198,570
Amendment No. 3 February 2020	Time Extension from 12/31/2019 to 12/31/2020	\$ 0	\$ 4,198,570
Amendment No. 4 June 2020	Update Contract Agreement Terms	\$0	\$ 4,198,570
Amendment No. 5 December 2020	Time Extension from 12/31/2020 to 9/30/2021	\$ 0	\$ 4,198,570

Amendment No. 6 <i>September 2021</i>	Time Extension from 9/30/2021 to 11/30/2020	\$ 0	\$ 4,198,570
Amendment No. 7 November 2021 <i>(This Agenda Item)</i>	Provide additional budget to complete project	\$750,000	\$4,948,570
Total Amended Contract Not-to-Exceed Amount			\$ 4,948,570

Staff will be returning to the Commission in the future for matters related to environmental certification using SB 288 for the new on-street alternative. Once outreach and SB 288 certification of the preferred alternative are completed, staff will proceed to work on and release an RFP for the PS&E Phase for the entire on-street alternative. The PS&E phase will prioritize design of the on-street alignment into smaller segments in order to provide flexibility to meet an aggressive delivery schedule while recognizing the need to secure funds for construction or being nimble to meet construction opportunities that materialize with partner agencies. Construction opportunities with partner agencies could be related to successful grant application submitted by the partner agencies or stakeholder groups, upcoming roadway rehabilitation or maintenance projects or developer led projects on the Project alignment with transportation mitigation measures. Regardless of the outcome of any funding grant application pursued or coordinated agency effort, this approach would put the construction plans of the on-street alignment into a shovel-ready position for when construction funding becomes available.

Funds for this action were previously programmed in the 2020 CIP approved on June, 17 2019. Approval at that time identified \$12 Million from Measure BB TEP-42 for the PS&E Phase. Staff is requesting the allocation be divided into \$1.35M for the PE/Env Phase and \$10.65M for the PS&E Phase to facilitate the advancement the near-term EBGW Phase 1.

Levine Act Statement: The HNTB Team did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The action will authorize the encumbrance of \$12 million Measure BB funds to the Project to be used for subsequent expenditure. The funding will be included in the Alameda CTC's FY 2021-22 budget.

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Memorandum

6.13

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Chris G. Marks, Associate Transportation Planner

SUBJECT: Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

Recommendation

This item is to provide the Commission with a summary of Alameda CTC's review and comments on Environmental Documents and General Plan Amendments. This item is for information only.

Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program. As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on the potential impact of proposed land development on the regional transportation system.

Alameda CTC has not submitted comments on any new environmental documents since the last update on October 11, 2021.

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

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Memorandum

6.14

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Cathleen Sullivan, Director of Planning
Colin Dentel-Post, Principal Transportation Planner

SUBJECT: Multimodal Corridor Project Updates: San Pablo Avenue and East 14th Street/Mission and Fremont Boulevard

Recommendation

This item is to provide the Commission with an update on two major multimodal arterial corridor projects. This item is for information only.

Summary

Alameda CTC is leading two multimodal arterial corridor projects that address safety and transit efficiency to support mode shift, economic vitality, sustainable growth and equity – the San Pablo Avenue Corridor Project and the E 14th Street/Mission and Fremont Boulevard Corridor Project (E14th/Mission/Fremont). These projects are central to achieving the goals and strategies that were adopted in the 2020 Countywide Transportation Plan (CTP). Both projects are on the countywide high injury network, both are high ridership AC Transit corridors that suffer from unreliable and slow bus service, and both are key areas slated for growth in city and regional plans.

Both projects have completed long-term visioning phases and have embarked on near-term implementation phases. In both cases, Alameda CTC has identified a cost-effective project that can make substantive progress towards the project and agency goals in a 3-5 year time horizon (pending full funding acquisition). Alameda CTC is committed to delivering on these critical projects to make concrete progress towards addressing safety, mode shift, placemaking and economic development as quickly as possible. Both projects last came to the Commission for approval of the near-term implementation phase (in September 2020 for San Pablo and May 2021 for E 14th/Mission/Fremont). In November, PPLC will receive an update on both projects in advance of planned stakeholder engagement in late 2021 and early 2022.

Background

In 2016, Alameda CTC completed its first set of modal plans, alongside the 2016 update to the Countywide Transportation Plan, including a Countywide Transit Plan and a Countywide Multimodal Arterial Plan. As a key implementation step for those plans, Alameda CTC launched two multimodal arterial plans, on San Pablo Avenue in North County and East 14th Street/Mission and Fremont Blvds in Central and South County. These projects are focused on addressing safety and transit efficiency to support mode shift, economic vitality, sustainable growth and equity. The importance of these projects has only grown with the adoption of the 2020 CTP. These are critical projects that advance all of the goals of the CTP as well as half of the strategies in the CTP, including strategies in every category (see Attachment A).¹

THE TRANSPORTATION VISION

Alameda County residents, businesses, and visitors will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health, and economic opportunities.

FOUR GOALS SUPPORT THE TRANSPORTATION VISION



ACCESSIBLE, AFFORDABLE, AND EQUITABLE

Improve and expand connected multimodal choices that are available for people of all abilities, affordable to all income levels and equitable.



SAFE, HEALTHY, AND SUSTAINABLE

Create safe multimodal facilities to walk, bike and access public transportation to promote healthy outcomes and support strategies that reduce reliance on single-occupant vehicles and minimize impacts of pollutants and greenhouse gas emissions.



HIGH QUALITY AND MODERN INFRASTRUCTURE

Deliver a transportation system that is of a high quality, well-maintained, resilient, and maximizes the benefits of new technologies for the public.



ECONOMIC VITALITY

Support the growth of Alameda County's economy and vibrant local communities through a transportation system that is safe, reliable, efficient, cost-effective, high-capacity and integrated with sustainable transit-oriented development facilitating multimodal local, regional, and interregional travel.

¹ 2020 Countywide Transportation Plan: <https://www.alamedactc.org/planning/countywidetransportationplan/>

CORE RECOMMENDATIONS OF THE 2020 CTP



Both of these projects address countywide high-injury corridors. Both include multimodal transportation investments to support key growth areas identified by local jurisdictions, as priority development areas line both San Pablo Avenue and East 14th St./Mission and Fremont Blvd. The projects both involve extensive collaboration with our partner agencies, including local jurisdictions, AC Transit, BART and Caltrans.

Significant work has been completed on both projects to understand existing conditions, analyze long-term solutions, and engage the public. In the last year, staff has advanced a near-term project for each corridor that can move into construction in 3-5 years (pending full funding acquisition). In both projects, Alameda CTC has sought to identify a near-term project that can begin to make concrete progress towards the goals quickly and cost effectively. Both projects are lined up to seek funding in 2022 to advance the next phase of work – construction funding for San Pablo, and PS&E for E. 14th/Mission/Fremont.

San Pablo Avenue

San Pablo Avenue has one of the highest incidence of injury collisions in Alameda County. It is the third worst corridor in Alameda County for collisions and there is an urgent need to improve safety for all users.

San Pablo is also one of the streets with the highest bus ridership in the East Bay. However, due to congestion, buses are often slow and unreliable. With ongoing residential and commercial growth in the corridor, reliable, attractive bus service is critical to efficiently move more people. The goals of the San Pablo Avenue Multimodal Corridor Project are to:

- Enhance safety for all travel modes
- Improve comfort and quality of trips for all users
- Support a strong local economy and efficiently accommodate growth along the corridor while respecting local contexts

- Promote equitable transportation and design solutions for diverse communities throughout corridor

Phase 1 of the project, which concluded in summer 2020, considered potential long-term concepts for the corridor – including bus rapid transit and protected bike facilities – through extensive outreach and technical analysis. Due to the complex and constrained nature of the corridor, no single long-term vision emerged at the end of Phase 1 and the full corridor project resulted in very high costs.² Phase 1 did narrow the range of options somewhat and did reveal strong community and Commission support to advance a near-term project focused on the critical needs of: safety improvements for pedestrians and cyclists on this high injury corridor, transit efficiency, and supporting existing communities and placemaking. Most bus rapid transit projects in the Bay Region have taken decades to develop and deliver and stakeholders expressed a strong desire to get something done more quickly.

Alameda CTC worked closely with agency partners to identify a smaller-scale, cost-effective near-term project in the Alameda County section of the corridor. The goal of this project is to begin to test some of the treatments and make incremental yet substantive progress toward project goals, focusing on safety, transit efficiency, and placemaking. These short-term, interim improvements do not close the door to additional more substantial improvements in the corridor.

Near-Term Project

The Commission approved contracts and funding to advance the PA&ED and PS&E phases of the near-term project for the San Pablo Corridor Project in September 2020. The near-term project includes several components. In all four Alameda County cities, the near-term project includes targeted safety enhancements to improve pedestrian, bicyclist, and transit rider safety, focused particularly on improving crossing conditions for those on foot or on bike. Safety enhancement improvements include:

- High visibility crosswalks and striping
- Improved pedestrian crossing signals
- ADA compliant curb ramps and sidewalks
- Wayfinding signage
- Improved bicycle crossings of San Pablo Avenue at intersections with bike routes
- Improved lighting at crosswalks and bus stops
- Signal upgrades and timing optimization to prioritize transit

In Oakland and Emeryville, where support was highest in Phase 1 for a substantial change to the street, the near-term project is advancing designs with side-running bus lanes and consideration of protected bike lanes. Implementing bus lanes would require eliminating one of the two existing traffic lanes in each direction, while bike lanes would require conversion of the existing parking and loading spaces on each side of the street and relocation of nearly

² More information on Phase 1 can be found at the project webpage: www.alamedactc.org/sanpablo

all parking and loading to side streets and/or off-street lots. Given the importance of loading to many of the businesses and other streetfront uses in the corridor, staff are initiating robust engagement with storefronts along the corridor to explore the viability of alternative loading solutions.

In Berkeley and Albany, for transit efficiency and reliability, the project includes bus bulbs at Rapid stops on San Pablo Avenue, which allow buses to stop in the traffic lane and not pull into and out from the curb. This can be a building block for bus lanes in a future phase. For bicycle safety in these two cities, the near-term project includes targeted enhancements on San Pablo crossings and parallel streets to improve key bicycle routes and provide a safe, comfortable continuous bike facility along the corridor in Alameda County.

Advancement of the currently scoped near-term project does not preclude anything for the future of improvements on San Pablo Avenue in Berkeley or Albany. The bus and bike project along San Pablo Avenue in Oakland and Emeryville is intended to inform future phases of the project, which could include more substantial changes to the corridor in Berkeley and Albany.

Recently, Alameda CTC has received requests from elected leaders and advocates in Berkeley to expand the current project in the near-term in Berkeley, at a minimum to the Russell/Heinz bike boulevard crossing in South Berkeley. Alameda CTC is committed to delivering our current project on an expedited timeline. Redefining the scope of the near-term project substantially would impact delivery of the near-term safety and efficiency improvements we have been working on for the past year in close partnership with partner agency staff. However, Alameda CTC has been working with elected leaders to consider extending consideration of the near-term project to Russell/Heinz. Staff believes this is possible without major schedule impacts. This expansion would have budget implications that the Commission would have to consider at a future meeting. Further, Berkeley has received a grant to conduct a Specific Plan along San Pablo Avenue. This opportunity provides Berkeley staff and elected officials to more fully discuss some of the potential future transportation concepts with the communities along San Pablo Avenue in Berkeley.

As the Specific Plan process advances, Alameda CTC staff is committed to working with the city to integrate additional improvements on San Pablo Avenue in Berkeley in a timeframe that builds off of the Specific Plan and allows us to advance the work in Oakland and Emeryville in the meantime, which we believe could help build support for more substantial improvements elsewhere in the corridor. The alignment of long-range land use planning and transportation improvements in the corridor is critically important, and Alameda CTC can support city staff utilizing the extensive work we have completed to date.

Stakeholder Engagement

To seek input on the near-term improvements proposed for the San Pablo Avenue corridor in Alameda County, and especially on the trade-offs between parking/loading and bike lanes in Oakland and Emeryville, Alameda CTC staff is doing targeted stakeholder engagement. We have formed a project-specific Active Transportation Working Group, comprised of

stakeholders from all four Alameda County cities along the corridor, to discuss pedestrian and bicycle design issues. In addition, Alameda CTC is developing partnerships with community-based organizations focused on reaching people in Equity Priority Communities.³ Finally, as mentioned above, deep one-on-one engagement with merchants and other storefront uses is planned to help the project team ensure that designs under consideration meet critical loading, ADA and access needs.

Next Steps

Alameda CTC staff will summarize the results of engagement to inform defining a specific concept to advance and anticipates recommending a design concept to the Commission for approval in spring 2022. Securing consensus on a concept in spring 2022 is critical to enabling Alameda CTC to submit funding applications for the construction phase of the project. There are numerous anticipated multi-year funding cycles in 2022, for which we believe this project could be competitive. Alameda CTC will also continue to work closely with city partners and AC Transit staff to brief local city councils and Boards as appropriate. Caltrans owns the right-of-way north of I-580, while the City of Oakland owns the right-of-way south of I-580, so Caltrans will also be a key project partner in determining required project development processes and approving any final design concepts to advance. The project will include additional targeted stakeholder engagement as designs are further developed.

Contra Costa County

Due to greater geometric and operational variability, different mode splits and travel needs, and varying support for preferred improvements, no clear set of improvements emerged from Phase 1 in Contra Costa County. The West Contra Costa Transportation Advisory Committee and Contra Costa Transportation Authority are leading Phase 2 work there, which includes additional location-specific design and evaluation needed to advance long-term concepts. Alameda CTC will continue to coordinate with Contra Costa County to ensure both near-term compatibility and a long-term vision for the corridor that considers both counties.

East 14th Street/Mission and Fremont Boulevard

The E14th/Mission and Fremont Boulevard Corridor Project covers a 30-mile north-south corridor from San Leandro to Fremont. The purpose of the project is:

To improve multimodal mobility, efficiency, and safety to sustainably meet current and future transportation needs, support planned growth and economic development, improve connectivity between transportation modes, and provide flexibility for future changes in transportation technology along this critical north-south corridor in central and southern Alameda County.

³ Equity Priority Communities, formerly known as Communities of Concern, are areas that have a significant concentration of underserved populations, such as households with low incomes and people of color.

The long-term phase of the Project began in December 2017 and concluded in fall 2020. This phase covered E. 14th Street, Mission Boulevard, Decoto Road, and Fremont Boulevard from downtown San Leandro to Warm Springs Blvd at State Route 262 and along Mission Boulevard to Ohlone College in Fremont. This effort resulted in a multimodal long-term vision for the corridor that was adopted by Commission in July 2020.⁴ This vision includes multimodal improvements to meet the growing transportation needs of the communities along its alignment in the next 25 years, including Class IV bike facilities and bus improvements on E 14th Street and Mission Blvd.

Staff then conducted numerous discussions with jurisdictions along the corridor as well as with AC Transit, BART, and Caltrans to inform a more near-term phase and identify where corridor-level support from Alameda CTC would have the most benefit. This was determined to be the segment from downtown San Leandro to South Hayward BART station. South of Hayward, the cities of Fremont and Union City have recently progressed the recommendations of the long-term phase through separate, but consistent efforts, such as the Decoto Road Multimodal Corridor Concept Plan and complete street designs along Fremont Blvd. Last month, staff also presented on the synergies of this near-term project with the East Bay Greenway near-term project to the Programs and Projects Committee.

Near-Term Project

In April 2021, Alameda CTC approved initiation of a near-term implementation phase of the Project. This includes advancing a continuous, high-quality on-street bike facility from San Leandro BART to South Hayward BART, along San Leandro Blvd, E. 14th Street and Mission Blvd and along the access roads to the BART stations along this segment. The near-term project will also include rapid bus improvements and placemaking along the corridor, consistent with the long-term concept approved by the Commission in July 2020. The mid-term phase (8-10 years) will include building upon the near-term project in San Leandro to evaluate a potential extension of the existing TEMPO Bus Rapid Transit line to Bay Fair BART.

Overall, these two phases make significant progress toward the long-term vision for the corridor by:

- Providing a safe, high-quality (buffered Class II or Class IV) option for biking for all ages and abilities
- Improving bicycling and pedestrian safety via physical separations bicyclists from vehicles to the extent feasible
- Improving access to regional transit, schools, downtown areas and major activity centers
- Improving bus access and circulation
- Supporting reduction of greenhouse gas emissions
- Supporting economic development goals of the jurisdictions

⁴ A report was completed in fall 2020 and can be found on the project webpage: <https://www.alamedactc.org/programs-projects/multimodal-arterial-roads/e14th-st-mission-blvd-and-fremont-blvd-multimodal-corridor/>

Next Steps

Alameda CTC is currently developing prototypes for discussion with agency partners and plans to undertake a round of public engagement in spring 2022 to get feedback on design options for the bike and rapid bus improvements in the near-term project. Staff also anticipates coming to Commission again in early 2022 for a contract adjustment to do additional design work in support of expedited environmental review as part of the current consultant contract. The current schedule anticipates environmental clearance by end of 2022, design through 2023, and construction in the 2024-2026 timeframe, dependent on funding and the project delivery approach.

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

Attachment:

- A. 2020 CTP Strategies Addressed by Multimodal Arterial Corridor Projects

2020 CTP Strategies addressed by Multimodal Arterial Corridor Projects

Safe Systems Approach

1. ** Improve Safety on the High-Injury Network, with an Eye Towards Community Disparities.

Complete Corridors Approach

5. ** Improve Bus Service Frequency, Reliability, Quality and Travel Time.
6. ** Manage the Curb to Balance Needs of Multiple Users.
7. ** Build the Low-Stress Walking and Biking Network, including Low-Stress Facilities on Arterials and/or Alternative Routes.
8. ** Plan and Deliver Urban Greenways and Trails.
9. Coordinate with Caltrans for Faster Project Advancement and Innovation.
10. Support Modern Traffic Signals that Operate Seamlessly Across Jurisdictions and Deliver Robust Transit Signal Priority.
12. Support Placemaking and Economic Development Through Street Design.

Partnerships to Address Regional and Megaregional Issues

15. ** Provide Seamless Transit Connections.
19. Provide Express Bus Service and Bus Prioritization on Freeways and Approaches.

Transit Accessibility and TDM

22. ** Expand First/Last-Mile Options and Improve Access to Major Transit Hubs.

New Mobility and an Automated, Low-Emission and Shared Future

25. Advance the initiatives of the New Mobility Roadmap:
 - Transit Integration
 - Coordinated Information Technology Services (ITS)
 - Transportation Demand Management (TDM)
 - Equity and Accessibility

** Denotes strategies that advance equity.

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Immediate Past President

DAVE HAUBERT

Mayor of Dublin

President

MARILYN EZZY ASHCRAFT

Mayor of Alameda

Vice President

LILY MEI

Mayor of Fremont

Alameda County Mayors' Conference

Alameda
Marilyn Ezzy Ashcraft

June 10, 2020

Albany
Ge'Nell Gary

Sent Via E-Mail

Berkeley
Jesse Arreguin

Angie Ayers
Associate Administrative Analyst
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Dublin
Melissa Hernandez

Emeryville
Dianne Martinez

Fremont
Lily Mei

Dear Ms. Ayers,

Hayward
Barbara Halliday

At its meeting of November 10, 2021, the Alameda County Mayors' Conference reappointed Ben Schweng as the District 2 representative to the Alameda County Transportation Commission Bicycle and Pedestrian Advisory Committee for a two-year term commencing December 3, 2021, after Alameda CTC Commission approval. If this term is inaccurate, please advise so I can adjust my records.

Livermore
Robert Woerner

Newark
Al Nagy

Please contact Ben directly for additional information regarding processing her reappointment.

Oakland
Libby Schaaf

Please contact me if you have any questions regarding this matter.

Piedmont
Teddy Gray King

Sincerely,

Pleasanton
Karla Brown

Steven Bocian

San Leandro
Pauline Cutter

Steven Bocian
Executive Director, Alameda County Mayors' Conference
sbocian@acmayorsconference.org
[Alameda County Mayors' Conference](#)

Union City
Carol Dutra-Vernaci

c. Ben Schweng

Executive Director
Steven Bocian

Application for the Alameda CTC Bicycle and Pedestrian Advisory Committee (BPAC)



Alameda CTC invites Alameda County residents to serve on its **Bicycle and Pedestrian Advisory Committee**, which meets quarterly on the second Thursday of the month from 5:30 to 7:30 p.m. Each member is appointed for a two-year term.

Name: Ben Gould

Home Address: [REDACTED]

Mailing Address (if different): _____

Phone: (home) [REDACTED] (work) _____ (fax) _____

Email: [REDACTED]

Please respond to the following sections on a separate attachment:

- I. **Commission/Committee Experience:** What is your previous experience on a public agency commission or committee? Please also note if you are currently a member of any commissions or committees.
- II. ☐ **Statement of Qualifications:** Provide a brief statement indicating why you are interested in serving on ☐ BPAC and why you are qualified for this appointment.
- III. **Relevant Work or Volunteer Experience:** Please list your current employer or relevant volunteer experience including organization, address, position and dates.
- IV. ☐ **Specific Bicycle and/or Pedestrian Experience:** List any specific interest, involvement or expertise you have related to bicycle and/or pedestrian issues.

To avoid a conflict of interest:

Members may not be public agency employees responsible for bicycle and pedestrian projects and/or programs, and work for an agency that is eligible and likely to submit an application for the Countywide Discretionary Fund.

Certification: I certify that the above information is true and complete to the best of my knowledge.

Signature Ben Gould Date October 26, 2021

Return the application to your appointing party for signature (see www.alamedactc.org/app_pages/view/8), or fax (510.893.6489) or mail it to Alameda CTC.

Appointing Party:

Signature: _____

Date: _____

I. Commission/Committee Experience: What is your previous experience on a public agency commission or committee? Please also note if you are currently a member of any commissions or committees.

I have served on the City of Berkeley's Community Environmental Advisory Commission (CEAC) since 2014, including three terms as Chair and currently as Vice Chair. In addition, I have served as a temporary appointment on the City of Berkeley's Housing Advisory Commission, Zoning Adjustments Board, and Police Review Board.

On CEAC, I have been an effective advocate for bold and forward-thinking climate action policies, including being the first to propose that Berkeley ban the use of natural gas in new buildings (proposed in 2016, enacted in 2019; now followed by 50+ cities across California).

II. Statement of Qualifications: Provide a brief statement indicating why you are interested in serving on BPAC and why you are qualified for this appointment.

I have been navigating Berkeley and Alameda County by bike, foot, and bus/BART for over 20 years. Growing up in Berkeley, I walked to elementary school, took the bus to middle school, and by high school I was biking to friend's houses on weekends. I earned two master's degrees (in public policy and environmental engineering, both from UC Berkeley) before I got a driver's license, and to this day I have still never owned a car.

I have spent the past decade working and volunteering on sustainability and addressing the climate crisis, which has led me to a special focus on transportation and land use. Between my personal experience and professional expertise, I strongly believe that from a climate, health, and equity standpoint, it is critical that we make biking and walking safe, easy, accessible, and fun for everyone. I know this is possible to do through smart infrastructure design choices. We're fortunate that here in Alameda County we already have some great examples locally to build off of, but there's still plenty of room for improvement.

III. Relevant Work or Volunteer Experience: Please list your current employer or relevant volunteer experience including organization, address, position and dates.

I currently work as President of EcoDataLab, a Berkeley-based climate policy consulting firm co-founded by myself and Dr. Chris Jones of the CoolClimate Network at UC Berkeley (Energy & Resources Group). We work with local governments and advocacy groups across the country to develop greenhouse gas inventories, policy analyses, and climate action recommendations. I have been working at EcoDataLab since July of 2020.

I previously worked as the Sustainability Analyst at San Francisco International Airport (2018-2020), as a legislative aide to Berkeley Councilmember Lori Droste (2017), a research intern at The International Council for Clean Transportation (summer 2015), and as a research associate at Lawrence Berkeley National Laboratory working on air quality (2013-14).

In my spare time, I volunteer on CEAC (since 2014) and a number of other community groups. Since 2019, I have served on the steering committee of Berkeley Neighbors for Housing and Climate Action, a Berkeley-based community climate & housing advocacy group

that regularly collaborates with Walk Bike Berkeley. In 2021, I also launched the California Climate Action Coalition, a statewide lobbying organization pushing legislation that will help cities meet their greenhouse gas emission targets. Previously, I served as the Legislative Director for Fossil Free California (2020-2021). In the past, I have also been a member and supporter of Bike East Bay.

IV. Specific Bicycle and/or Pedestrian Experience: List any specific interest, involvement or expertise you have related to bicycle and/or pedestrian issues.

As a lifelong pedestrian, transit user, and cyclist, walking and biking is my bread and butter. Like many others, I purchased an e-bike during the pandemic, which has become my primary mode of transportation for virtually every trip between 0.5 and 5 miles, as well as my last-mile solution to get from BART to other destinations (I already live two blocks from a BART station).

As a policy analyst and community volunteer, I already have experience with bicycle and pedestrian planning issues. I followed the development of Berkeley's bicycle and pedestrian plans, understanding their approach and proposals, and provided input to staff during development.

I would be excited to bring my skills and background to the ACTC BPAC as the Transit representative. Please don't hesitate to contact me if you have any questions, at

██



Bicycle and Pedestrian Advisory Committee Meeting Minutes Wednesday, July 15, 2021, 5:30 p.m.

7.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

1. Call to Order

Bicycle and Pedestrian Advisory Committee (BPAC) Chair, Matt Turner, called the meeting to order at 5:30 p.m.

Chris Marks provided instructions to the Committee regarding the Zoom technology procedures, including instructions on administering public comments during the meeting.

2. Roll Call

A roll call was conducted and all members were present.

3. Public Comment

There were no public comments.

4. BPAC Meeting Minutes

4.1. Approve May 27, 2021, BPAC Meeting Minutes

BPAC members requested the following amendments to the minutes:

- Last sentence in the first paragraph on page 3, change "incorporate" to "incorporated"
- Page 3, Nick Pilch clarified that his suggestion was intended to state that thermoplastic surfaces can be slippery when wet and that triple four configurations allows people to pass without going directly on the thermoplastic surface. Additionally, grit can be added to thermoplastic to make it less slippery
- In the table on Page 7 under item 6.1 add a comma between Hill and Johansen

Nick Pilch made a motion to approve this item with corrections. Howard Matis seconded the motion. The motion passed with the following votes:

Yes: Fishbaugh, Hill, Johansen, Marleau, Matis, Murtha, Ogwuegbu, Pilch,
Schweng, Turner
No: None
Abstain: None
Absent: None

5. Regular Matters

5.1. California Department of Transportation: Bay Area Bike Highway Study

Chris Marks introduced the item and stated that the California Department of Transportation (Caltrans) is developing a Bay Area Bike Highway Study and seeks

input from the BPAC on the conceptualization of that network. Mr. Marks introduced Elliot Goodrich, Caltrans, and Mauricio Hernandez, Alta Planning, to present this item. Mr. Goodrich provided a high-level summary of the project timeline and public engagement strategy. He then turned the presentation over to Mr. Hernandez, who provided additional information on Bike Highways including the: project background, design elements, prioritization methodology, concept development, and next steps.

Feliz Hill asked if the project study area is confined to the Bay Area or if it included all of California. Mr. Goodrich stated that the study is focused on the nine Bay Area counties at this time, however, In the future, the project team hopes to scale the effort up to look at other parts of California.

Feliz Hill asked if the recommendations for the top corridors would be presented to local jurisdictions and if Caltrans would provide funding to other corridors implementing similar concepts. Mr. Goodrich stated that Caltrans is looking to co-locate bike highways with the State Highway network and focusing in existing Caltrans right-of-way. He noted that project funding had not been fully identified.

Nick Pilch asked if the list of priority corridors is available on the website and requested the link for the engagement summary. Mr. Goodrich noted that the summary is on the website but the priority corridors have not yet been posted.

Nick Pilch asked how the team proposed to co-locate bicycle facilities and high-speed highways. He noted that such an environment sounds uncomfortable for cyclists and asked if that concern came up in the public engagement efforts. Mr. Goodrich stated that this point has come up; however, freeway corridors are the most direct route even if the conflict points are high speed on and off-ramps. He noted that the project team will have to figure out how to get around those and mitigate conflict.

Chiamaka Ogwuegbu asked if the demographics of the survey respondents skewed wealthier, white, and male. He asked if the project team considered focus groups to balance out the information received in the survey. Mr. Goodrich stated that the data from the survey provided a broad basis to help frame the best practices, but the plan is to go to the communities with different design elements and tools and ask where those treatments should be applied.

David Fishbaugh asked what trip distance the project is meant to serve. Mr. Hernandez noted that Bike Highways that have been implemented elsewhere typically serve 3- to 15-mile trips, which is meant to supplant motor vehicle trips.

David Fishbaugh asked if there are overlay possibilities with preexisting project work conducted by local jurisdictions. Mr. Hernandez stated that this project will not overrule existing bikeway facilities and intends to create an additional classification to the extent possible and use existing bikeways.

Howard Matis noted that the Bay Bridge was not mentioned. He said that sidewalks end between the Oakland and Berkeley's border near State Route 13. At that location Caltrans allocated funds to develop facilities in the area. He also noted that large collections of leaves have developed and consistent maintenance issues. He encouraged oversight when multiple jurisdictions are involved in Caltrans projects. Mr. Matis also commented that safety for both motorists and cyclists needs to be considered. Mr. Goodrich stated that one purpose of the study was to develop designs for bikeways that reduce conflict points with speeding vehicles. He noted that the project team will consider long-term maintenance as they think about implementation.

Dave Murtha noted concerns with developing networks of bikeways on the highway network. He noted that European countries often separate bikeways and road networks to create a low-stress network. Mr. Murtha pointed out that this project focuses on working within the Caltrans right-of-way which constrains opportunities to create separation and create a true low-stress network. Mr. Goodrich stated that Caltrans elected to look only at state right-of-way because it is their jurisdiction. He further noted that local jurisdictions may also find the study helpful to implement facilities outside the limitations of Caltrans' right-of-way.

Matt Turner commented that handing things over to the state would be appealing because they can provide opportunities to deal with entities that often stymie projects like rail operators.

5.2. Interstate 880 Winton Avenue and A Street Interchange Improvements Project

Chris Marks stated that this item is an update on the Interstate 880 (I-880) Winton Avenue and A Street Interchange Improvements Project. Mr. Marks stated that Alameda CTC, in cooperation with Caltrans and the City of Hayward, will implement improvements at the Winton Avenue and A street interchanges along the I-880 corridor. The interchanges will serve as significant active transportation gap closures. He introduced Angelina Leong, Alameda CTC Assistant Transportation Engineer, to present this item. Ms. Leong introduced Joy Sharma, Alameda CTC, Jorge Simbaqueba, City of Hayward, Parag Mehta, and Prasanna Muthireddy, Kimley-Horn. She provided a brief project overview and introduced the project purpose and need and the project's goals, including multimodal enhancements. Ms. Leong then introduced Mr. Mehta to provide project alternatives for Winton Avenue and highlighted details of the bicycle and pedestrian facilities.

Nick Pilch asked about the differences of the five-lane and six-lane configurations. Mr. Mehta stated that the project team worked with Caltrans to evaluate the value of six lanes from a traffic operations perspective and that that bicycle and pedestrian safety would not be significantly degraded with the six lanes.

Dave Murtha commented that he lives close to Winton Avenue and A Street and he is very familiar with the area. He noted that at Winton Avenue the project eliminated

a lot of roadway and foliage. He asked if any additional project benefits or beautification is proposed. Mr. Murtha asked about the plan for the signalized intersections, specifically what happens when bicycle traffic has a green light to go straight and cross the on/off ramps. He noted that it is difficult when the space is engineered to have two modes of transportation in the same space at the same time. Mr. Mehta stated that both modes will share the right of way; however, bicycles will have priority.

Dave Murtha noted that flexible posts are not a good option for a high comfort facility; however, it is excellent that right-angle ramps replace the tangent on-ramps.

Kristi Marleau, Dave Murtha, Nick Pilch, Ben Schweng, and Matt Turner noted that flexible posts are not desirable in such an environment from a cyclist's point of view.

Kristi Marleau asked what will happen outside of the project area and if the project team coordinates with the city to make the approaches safer. Mr. Simbaqueba stated that Hayward plans to repave Winton Avenue and restripe in Class II between Hesperian and Santa Clara before this project is completed. He said Hayward will work with the design team to see if other funds can be acquired to convert that to a Class IV outside the project limits.

Ben Schweng noted issues with the scale of the drawing and requested the project team to correct this. He commented about homelessness in this kind of project and discussed ways to make the project area safer.

6. Member Reports

6.1. BPAC Roster

Dave Murtha noted that his appointment is up and requested staff to follow up on his reappointment.

6.2. BPAC Calendar

Howard Matis asked when committees will meet in-person. Mr. Marks stated that the October 21, 2021 meeting will be remote, but that Alameda CTC was still evaluating the long-term plan for Alameda CTC meetings, and waiting for more information from the Governor on the Brown Act.

6.3. Member Reports

There were no member reports

7. Staff Reports

There were no staff reports.

8. Meeting Adjournment

The meeting adjourned at 7:30 p.m. The next meeting is scheduled for Thursday, October 21, 2021, via Zoom.

Alameda County Transportation Commission
Bicycle and Pedestrian Advisory Committee
Member Roster Fiscal Year 2021-2022

	Suffix	Last Name	First Name	City	Appointed By	Term Began	Re-apptmt.	Term Expires
1	Mr.	Turner, Chair	Matt	Castro Valley	Alameda County Supervisor Nate Miley, District 4	Apr-14	Dec-19	Dec-21
2	Ms.	Marleau, Vice Chair	Kristi	Dublin	Alameda County Mayors' Conference, D-1	Dec-14	Jun-21	Jun-23
3	Mr.	Fishbaugh	David	Fremont	Alameda County Supervisor David Haubert, District 1	Jan-14	May-21	May-23
4	Mr.	Gould	Ben	Berkeley	Pending Commission Approval Transit Agency (Alameda CTC)	Dec-21		Dec-23
5	Ms.	Hill	Feliz G.	San Leandro	Alameda County Supervisor Wilma Chan, District 3	Mar-17	Jul-19	Jul-21
6	Mr.	Johansen	Jeremy	San Leandro	Alameda County Mayors' Conference, D-3	Sep-10	Feb-20	Feb-22
7	Mr.	Matis	Howard	Berkeley	Alameda County Supervisor Keith Carson, District 5	Sep-19		Sep-21
8	Mr.	Murtha	Dave	Hayward	Alameda County Supervisor Richard Valle, District 2	Sep-15	Jun-19	Jun-21
9	Mr.	Ogwuegbu	Chiamaka	Oakland	Alameda County Mayors' Conference, D-4	Jan-21		Jan-23
10	Mr.	Pilch	Nick	Albany	Alameda County Mayors' Conference, D-5	Jan-21		Jan-23
11	Mr.	Schweng	Ben	Alameda	Alameda County Mayors' Conference, D-2	Jun-13	Jul-19	Jul-21

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Independent Watchdog Committee Meeting Minutes Monday, July 12, 2021, 5:30 p.m.

7.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

1. Call to Order

Independent Watchdog Committee (IWC) Vice Chair Murphy McCalley called the meeting to order.

2. Roll Call

A roll call was conducted and all members were present with the exception of Keith Brown, Curtis Buckley, Oscar Dominguez, Ed Hernandez, Glenn Nate, Carl Tilchen, and Hale Zukas. A quorum was not present.

Subsequent to the Roll Call:

Ed Hernandez and Hale Zukas arrived during item 9.1, which was presented before items 5.1, 6.1, 7.1, 7.2, and 8.1, and with that, a quorum was achieved.

3. Public Comment

There were no public comments.

4. Presentation and Public Hearing of the Draft IWC Annual Report

4.1. Open Public Hearing on the Draft IWC Annual Report

Murphy McCalley opened the public hearing for review of the *19th Annual Report to the Public*.

4.2. Presentation of the Draft IWC Annual Report

Murphy McCalley presented the draft IWC *19th Annual Report to the Public* for review.

There were no members of the public present, and Mr. McCalley requested input from the Committee.

Mr. McCalley stated that Alameda CTC staff did an excellent job in helping the Committee generate the report. He requested that the Committee focus on page 12, the "IWC Findings". He encouraged the Committee to provide input to the report.

Pat Piras noted that the Subcommittee was stronger in their recommendation this year because the Committee believes monitoring the performance measures must be better. Ms. Piras said a significant change was made in the substance of the document this year on reporting of the Direct Local Distributions (DLD) to the jurisdictions to concentrate more on how much each jurisdiction spent because sub-committee feels that is what the public is interested in seeing.

4.3. Public Comment on the Draft IWC Annual Report

There were no public comments.

4.4. Close Public Hearing on the Draft IWC Annual Report

Murphy McCalley closed the public hearing.

5. Meeting Minutes

(This item was presented after 9.1)

5.1. Approve March 8, 2021 IWC Meeting Minutes

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

Yes: Exner, Hernandez, McCalley, Piras, Rubin, Zukas

No: None

Abstain: None

Absent: Brown, Buckley, Dominguez, Nate, Tilchen

6. Election of Officers

(This item was presented after 5.1)

6.1. Approve the Election of the IWC Chair and Vice Chair for FY2021-22

Murphy McCalley nominated Pat Piras as Chair and Pat Piras nominated Murphy McCalley as Vice Chair. Ms. Piras accepted the nomination of Chair, and Mr. McCalley accepted the nomination of Vice Chair.

Tom Rubin made a motion to close the nominations. Ed Hernandez second the motion. The motion passed with the following votes:

Yes: Exner, Hernandez, McCalley, Piras, Rubin, Zukas

No: None

Abstain: None

Absent: Brown, Buckley, Dominguez, Nate, Tilchen

Tom Rubin moved and Murphy McCalley seconded a motion to affirm by unanimous affirmation the vote of Pat Piras as Chair and Murphy McCalley as Vice Chair.

7. IWC Annual Report, Publication Methods and Costs, and Press Release

7.1. Approve the Draft IWC Annual Report and Findings

(This item was presented after 6.1)

IWC members discussed the findings in the report and asked staff to provide the following message to the Commission:

"The Independent Watchdog Committee acknowledges that the last quarter of FY 2019-20 was marked by the onset of the Coronavirus-19 (COVID) pandemic with the resulting statewide "lockdown." This resulted in noteworthy impacts to both community life and public agencies' planning, implementation, and public meeting activities, lasting throughout at least most of FY 2020-21.

The IWC is required to evaluate the effectiveness and benefits of the Measure BB DLD programs based on performance measures adopted by the Alameda CTC. The performance measurement vary depending on the program (i.e., transit, streets and roads, etc.). Based on the established measurements and the data submitted as an annual “snapshot” by the DLD recipients, we do not believe that a determination can be made of the effectiveness of the Measure BB expenditures since inception. In several instances, performance measurement and/or the data provided is not sufficient to ascertain the impact of the Measure BB expenditures and what progress has occurred. In most cases, there is no documentation of the leveraging of other fund sources by Measure BB recipients. Further, the adopted performance measures should be reviewed to identify additional measures of public benefit.

Recommendation: In order to address this issue, the IWC has recommended that periodically (i.e., every 3-5 years), the Alameda CTC engage an independent party to conduct an overall comprehensive analysis of the Measure BB DLD program performance, which need not be expensive. In response to the IWC’s initial requests, Alameda CTC staff has compiled a preliminary summary of performance trends by jurisdiction and program; we believe that this data should be public through a regular report to the Commission. As one example, several cities have consistently fallen short of the adopted Pavement Condition Index for their Local Streets & Roads programs.”

Murphy McCalley moved to approve this item with the specific recommendation above in a memo to the Commission. Ed Hernandez seconded the motion. The motion passed with the following votes:

Yes: Exner, Hernandez, McCalley, Piras, Rubin, Zukas
No: None
Abstain: None
Absent: Brown, Buckley, Dominguez, Nate, Tilchen

7.2. Approve the Proposed Publication Costs and Distribution

(This item was presented after 7.1)

Patricia Reavey presented the summary of publication costs for the IWC Annual Report and noted the overall costs were slightly less than the prior year. Ms. Reavey stated that the advertisement plan for more outside advertising continued from last year.

Ed Hernandez requested staff research/include “Next Door” as a publication next year.

Ed Hernandez made a motion to approve this item. Tom Rubin seconded the motion. The motion passed with the following votes:

Yes: Exner, Hernandez, McCalley, Piras, Rubin, Zukas
No: None
Abstain: None
Absent: Brown, Buckley, Dominguez, Nate, Tilchen

7.3. Review Draft IWC Annual Report Press Release

(This item was presented after 4.4)

The IWC members made a few suggested edits to the IWC Annual Report Press Release.

8. IWC Calendar/Work Plan

(This item was presented after 7.2)

8.1. Approve the IWC Calendar/Work Plan for FY2021-22

Pat Piras asked staff to add a discussion item under the Compliance and Audited Financial Reports section of the work plan to discuss performance metrics.

Ed Hernandez made a motion to approve this item with the requested addition. Murphy McCalley seconded the motion. The motion passed with the following votes:

Yes: Exner, Hernandez, McCalley, Piras, Rubin, Zukas

No: None

Abstain: None

Absent: Brown, Buckley, Dominguez, Nate, Tilchen

9. Independent Auditor Work Plan

(This item was presented after 7.3)

9.1. Overview of Independent Auditor's Work Plan

David Alvey with Maze and Associates discussed the audit timing and scope for the upcoming FY2020-21 audit. Mr. Alvey stated that the interim phase of the audit was completed the week of June 21, 2021, and the final phase is scheduled for the weeks of August 30, 2021 and September 6, 2021. He stated that the draft Annual Comprehensive Financial Report (ACFR) will be presented at the Audit Committee meeting on October 28, 2021, the Finance and Administration Committee (FAC) and IWC meetings on November 8, 2021, and finally at the Alameda CTC Commission meeting on December 2, 2021.

Murphy McCalley asked if any new pronouncements will affect Alameda CTC. Mr. Alvey said there are no new announcements effective for June 30, 2021.

Tom Rubin asked if Alameda CTC is getting reports/audits from the cities on a timely basis. Mr. Alvey stated that the agency is getting them timely. He noted that Maze and Associates submits reports for the clients that they audit.

Al Exner asked if the cities have written policies and procedures from an internal controls standpoint. Mr. Alvey stated that yes, there are policies and procedures. Ms. Reavey stated that Alameda CTC does not audit the cities. Their auditors would review their policies and procedures.

Al Exner asked if there are policies and procedures for the cities with Alameda CTC's funded projects. Ms. Reavey stated that there are many requirements for

the cities within the Transportation Expenditure Plan and the agency's Master Programs Funding Agreement.

10. Direct Local Distribution Program Compliance Summary

(This item was presented after 8.1)

10.1. FY2019-20 Measure B and Measure BB Program Compliance Summary Report

John Nguyen presented this item to provide the IWC with an update on Measure B and Measure BB DLD Program Compliance for the Fiscal Year 2019-20 reporting period. Mr. Nguyen reviewed the compliance requirements, recipients' expenditures, and program performance. Mr. Nguyen stated that all recipients were in compliance with the program.

11. Measure B/Measure BB Projects

11.1. Measure B and Measure BB Capital Project Update

Joy Sharma provided an update on Measure B and Measure BB capital projects. The presentation covered funding highlights from the sales tax programs and information on project management and corridor improvements. Ms. Sharma provided details on projects directly managed by Alameda CTC, updating the Committee on 2020 and 2021 milestones, achievements, as well as anticipated milestones for the coming fiscal year.

12. IWC Member Reports/Issues Identification

12.1. Chair's Report

The Chair used this time to allow Al Exner, a new member, to introduce himself to the rest of the Committee.

Pat Piras asked if there was going to be an update to Alameda CTC's website and if so, she would like to be able to provide input.

12.2. IWC Issues Identification Process and Form

Pat Piras explained the use of these forms for the benefit of the new member.

12.3. Member Reports

Tom Rubin asked when Alameda CTC will start holding meetings in person. Ms. Reavey responded that staff doesn't know when that will happen for these committee meetings yet.

13. Staff Reports

13.1. FY2021-22 IWC Budget

Patricia Reavey reviewed the budget adopted by the Commission for IWC production of the annual report and per diems for their meetings.

13.2. Staff Responses to Requests for Information

Patricia Reavey noted that all responses to IWC requests for information since the last meeting are in the packet, including: The redline bylaws approved by the Commission, memo to the Subcommittee of trend information of performance metrics, and notification to IWC that final compliance reports for FY2019-20 were received and posted to the agency's website for their review.

13.3. IWC Projects and Programs Watchlist Next Steps

Patricia Reavey provided an update on the IWC Projects and Programs Watchlist Next Steps. A letter will be prepared on behalf of the Chair and sent to each city and agency sponsor to request notification to IWC members of all public meetings for Measure B and Measure BB-funded projects and programs. IWC members will be notified if they signed up to “watch” the particular project and/or program.

13.4. IWC Roster

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

14. Adjournment

The meeting was adjourned. The next meeting is scheduled for November 8, 2021.

Alameda County Transportation Commission
Independent Watchdog Committee
Member Roster - Fiscal Year 2021-2022

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires
1	Ms.	Piras, Chair	Pat	San Lorenzo	Sierra Club	Jan-15		N/A
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.	Exner	Alfred	Pleasanton	Alameda County Mayor's Conference, D-4	Jun-21		Jun-23
7	Mr.	Hastings	Herb	Dublin	Paratransit Advisory and Planning Committee	Jul-21		Jul-23
8	Mr.	Hernandez	Ed	San Leandro	Alameda County Mayors' Conference, D-3	Feb-21		Feb-23
9	Mr.	Naté	Glenn	Union City	Alameda County Supervisor Richard Valle, D-2	Jan-15	Jan-20	Jan-22
10	Mr.	Rubin	Thomas	Oakland	Alameda County Taxpayers Association	Jan-19		N/A
11	Mr.	Tilchen	Carl	Dublin	Alameda County Supervisor David Haubert, D-1	Oct-18		Oct-20
12	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Jan-20	Jan-22

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Memorandum

8.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration

SUBJECT: Approve the Alameda CTC Draft Audited Annual Comprehensive Financial Report for the Year Ended June 30, 2021

Recommendation

It is recommended that the Commission approve the Alameda CTC Draft Audited Annual Comprehensive Financial Report for the Year Ended June 30, 2021 (Draft Audited ACFR).

Summary

Pursuant to the Joint Powers Agreement of the Alameda County Transportation Commission, California Public Utilities Code Section 180105, the Joint Powers Agreement of the Alameda County Congestion Management Program and the California Government Code Section 6505, an independent audit was conducted for the fiscal year ended June 30, 2021 by Maze & Associates Accounting Corporation (Maze & Associates). Financial statements are the responsibility of management. The auditor's responsibility is to express an opinion on the financial statements based on their audit. As demonstrated in the Independent Auditor's Report on page one (1) of the Draft Audited ACFR, the Alameda CTC's auditors have reported what is considered to be an unmodified opinion or clean audit.

"In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of Alameda CTC, as of June 30, 2021, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America."

The Alameda CTC Audit Committee met with the Partner on the agency's audit from Maze & Associates on October 28, 2021 to discuss required audit communications regarding internal controls, significant audit findings, and other matters and to review the Draft Audited ACFR for the year ended June 30, 2021.

Financial Highlights:

- The assets and deferred outflows of resources of Alameda CTC exceeded its liabilities and deferred inflows of resources at the end of fiscal year 2020-21 by \$628.4 million (*net position*). Of this amount, \$97.8 million represents unrestricted net position, which may be used to meet ongoing obligations.
- Alameda CTC's total net position increased \$66.7 million or 11.9 percent over the prior fiscal year-end mostly due to a decrease in long-term obligations as debt service payments were made on the Measure B 2014 Sales Tax Revenue Bonds and an increase in cash and investments related to increased sales tax revenue collections as the economy rebounded from the initial shock of the pandemic in fiscal year 2019-20.
- As of June 30, 2021, Alameda CTC's governmental funds reported combined fund balances of \$620.8 million, an increase of \$42.1 million compared to June 30, 2020. This increase is attributed to an increase in sales tax revenues and a decrease in expenditures in the Measure BB Capital Projects Fund due to delays in various capital projects. Of the total combined fund balances, \$95.3 million or 15.4 percent is available to address Alameda CTC funding needs.
- Total assets and deferred outflows of resources of Alameda CTC increased by \$38.7 million from \$725.9 million to \$764.6 million as of June 30, 2021 compared to June 30, 2020 due to an increase in cash and investments and sales tax receivable at year-end related to an increase in sales tax revenues for the fiscal year. Cash and investments comprised 83.3 percent of the total assets and deferred outflows of resources as of June 30, 2021.
- Revenues totaled \$393.1 million for the fiscal year ended June 30, 2021. This is an increase of \$22.8 million or 6.2 percent from the fiscal year ended June 30, 2020 primarily due to an increase in sales tax revenue collections which rebounded after the decline related to the pandemic and exceeded collections prior to the pandemic.
- Total liabilities and deferred inflows of resources decreased by \$28.0 million or 17.1 percent going from \$164.2 million as of June 30, 2020 compared to \$136.2 million as of June 30, 2021. This decrease is mostly related to a decrease in long-term obligations as debt service payments were made on the Measure B 2014 Sales Tax Revenue Bonds.
- Expenses totaled \$326.4 million for the fiscal year ended June 30, 2021. This is a decrease of \$29.8 million or 8.4 percent from the fiscal year ended June 30, 2020. This decrease is due to the wind down of projects in the 2000 Measure B Capital Projects Fund, the completion of various projects in fiscal year 2019-20 the 2014 Measure BB Special Revenue Fund, and project delays on various projects in the 2014 Measure BB Capital Projects Fund.

Background

In planning and performing their audit of the basic financial statements as of June 30, 2021, in accordance with auditing standards generally accepted in the United States of America, Maze & Associates considered Alameda CTC's internal control over financial reporting as a basis for designing their auditing procedures that are appropriate in the circumstances for

the purpose of expressing their opinions on the financial statements. They have not expressed an opinion on the effectiveness of the Alameda CTC's internal controls; however, Maze & Associates' Memorandum on Internal Control states, "... we did not identify any deficiencies in internal control that we consider to be a material weaknesses."

In addition, Maze & Associates audited the calculation of the limitations ratios required by the 2000 and 2014 Transportation Expenditure Plans (TEP) which require that the total Measure B and Measure BB salaries and benefits costs for administrative employees not exceed 1.00 percent of sales tax revenues, and expenditures for administration do not exceed 4.5 percent of sales tax revenues for Measure B and 4.0 percent of sales tax revenues for Measure BB. The Measure B and Measure BB ratios for the fiscal year ended June 30, 2021 are 0.53 percent and 0.79 percent, respectively, for salaries and benefits as a percent of sales tax revenues, and 1.54 percent and 1.89 percent, respectively, for total administration costs as a percent of sales tax proceeds which are compliant with the requirements set forth in the TEPs.

Maze & Associates also performed a Single Audit for the fiscal year ended June 30, 2021. Per the *Office of Management and Budget (OMB) Compliance Supplement*, a single audit is required when a grantee spends \$750,000 or more in federal funds in the fiscal year to provide assurance to the federal government as to the management and use of these funds. Alameda CTC's federal expenditures were well over the threshold at \$7.7 million during the fiscal year ended June 30, 2021, therefore, a Single Audit was required. As demonstrated in the Independent Auditor's Report beginning on page 125 of the Draft Audited ACFR, Alameda CTC's auditors have reported the following:

"In our opinion, Alameda CTC complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major Federal programs for the year ended June 30, 2021."

The Alameda CTC's Annual Comprehensive Financial Report (ACFR) has been drafted to meet all Government Finance Officers Association (GFOA) requirements for an award for excellence in financial reporting and will be submitted to the GFOA for consideration of this award once the ACFR is approved by the Commission. The Alameda CTC has been awarded the GFOA Certificate of Achievement for Excellence in Financial Reporting for its ACFRs for the past seven (8) years since the agency first produced its financial statements in the form of a ACFR for the fiscal year ended June 30, 2013. A copy of the June 30, 2020 award has been included in the ACFR for the year ended June 30, 2021, as required by the GFOA, on page xv.

Similar to Alameda CTC's previous ACFRs, this ACFR was designed to provide detailed financial information by function so that interested parties can review agency financials as a whole or at a more detailed functional level. For example, for the benefit of the Independent Watchdog Committee whose purview is limited to the 2000 Measure B and 2014 Measure BB programs, these funds have been broken out in separate columns whenever possible in the fund financial statements beginning on page 16 of the Draft

Audited ACFR except in the General Fund and the Debt Service Fund. There can only be one General Fund; however, Alameda CTC's financial system was designed to distinguish costs related to the administration of each of the individual sales tax measures as well as all administration costs related to non-sales tax functions separately. Therefore, a breakout of financial information for the General Fund has been provided as supplemental information beginning on page 64 of the Draft Audited ACFR, and a breakout of financial information for the Nonmajor Governmental Funds, which are generally those funds that contain less than 10 percent of the total governmental funds' assets, liabilities, revenues or expenditures, and includes the Debt Service Fund, which also has been provided as supplemental information beginning on page 66.

In addition, within the Supplemental Information section, a breakout of the 2000 Measure B and the 2014 Measure BB Special Revenue Funds' financial information by sub-fund has been provided beginning on pages 76 and 80, respectively, of the Draft Audited ACFR.

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

Attachment:

- A. [Alameda County Transportation Commission Draft Audited Annual Comprehensive Financial report for the Fiscal Year Ended June 30, 2021](#) *(Hyperlinked to website)*



Memorandum

8.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration

SUBJECT: Approve Alameda CTC Staff and Retiree Benefits for Calendar Year 2022 and Salary Ranges for FY2022-23

Recommendation

The Administrative Code calls for the Executive Director to submit an annual salaries and benefits plan to the Commission for approval. This memorandum seeks the Commission's approval of Alameda CTC calendar year 2022 retiree benefits, Fiscal Year 2022-23 Salary setting process and Calendar Year 2022 Benefits for Staff as outlined in Resolution 21-016, Attachment A, and Classifications and Salary Ranges for Alameda CTC Effective July 1, 2022, as outlined in Attachment B.

The calendar year 2022 benefits outlined in Resolution 21-016 includes holidays, vacation and sick leave policies, health insurance, and other benefits for staff members. The calendar year 2022 benefits generally remain unchanged from Resolution 20-012, which was approved by the Commission in December 2020. Changes to benefits for next calendar year include:

1. The Cafeteria Plan monthly benefit allowance of \$2,881 for active employees, an increase of \$255, or 9.7 percent, over 2021 related specifically to changes in CalPERS medical premium rates as all other benefit rates remain the same;
2. The Public Employees' Medical and Hospital Care Act (PEMHCA) monthly minimum required contribution of \$149, an increase of \$6, or 4.2 percent, over 2021;
3. The Health Reimbursement Arrangement (HRA) monthly benefit of \$1,924 for retirees, an increase of \$195, or 11.3 percent, from 2021; and
4. The addition of one floating holiday per fiscal year for staff to observe a culturally significant day of their choice that is not recognized by traditional agency holidays, such as Juneteenth or Caesar Chavez Day.

The Agency currently has 36 employees in 45 approved full-time equivalent (FTE) positions. The Agency also has 35 approved classifications; however, staff recommends decreasing the number of classifications to 31 which would eliminate positions in the administrative assistant track and combine those current classifications with those in the administrative analyst track based on the overlapping responsibilities of the classifications. Job classification placements are based on a market study completed by Koff & Associates.

Alameda CTC does not provide automatic pay increases or pay grade step increases, nor do the recommendations approved by the Commission constitute automatic pay increases. Alameda CTC displays the pay scale for each position in the form of an allowable range. Salary adjustments for employees within the ranges are based on job performance, expansion of duties and/or responsibilities and other economic factors. While salary ranges are not included in Alameda CTC's annual operating budget, the projected salaries and benefits (by functional area) for the entire agency are included in the budget based on the projected number of actual employees. Therefore, approval of the salary ranges do not have a direct fiscal impact on the budget. However, it will allow for actual salaries to be adjusted within the approved ranges at the discretion of the Executive Director.

Background

The attached Resolution No. 21-016 (Attachment A) is consistent with the Public Employees' Pension Reform Act of 2013 (AB 340), as it pertains to the agency. The details of the agency's retirement system are contained in the agency's pension plan. The most significant changes from AB 340 apply to new employees hired on or after January 1, 2013. For employees hired prior to January 1, 2013 (Classic Employees), the major features of the agency's pension plan includes a "2.5%@55" benefit and employer paid member contribution (EPMC) cost sharing of 5% by the agency and 3% by the employee. For employees hired on or after January 1, 2013 (New Employees), the major features of the agency's pension plan includes a "2%@62" benefit, but does not include cost sharing of the required employee contribution as it is not allowed per AB 340 which is effective for New Employees. The plan does not include any optional features, payout conversions or optional benefits that have been characterized as "spiking" of the pension benefit.

Alameda CTC Retiree Health Benefit Amount for the 2022 calendar year is reimbursed to retirees through the HRA Plan. The HRA Plan is a premium reimbursement plan for retiree health care premiums. Alameda CTC will contribute only the required minimum contribution amount directly to CalPERS for retirees (\$149 per month in 2022). CalPERS requires that the remaining premium costs be deducted directly from the retiree's monthly retirement check under the CalPERS pension plan. Once CalPERS takes this deduction, Alameda CTC's HRA Plan administrator will reimburse each retiree for the deduction, up to the annually determined amount. The maximum HRA contribution amount recommended for 2022 is \$1,924 per retiree per month, which is the median amount for all CalPERS plans available to staff and retirees for 2022 at the Employee +1 Rate of \$2,073, less \$149 PEMHCA-required minimum contribution. Similar to active employees, if a retiree's elected health coverage

costs exceed the amount approved by the Commission, the retiree will be required to pay for the additional amount from his or her own funds.

Fiscal Impact: Approval of staff's recommendation will not have a significant fiscal impact on the budget. Total salaries and benefits for all functions accounts for about 1.7% of overall operating and capital budgeted expenditures for the agency.

Attachments:

- A. Resolution No. 21-016 Fiscal Year 2022-23 Salaries and Calendar Year 2022 Benefits for Staff Members
- B. Classifications and Annual Salary Ranges for Alameda CTC Effective July 1, 2022

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

RESOLUTION 21-016

Fiscal Year 2022-23 Salaries and Calendar Year 2022 Benefits for Staff Members

WHEREAS, Alameda County Transportation Commission, hereinafter referred to as Alameda CTC, was created pursuant to a joint powers agreement ("Joint Powers Agreement") entered into among the 14 cities in Alameda County, the County of Alameda, the Bay Area Rapid Transit District, the Alameda-Contra Costa Transit District, the Alameda County Transportation Improvement Authority ("ACTIA"), and the Alameda County Congestion Management Agency ("ACCMA");

WHEREAS, Alameda CTC is empowered by the Joint Powers Agreement to carry out numerous transportation planning, programming and construction functions and responsibilities, including all historical functions and powers of ACTIA and ACCMA;

WHEREAS, Alameda CTC is authorized under Sections 11 and 13 of the Joint Powers Agreement to appoint and retain staff as necessary to fulfill its powers, duties and responsibilities;

WHEREAS, Alameda CTC previously adopted Resolution 20-012, thereby establishing a consistent set of benefits and leave policies, and this Resolution is intended to supersede and replace such Resolution 20-012; and

NOW, THEREFORE, BE IT RESOLVED that Alameda CTC staff salaries ranges for July 1, 2022 through June 30, 2023 and employment benefits for January 1, 2022 through December 31, 2022, are hereby adopted, and are herein set forth.

1. Salaries

1.1 An employee shall be compensated at a rate set between or equal to the minimum (min) and maximum (max) of the range specified in Attachment A for their respective position classification.

1.2 The duties and responsibilities of the position classification identified in Paragraph 1.1 above shall be described in an Alameda CTC job specification approved by the Executive Director.

- 1.3 The salary ranges for the employees described in Paragraph 1.1 shall not include steps and/or provision for any automatic or tenure-based increases.
- 1.4 Starting compensation, including salary, for new employees shall be set by the Executive Director consistent with the prescribed salary ranges for the position classification identified in Paragraph 1.1.

2. Appointment and Performance Management

- 2.1 Original appointments of new employees shall be tentative and subject to a probationary period of one (1) year of actual service.
 - 2.1.1 Every six (6) months during the probationary period new employees may meet with their supervisor to discuss performance to date. At the time of the discussion the supervisor may complete a written evaluation for the employee's personnel records.
 - 2.1.2 Upon completion of the probationary period, the employee shall be given a written evaluation. If this evaluation shows that the employee has satisfactorily demonstrated the qualifications for the position, the employee shall gain regular status, and shall be so informed.
 - 2.1.3 At any time during the probationary period, a probationary employee may be terminated with or without cause and with or without notice. Employee shall be notified in writing by the Executive Director or his/her designee of such termination.
 - 2.1.4 The probationary period may be extended once by the Executive Director at his/her sole discretion in order to further evaluate the performance of the probationary employee.
 - 2.1.5 The probationary period is automatically extended by a period of time equal to the time the employee is absent due to any type of leave, including time absent while receiving workers' compensation benefits.
- 2.2 Following successful completion of the probationary period, written performance reviews for employees shall be conducted at least once a year by the employee's supervisor and reviewed and approved by the Executive Director or his/her designee. In addition, a review of an employee's progress in meeting annual goals and objectives may be conducted at the end of six months by the employee and his or her supervisor.
- 2.3 On the basis of the performance reviews, increases or decreases in compensation may be granted at that time by the Executive Director at his/her sole discretion consistent with the Board approved annual budget.

3. Holidays

- 3.1 The following eleven (11) paid holidays shall be observed by Alameda CTC:

New Year's Day (observed)	-	December 31, 2021, Friday
Martin Luther King Day	-	January 17, 2022, Monday
Presidents' Day	-	February 21, 2022, Monday
Memorial Day	-	May 30, 2022, Monday
Independence Day	-	July 4, 2022, Monday
Labor Day	-	September 5, 2022, Monday
Veterans Day	-	November 11, 2022, Friday
Thanksgiving Day	-	November 24, 2022, Thursday
Day after Thanksgiving	-	November 25, 2022, Friday
Day before Christmas (observed)	-	December 23, 2022, Friday
Christmas Day (observed)	-	December 26, 2022, Monday

- 3.2 **Holiday Policy.** When a holiday falls on a Sunday, the following Monday shall be observed as the holiday date. When a holiday falls on a Saturday, the preceding Friday shall be observed.
- 3.3 **Floating Holidays.** Regular full-time employees receive up to three (3) floating holidays per fiscal year. Employees shall be granted such holidays at the beginning of each fiscal year (i.e., effective on July 1 of each year). Floating Holidays are not accruable and those unused at the end of the fiscal year will be eliminated from the employee's available leave bank.
- 3.4 **Holiday Time.** Regular full-time employees shall receive eight (8) hours of holiday pay for each of the above holidays at their regular base rate. Regular part-time employees shall receive paid holiday time prorated based on actual hours worked should their regular work schedule fall on one of the above listed holidays.
- 3.5 **Administrative Procedure.** The Executive Director shall establish holiday procedures governing employees of Alameda CTC.

4. Leaves of Absence

4.1 Vacation

- 4.1.1 **Accrual Rates.** Alameda CTC shall provide vacation leave with pay for regular employees (including probationary employees) based on accrual guidelines shown in the table below. Vacation leave earned shall accrue upon completion of each pay period beginning upon completion of the pay period following that in which the employee commences service.

Accrual Rates Based on Years of Service:

Years of Service	Vacation Days Accrued Per Year	Maximum Hours Accrued
0-3 Years	10 Days	120 Hours
3.1-10 Years	15 Days	240 Hours
10.1-15 Years	20 Days	320 Hours
15.1+ Years	25 Days	400 Hours

Part-time employees shall earn vacation leave on a pro rata basis based on actual hours worked. The maximum accrual will also be prorated.

As a recruitment and negotiating tool, at the sole discretion of the Executive Director, Alameda CTC may determine the "Years of Service" tier at which a new employee at the Principal level or above may begin service.

- 4.1.2 **Maximum Vacation Benefits.** Once an employee reaches the maximum accrual, the employee will cease accruing any additional vacation leave until such time as vacation leave hours fall below the maximum.
- 4.1.3 **Payment of Vacation upon Separation.** Accrued vacation pay that has not been used will be paid at the time of resignation or termination. An employee terminating employment with Alameda CTC for reasons other than paid retirement from Alameda CTC shall be paid at such employee's current rate of pay for all unused accrued vacation up to the maximum amount of permissible accumulated vacation time as set forth above, in one (1) lump sum less applicable taxes. An employee separating from service with Alameda CTC for paid retirement will be paid at the employee's current rate of pay for vacation up to the ceiling amount as set forth above, in one (1)

lump sum less applicable taxes. At the Executive Director's discretion, Alameda CTC may allow an employee separating from service with Alameda CTC for paid retirement to elect to take time off for vacation prior to the employee's date of retirement.

- 4.2 **Management Leave.** Regular full-time exempt employees may receive paid management leave at the sole discretion of the Executive Director. The leave is intended to compensate exempt employees who are required to attend work-related meetings outside of normal working hours. The amount of leave will be determined by the Executive Director based on each employee's function and the number of off hour meetings he/she is required to attend. Use of Management Leave shall be at the discretion of the Executive Director or his/her designee.
- 4.3 **Sick Leave.** Regular employees (including probationary employees) shall receive sick leave, accumulating at the rate of one day per calendar month up to four hundred eighty (480) hours (prorated for part-time employees based on actual hours worked). Up to sixty (60) days of accrued but unused sick leave may be used toward service credit for CalPERS retirement benefits. Sick leave is available only for the actual illness or injury of an employee or to allow the employee to care for the employee's spouse, registered domestic partner, children, children of registered domestic partner, parents, grandparents, grandchildren, or siblings.

In compliance with the City of Oakland's Measure FF, temporary employees are eligible to utilize accrued sick leave 90 days after their first day of employment. Sick leave will accumulate at the rate of one hour for every 30 hours worked up to 72 hours and can be used for actual illness, injury, preventive care and other purposes, as defined in Measure FF, of an employee or covered family member.

- 4.4 **Family and Medical Leave.** Alameda CTC may grant regular employees (including probationary employees) up to twelve (12) workweeks of time off in a 12-month period (whether paid or unpaid) for the employee's own serious health condition or to allow the employee to care for the employee's spouse, registered domestic partner, children, children of registered domestic partner, parents, grandparents, grandchildren, or siblings if they have a serious health condition, or for baby/child bonding after the birth, adoption, or foster care placement of an employee's child. Employees must have worked at least 1,250 hours in the preceding 12-month period.

Employees may exhaust any accrued vacation time and/or sick leave (if the leave is due to the employee's own serious health condition or to care for the serious health condition of a covered family member as described above) while on unpaid leave. Employees taking family/medical leave due to the birth of a child to that employee's spouse or registered domestic partner, or the adoption or foster placement of a child, or to care for such child, may utilize accrued sick leave and/or vacation time during such leave. Such use of accrued vacation time and/or sick leave is the only pay such employee will receive from Alameda CTC while on family/medical leave.

- 4.5 **Leave Due to Pregnancy, Child Birth or Related Conditions.** Alameda CTC shall comply with California's Pregnancy Disability Leave Law. Employees may, but are not required to, utilize accrued vacation and sick leave during any pregnancy leave so as to receive pay during some or all of such leave.
- 4.6 **Paid Family Leave.** Alameda CTC shall comply with California's Paid Family Leave Law. Employees are entitled to up to 12 weeks of time off in a 12-month period to care

for an employee's seriously ill spouse, registered domestic partner, child, child of a registered domestic partner, parent, grandparent, grandchild, or sibling, or to bond with a newborn child within one year of the birth or placement of the child in connection with foster care or adoption. Employees must have worked at least 1,250 hours in the preceding 12-month period.

Employees may exhaust any accrued vacation time and/or sick leave (if the employee's leave is due to the care of a serious health condition of a covered family member as described above) while on unpaid leave. Employees taking California's Paid Family Leave due to the birth of a child to that employee's spouse or registered domestic partner, or the adoption or foster placement of a child, or to care for such child, may utilize accrued sick leave and/or vacation time during such leave. Such use of accrued vacation time and/or sick leave is the only pay such employee will receive from Alameda CTC while utilizing California's Paid Family Leave Law.

- 4.7 **Military Leave.** Military leave shall be granted in accordance with federal and state law.
- 4.8 **Bereavement Leave.** In the event of a death in the immediate family of a regular full-time employee, paid leave not chargeable to sick or vacation leave will be granted for a period up to three (3) scheduled work days for the purpose of making arrangements for, or to attend, the funeral. Employees shall receive one (1) day to attend a funeral for a friend or relative outside their immediate family. Immediate family is defined as spouse, registered domestic partner, child, sister, brother, mother, father, legal guardian, any other person sharing the relationship of in loco parentis, legal dependent, current mother- or father-in-law, grandparents, or grandchildren.
- 4.9 **Jury and Witness Duty Leave.** All regular full-time employees will be granted a leave of absence with pay for all or any part of the time required for jury duty in the manner prescribed by law. The employee must return to work on the same day he or she is excused from service. The employee shall be paid the difference between his/her full salary and any payment received for such duty, except travel pay. All regular full-time employees will be granted a leave of absence with pay for their appearance as a witness in a civil or criminal proceeding (other than as an accused) for any appearance that is solely attributable to the employee's work for Alameda CTC.
- 4.10 **Administrative Procedure.** The Executive Director shall establish specific guidelines and procedures to implement all leave policies and will comply with any laws mandated by the federal, state and local jurisdictions.

5. **Health Insurance and Other Benefits**

- 5.1 **Cafeteria Plan.** Alameda CTC provides a Cafeteria Plan for its eligible employees, into which Alameda CTC will pay \$2,881 per month per employee. This amount is in addition to the Public Employees' Medical and Hospital Care Act (PEMHCA) minimum required contribution of \$149. With these funds, each participating employee is able to choose the following coverage:
 - Health Insurance (through the State of California's Public Employees' Retirement System (CalPERS));
 - Dental Insurance;
 - Vision Care Insurance;
 - Life Insurance;
 - Dependent Life Insurance;

- Accidental Death and Dismemberment Insurance;
- Long-term Disability Insurance; and
- Short-term Disability Insurance.

When an employee is required to work on a less than full-time basis due to medical or other valid reasons, the accrual for the cafeteria plan contribution amount may be prorated by dividing the actual hours worked plus any accrued sick/vacation hours used during the pay period, by the fulltime equivalent hours in the same pay period.

Regular full-time employees who elect not to use the CalPERS health care benefit and can prove alternate coverage shall receive \$400 per month which will be paid with each paycheck (\$200 per pay-period) and is subject to all applicable payroll taxes.

Regular part-time employees will receive a prorated amount of the monthly contribution based on actual hours worked.

6. Additional Benefits Programs

6.1 **Transit Subsidy.** All regular full-time employees of Alameda CTC are eligible to receive up to the federally approved transit benefit amount for 2022 (if elected to be received by the employee).

6.2 **Tuition Assistance.** Following completion of their probationary period, regular full-time employees are eligible for reimbursement of 90% of tuition fees for job-related courses, subject to budget availability up to \$500 per academic year at an accredited institution each fiscal year, at the sole discretion of the Executive Director.

7. **Other benefits.** Alameda CTC will also provide: (1) A Flexible Spending Account (FSA) program which will be administered through the cafeteria plan for both dependent care expenses up to \$5,000 per calendar year and medical expenses up to the maximum amount allowed consistent with the IRS limit for 2022. To participate in and receive benefits in the form of reimbursements for dependent and/or medical care expenses from the FSA, an employee can elect to pay his or her contribution for FSA benefits on a pre-tax salary reduction basis; and (2) an optional deferred compensation program, CalPERS 457 Supplemental Income Plan.

8. **Administrative Procedure.** The Executive Director shall establish specific guidelines and procedures to implement all benefit policies.

9. **Retirement.** All employees of Alameda CTC shall be entitled to membership with the California Public Employees' Retirement System (CalPERS) according to the guidelines established in the CalPERS Retirement Benefits Policy and the applicable contract with CalPERS. Alameda CTC shall contribute to CalPERS each pay period 5% of the 8% employee contribution on behalf of all "Classic" employees (Classic employees are those hired before January 1, 2013). Such contribution shall be reported to CalPERS as "employee contribution being made by the contracting agency" and shall not be deemed to be "compensation" reportable to CalPERS. This same benefit is not provided for employees hired on or after January 1, 2013 per the requirements of the Public Employees' Pension Reform Act of 2013 (AB340).

10. **Reimbursement of Expenses.** Alameda CTC will reimburse employees of the Agency for reasonable and normal expenses associated with Alameda CTC business approved by the Executive Director or his/her designee. An employee may be offered a fixed taxable monthly allowance in lieu of actual expenses, which may be adjusted annually by the Executive Director.
11. **Office Hours.** The offices of Alameda CTC shall be open to the public between 8:30 a.m. and 5:00 p.m. on Monday, Tuesday, Thursday and Friday of each week, with Wednesday as a fully remote work day, except on Alameda CTC holidays as defined in Paragraph 2.1. Staff will fulfill at minimum 8 hours on work days regardless of working in the office or remotely. All employees are required to fulfill a full working day of 8 hours minimum.
12. All provisions of this Resolution shall be effective and pertain to all employees of Alameda CTC as of the date of hire of the employee, or January 1, 2022, whichever is later, unless otherwise provided.
13. The Executive Director is authorized to execute the necessary contracts for the benefits and insurance coverage described herein.
14. This resolution is intended to and shall replace and supersede in its entirety that certain Resolution 20-012 adopted by the Commission on December 3, 2020.

Duly passed and adopted by the Alameda CTC at the regular meeting of the Commission held on Thursday, December 2, 2021, in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Pauline Cutter,
Chairperson, Alameda CTC

Vanessa Lee,
Clerk of the Commission

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**Alameda County Transportation Commission
Job Classifications
Effective July 1, 2022**

8.2B

Job Classification	FLSA¹	Range
Executive Director*	E	74
<u>Programming and Projects Team</u>		
Deputy Executive Director of Projects*	E	63
<u>Projects Section</u>		
Director of Project Delivery	E	55
Principal Transportation Engineer	E	50
Senior Transportation Engineer	E	44
Associate Transportation Engineer	E	38
Assistant Transportation Engineer	N	34
<u>Programming Section</u>		
Director of Programming and Project Controls	E	54
Principal Transportation Planner	E	42
Senior Program Analyst	E	35
Associate Program Analyst	E	29
Assistant Program Analyst	N	25
<u>Express Lane Operations Section</u>		
Director of Express Lane Operations	E	55
Principal Transportation Engineer	E	50
Senior Transportation Engineer	E	44
Associate Transportation Engineer	E	38
Assistant Transportation Engineer	N	34
<u>Planning and Policy Team</u>		
Deputy Executive Director of Planning and Policy*	E	63
Director of Planning	E	51
<u>Planning Section</u>		
Principal Transportation Planner	E	42
Senior Transportation Planner	E	35
Associate Transportation Planner	E	29
Assistant Transportation Planner	N	25
Director of Government Affairs and Communications	E	49
<u>Programs Section</u>		
Principal Program Analyst	E	41
Senior Program Analyst	E	35
Associate Program Analyst	E	29
Assistant Program Analyst	N	25
<u>Policy Section</u>		
Principal Administrative Analyst	E	41
Senior Administrative Analyst	E	34
Associate Administrative Analyst	E	28
Assistant Administrative Analyst	N	24
<u>Finance and Administration Team</u>		
Deputy Executive Director of Finance and Administration*	E	63
<u>Finance Section</u>		
Director of Finance	E	50
Principal Financial Analyst	E	41
Senior Financial Analyst	E	34
Associate Financial Analyst	N	28
Assistant Financial Analyst	N	24
Director of Procurement and Information Technology	E	48
<u>Contracting and Budgets Section</u>		
Principal Administrative Analyst	E	41
Senior Administrative Analyst	E	34
Associate Administrative Analyst	E	28
Assistant Administrative Analyst	N	24

**Alameda County Transportation Commission
Job Classifications
Effective July 1, 2022**

Job Classification	FLSA¹	Range
<u>Administration Section</u>		
Principal Administrative Analyst	E	41
Senior Administrative Analyst	E	34
Associate Administrative Analyst	E	28
Assistant Administrative Analyst	N	24

- 1 Fair Labor Standards Act (E-Exempt; N-Non-exempt)
- Local Agency Executive

Alameda County Transportation Commission
Monthly Salary Range Schedule
Effective July 1, 2022

Salary Range	Monthly Salary Range		
	Min	Midpt	Max
1	\$ 3,880	\$ 4,462	\$ 5,044
2	3,977	4,574	5,171
3	4,077	4,688	5,300
4	4,179	4,805	5,432
5	4,283	4,926	5,567
6	4,390	5,049	5,707
7	4,500	5,175	5,849
8	4,613	5,304	5,996
9	4,727	5,437	6,145
10	4,846	5,573	6,300
11	4,967	5,712	6,457
12	5,091	5,855	6,619
13	5,219	6,001	6,784
14	5,349	6,152	6,954
15	5,483	6,305	7,128
16	5,620	6,463	7,306
17	5,761	6,625	7,488
18	5,904	6,790	7,675
19	6,051	6,960	7,868
20	6,203	7,134	8,064
21	6,358	7,312	8,265
22	6,517	7,495	8,472
23	6,680	7,682	8,684
24	6,847	7,874	8,901
25	7,018	8,071	9,124
26	7,194	8,273	9,352
27	7,373	8,479	9,585
28	7,558	8,692	9,826
29	7,747	8,909	10,071
30	7,941	9,131	10,323
31	8,139	9,360	10,581
32	8,343	9,594	10,845
33	8,551	9,834	11,116
34	8,765	10,080	11,394
35	8,984	10,331	11,679
36	9,209	10,590	11,971
37	9,439	10,855	12,270

Salary Range	Monthly Salary Range		
	Min	Midpt	Max
38	\$ 9,674	\$ 11,126	\$ 12,577
39	9,916	11,404	12,892
40	10,164	11,689	13,214
41	10,419	11,982	13,544
42	10,679	12,281	13,883
43	10,946	12,588	14,229
44	11,220	12,903	14,586
45	11,500	13,225	14,951
46	11,788	13,556	15,324
47	12,083	13,895	15,707
48	12,385	14,243	16,100
49	12,694	14,598	16,502
50	13,012	14,963	16,915
51	13,337	15,338	17,337
52	13,670	15,720	17,771
53	14,012	16,114	18,216
54	14,362	16,516	18,670
55	14,721	16,930	19,138
56	15,089	17,353	19,616
57	15,467	17,785	20,106
58	15,853	18,232	20,609
59	16,250	18,687	21,125
60	16,656	19,154	21,652
61	17,072	19,633	22,193
62	17,498	20,124	22,748
63	17,937	20,627	23,318
64	18,384	21,142	23,900
65	18,845	21,671	24,498
66	19,316	22,213	25,110
67	19,799	22,768	25,738
68	20,293	23,337	26,382
69	20,801	23,921	27,041
70	21,321	24,519	27,717
71	21,853	25,132	28,410
72	22,400	25,760	29,120
73	22,960	26,404	29,848
74	23,534	27,064	30,594

Alameda County Transportation Commission
Annual Salary Range Schedule
Effective July 1, 2022

Salary Range	Annual Salary Range		
	Min	Midpt	Max
1	\$ 46,563	\$ 53,547	\$ 60,532
2	47,727	54,886	62,045
3	48,920	56,258	63,596
4	50,142	57,664	65,186
5	51,396	59,106	66,816
6	52,681	60,583	68,486
7	53,999	62,097	70,198
8	55,348	63,651	71,953
9	56,732	65,243	73,751
10	58,150	66,873	75,596
11	59,605	68,545	77,485
12	61,094	70,258	79,423
13	62,622	72,015	81,408
14	64,187	73,816	83,443
15	65,792	75,660	85,529
16	67,436	77,552	87,667
17	69,123	79,491	89,859
18	70,850	81,478	92,105
19	72,622	83,515	94,408
20	74,437	85,603	96,769
21	76,298	87,743	99,188
22	78,205	89,936	101,667
23	80,161	92,185	104,209
24	82,165	94,490	106,814
25	84,220	96,852	109,485
26	86,324	99,273	112,222
27	88,482	101,756	115,027
28	90,694	104,300	117,903
29	92,962	106,906	120,850
30	95,286	109,580	123,872
31	97,669	112,318	126,968
32	100,110	115,127	130,143
33	102,612	118,005	133,397
34	105,178	120,954	136,731
35	107,808	123,979	140,150
36	110,502	127,078	143,653
37	113,265	130,255	147,244

Salary Range	Annual Salary Range		
	Min	Midpt	Max
38	\$ 116,096	\$ 133,511	\$ 150,926
39	118,999	136,848	154,700
40	121,974	140,270	158,567
41	125,024	143,778	162,531
42	128,149	147,372	166,594
43	131,353	151,056	170,759
44	134,637	154,832	175,028
45	138,003	158,703	179,404
46	141,453	162,671	183,888
47	144,989	166,737	188,486
48	148,614	170,906	193,198
49	152,329	175,178	198,028
50	156,137	179,559	202,978
51	160,041	184,047	208,053
52	164,042	188,648	213,254
53	168,143	193,363	218,586
54	172,346	198,198	224,051
55	176,655	203,154	229,652
56	181,071	208,232	235,392
57	185,598	213,438	241,277
58	190,238	218,774	247,309
59	194,994	224,243	253,492
60	199,869	229,850	259,830
61	204,866	235,595	266,325
62	209,987	241,485	272,983
63	215,238	247,523	279,808
64	220,618	253,711	286,804
65	226,133	260,053	293,973
66	231,786	266,555	301,323
67	237,581	273,219	308,856
68	243,521	280,049	316,577
69	249,609	287,051	324,492
70	255,849	294,226	332,604
71	262,246	301,582	340,919
72	268,801	309,122	349,443
73	275,521	316,850	358,179
74	282,409	324,771	367,133



Memorandum

8.3

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: November 24, 2021

TO: Alameda County Transportation Commission

FROM: Carolyn Clevenger, Deputy Executive Director of Planning and Policy
Maisha Everhart, Director of Government Affairs and Communications

SUBJECT: Federal, state, regional, and local legislative activities update

Recommendation

It is recommended that the Commission approve the 2022 Legislative Program.

Background

The Commission approved the 2021 Legislative Program in January 2021. The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy.

Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative and policy updates. Attachment A is the Alameda CTC 2021 adopted Legislative Program, and Attachment B is the proposed 2022 Legislative Program.

Legislative Program 2022

In preparation for the 2022 legislative session, staff has developed a draft 2022 Legislative Program for your consideration. The draft 2022 Legislative Program builds off of the 2020 Countywide Transportation Plan vision and goals and the existing 2021 Legislative Program. In establishing the legislative program, the goal was to ensure that Alameda CTC's policy priorities are clearly articulated and closely aligned with regional, state and federal goals and priorities in order to best position the agency to secure competitive funding and achieve our legislative goals. The 2022 Legislative Program seeks to elevate a core set of policy priorities already established by the agency, while maintaining flexibility to be responsive to the dynamic legislative process.

Alameda CTC has a strong track record of strategically forming partnerships to advance projects, programs, and policy goals, including leveraging our local sales tax dollars to secure significant regional, state and federal resources to deliver transportation improvements throughout the county. The core policy priorities for the

2022 Legislative Program are guided by the 2020 Countywide Transportation Plan and include the following:

1. **Funding:** Advocate for increased transportation funding to support projects, programs, and operations and seek to leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County through grants and partnerships with regional, state and federal agencies.
2. **Equity:** Advocate for resources, legislation, and initiatives that provide accessible, affordable and equitable transportation opportunities and elevate the needs of equity priority communities. Considering and advancing equity will be considered throughout each policy area of this legislative program.
3. **Safety:** Advocate for resources and legislation that enable Alameda CTC to deliver safe, multimodal infrastructure that prioritizes the safety of all users and advances Vision Zero policies and strategies.
4. **Sustainability:** Support legislation, strategies and investments that reduce greenhouse gas (GHG) emissions to create sustainable and healthy communities and increase the resiliency of our transportation system and communities, especially for historically impacted equity communities; support investments and funding for alternative fuels and technology to reduce GHG emissions and pollution.
5. **Effective Project Delivery and Operations:** Support policies that facilitate efficient and expedited project development and delivery processes, effective operations of the transportation system including Express Lane and HOV operations, and support innovative project delivery.

Federal Update

The House and the Senate passed a Continuing Resolution (CR) to fund the government beyond the end of the fiscal year on September 30th and to suspend the debt limit. The CR is expected to keep federal agencies funded through December 3, 2021.

On November 5, 2021, the House passed the bi-partisan Infrastructure Investment and Jobs Act. On Monday, November 15, 2021, President Biden signed the bill into law. The infrastructure legislation includes funding for transportation, water, power, broadband and environmental resilience. The legislation combines a roughly \$475 billion five-year surface transportation reauthorization, representing a 56 percent increase above Congress's last five-year transportation bill, with approximately \$157 billion in supplemental one-time stimulus funding to be distributed to more than two dozen programs over five years. The fact sheet released from the Administration highlighting key elements can be found [here](#). The Administration is working to release guidelines for the specific programs in early- to mid-2022; staff will actively track and review programs to identify opportunities for pursuing funding.

House and Senate groups remain at odds with one another on how best to move forward on the size and scope of the budget reconciliation package also known as the

“human infrastructure package.” The latest reports indicate the budget reconciliation package will be closer to \$1.5-1.9 trillion.

State Update

The state legislature adjourned for the year on September 10, 2021. On October 20, 2021, Governor Newsom signed an Executive Order to help tackle supply chain issues. The Order directs state agencies to develop longer-term proposals that support port operations and goods movement for consideration in the January 10 Governor's budget.

Budget negotiations continue regarding transportation funding. Prior to the summer recess, the Governor signed the “budget bill junior,” SB129, which contained numerous funding programs, including funding for several transportation programs. The spending bills that remained unresolved included negotiations over \$7 billion in transportation and high-speed rail funding. Language was included in the budget appropriations bill that prohibited the expenditure of funds until a budget trailer bill was enacted specifying how these funds were to be spent. Since the budget trailer bill was not enacted by October 10th, the funds reverted to the general fund and legislators need to reevaluate how the funds will be allocated. Alameda CTC staff are working closely with our regional partners, including MTC and transit agencies, to advocate for more state transportation funding for the region. These discussions are anticipated to continue through the end of the year; staff will update the Commission as appropriate.

The state legislature is in recess until January 3, 2022.

Fiscal Impact: There is no fiscal impact.

Attachments:

- A. Alameda CTC 2021 Legislative Program
- B. Alameda CTC 2022 Proposed Legislative Program

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2021 Alameda County Transportation Commission Legislative Program

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

The legislative program herein supports Alameda CTC's transportation vision below adopted for the 2020Countywide Transportation Plan:

“Alameda County residents, businesses and visitors will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities.” Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measurable performance indicators. Our transportation system will be:

- *Accessible, Affordable and Equitable – Improve and expand connected multimodal choices that are available for people of all abilities, affordable to all income levels.*
- *Safe, Healthy and Sustainable – Create safe facilities to walk, bike and access public transportation to promote healthy outcomes and support strategies that reduce adverse impacts of pollutants and greenhouse gas emissions by reducing reliance on single-occupant vehicles.*
- *High Quality and Modern Infrastructure – Upgrade infrastructure such that the system is of a high quality, is well-maintained, resilient and maximizes the benefits of new technologies for the public.*
- *Economic Vitality – Support the growth of Alameda County's economy and vibrancy of local communities through an integrated, reliable, efficient, cost-effective and high-capacity transportation system.”*

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none">• Seek COVID-19 state and federal recovery and operations funding and waive federal cost sharing requirements for transit.• Support means-based fare programs while being fiscally responsible.• Leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County through grants and partnerships with regional, state and federal agencies.• Oppose efforts to repeal transportation revenue streams enacted through SB1.• Support efforts that protect against transportation funding diversions.• Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.• Support the implementation of more stable and equitable long-term funding sources for transportation.• Ensure fair share of sales tax allocations from new laws and regulations.• Seek, acquire, accept and implement grants to advance project and program delivery.
	Protect and enhance voter-approved funding	<ul style="list-style-type: none">• Support legislative efforts that increase funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations.• Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.• Support efforts that streamline financing and delivery of transportation projects and programs.• Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.• Support statewide principles for federal surface transportation reauthorization and/or infrastructure bills that expand funding and delivery opportunities for Alameda County.

Multimodal Transportation, Land Use, Safety and Equity	Expand multimodal systems, shared mobility and safety and advance equity	<ul style="list-style-type: none"> • Support policies that provide increased flexibility for transportation service delivery through programs that address the needs of commuters, youth, seniors, people with disabilities and low-incomes, and do not create unfunded mandates. • Support policies that enable shared mobility innovations while protecting the public interest, including allowing shared and detailed data (such as data from transportation network companies and app based carpooling companies) that could be used for transportation and land use planning and operational purposes while ensuring privacy is protected. • Support efforts to allow automated parking enforcement of parking or stopping in bus stops. • Support policies that enhance equity and transportation access. • Support means-based fare programs while being fiscally responsible. • Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education; and address parking placard abuse. • Support parity in pre-tax fringe benefits for public transit, carpooling, and vanpooling and other modes with parking. • Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring. • Support efforts to increase transit priority throughout the transportation system, such as on freeway corridors and bridges serving the county including express bus on shoulder opportunities. • Ensure that Alameda County needs are included in and prioritized in regional, state and federal planning and funding processes. • Engage in legislation and regulation of new/shared mobility technology with the goal of accelerating their safety, accessibility, mobility, environmental, equity, economic and workforce benefits, including opportunities to increase access to transit and reduce the share of single-occupancy vehicle trips. • Support policies that enhance Bay Area goods movement and passenger rail planning, funding, delivery and advocacy that enhance the economy, local communities, and the environment. • Support advocacy of cooperation and partnership with railroads to advance projects, with a particular interest in rail safety projects.
	Enhance Transportation Safety	<ul style="list-style-type: none"> • Support investments in active transportation, including for improved safety and advance Vision Zero strategies to reduce speeds and protect communities. • Support allowing cities the discretion to use more effective methods of speed enforcement within their jurisdictions. • Support efforts to enable automated speed enforcement. • Allow local flexibility to set safer speed limits (thereby getting rid of the 85th percentile rule). • Regulate navigation apps from directing regional commute traffic onto local neighborhood streets as a bypass for freeway traffic congestion.
Climate Change and Technology	Support climate change legislation and technologies to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> • Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including transitioning to zero emission transit fleets and trucks consistent with and supportive of Governor Newsome's Executive order N-79-20. • Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions. • Support emerging technologies such as alternative fuels and technology to reduce GHG emissions. • Support efforts to address sea level rise adaptation including planning, funding and implementation support. • Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning. • Support the expansion of zero emissions vehicle charging stations and station infrastructure for buses. • Support for safer vehicles and telecommuting.

		<ul style="list-style-type: none">• Support efforts that ensure Alameda County jurisdictions are eligible for state funding related to the definition of disadvantaged communities used in state screening tools.• Support efforts to increase transit priority throughout the transportation system, such as on arterials, freeway corridors and bridges serving the County.
Project Delivery and Operations	Advance innovative project delivery	<ul style="list-style-type: none">• Support environmental streamlining and expedited project delivery, including contracting flexibility and innovative project delivery methods.
	Ensure cost-effective project delivery	<ul style="list-style-type: none">• Support efforts that reduce project and program implementation costs.• Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforce training programs.
	Protect the efficiency of managed lanes	<ul style="list-style-type: none">• Support expanded opportunities for HOV/managed lane policies that protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement.• Support innovation and managed delivery of lane conversions.• Support high-occupancy vehicle (HOV)/express lane expansion in Alameda County and the Bay Area, and efforts that promote effective and efficient lane implementation and operations.• Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.
	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none">• Support legislation that increases flexibility and reduces barriers for infrastructure improvements that support the linkage between transportation, housing and jobs.• Support local flexibility and decision-making regarding land-uses for transit-oriented development (TOD) and priority development areas (PDAs).• Support funding and partnership leveraging opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none">• Support efforts that encourage regional and mega-regional cooperation and coordination to develop, promote, and fund solutions to regional and interregional transportation problems and support governmental efficiencies and cost savings.• Partner to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs.

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2022 Proposed Legislative Program

The legislative program herein supports Alameda CTC's goals adopted for the 2020 Countywide Transportation Plan for a transportation system that is:

- *Accessible, Affordable and Equitable – Improve and expand connected multimodal choices that are available for people of all abilities, affordable to all income levels.*
- *Safe, Healthy and Sustainable – Create safe facilities to walk, bike and access public transportation to promote healthy outcomes and support strategies that reduce adverse impacts of pollutants and greenhouse gas emissions by reducing reliance on single-occupant vehicles.*
- *High Quality and Modern Infrastructure – Upgrade infrastructure such that the system is of a high quality, is well-maintained, resilient and maximizes the benefits of new technologies for the public.*
- *Economic Vitality – Support the growth of Alameda County's economy and vibrancy of local communities through an integrated, reliable, efficient, cost-effective and high-capacity transportation system."*

The Alameda County Transportation Commission will develop strategic partnerships and support efforts that encourage regional and mega-regional cooperation to increase transportation funding and support policies that advance this legislative program.

Core Legislative Priorities
Transportation Funding: Advocate for increased transportation funding to support projects, programs, and operations and seek to leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County through grants and partnerships with regional, state and federal agencies.
Equity: Advocate for resources, legislation, and initiatives that provide accessible, affordable and equitable transportation opportunities and elevate the needs of equity priority communities. Considering and advancing equity will be considered throughout each policy area of this legislative program.
Safety: Advocate for resources and legislation that enable Alameda CTC to deliver safe, multimodal infrastructure that prioritizes the safety of all users and advances Vision Zero policies and strategies.
Sustainability: Support legislation, strategies and investments that reduce greenhouse gas (GHG) emissions to create sustainable and healthy communities and increase the resiliency of our transportation system and communities, especially for historically impacted equity communities; support investments and funding for alternative fuels and technology to reduce GHG emissions and pollution.
Effective Project Delivery and Operations: Support policies that facilitate efficient and expedited project development and delivery processes, effective operations of the transportation system including Express Lane and HOV operations, and support innovative project delivery.

Transportation Funding: Advocate for increased transportation funding to support projects, programs, and operations and seek to leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County through grants and partnerships with regional, state and federal agencies.

- Seek, acquire, accept and implement grants to advance project and program delivery.
- Support efforts to increase transportation funding and advance priority projects and programs in Alameda County.
- Support efforts that protect against transportation funding diversions.
- Ensure fair share of sales tax allocations from new laws and regulations.
- Protect and enhance voter-approved funding. Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.
- Support rewarding Self-Help Counties and states that provide significant transportation funding.
- Support efforts to increase funding and advance policies that support transit, paratransit, and multimodal transportation.
- Support efforts to increase funding to advance safety and active transportation.
- Support policies and funding that enhance Bay Area goods movement and passenger rail funding, delivery and advocacy that enhance the economy, local communities, and the environment.

Equity: Advocate for resources, legislation, and initiatives that provide accessible, affordable and equitable transportation and elevate the needs of equity priority communities and youth, seniors, disabled, low income and communities of color.

- Providing accessible, affordable and equitable transportation resources will be considered throughout each policy area of this legislative program.
- Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education.
- Support means-based fare programs while being fiscally responsible.
- Support projects and programs that reduce emissions with a particular emphasis on communities historically disproportionately burdened by pollution from the transportation sector.
- Expanding economic opportunities for small and local businesses by leveraging our procurement, contracting and hiring processes and supporting those historically disenfranchised such as women and minority owned businesses.

Safety: Advocate for resources and legislation that enable Alameda CTC to deliver safe, multimodal infrastructure that prioritizes the safety of all users and advances Vision Zero policies and strategies.

- Expand multimodal options, shared mobility and innovative technology.
- Support investments in active transportation, including for improved safety and advance Vision Zero strategies to reduce speeds and protect communities.

- Support allowing cities the discretion to use more effective methods of speed enforcement within their jurisdictions.
- Support policies that advance safety for all users of the transportation system.
- Support advocacy of cooperation and partnership with railroads to advance projects, with a particular interest in rail safety projects.

Sustainability: Support legislation, strategies and investments that reduce greenhouse gas (GHG) emissions to create sustainable and healthy communities and increase the resiliency of our transportation system and communities, especially for historically impacted equity communities; support investments and funding for alternative fuels and technology to reduce GHG emissions and pollution.

- Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including to support transitioning to a zero-emission transportation system.
- Support emerging technologies such as alternative fuels and technology to reduce GHG emissions.
- Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring.
- Support efforts to increase transit priority throughout the transportation system, such as on freeway corridors and bridges.
- Support efforts to address sea level rise adaptation including planning, funding and implementation support.
- Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning.
- Support legislation that increases flexibility and reduces barriers for infrastructure improvements that support the linkage between transportation, housing and jobs and leverage opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.

Effective Project Delivery and Operations: Support policies that facilitate efficient and expedited project development and delivery processes, effective operations of the transportation system including Express Lane and HOV operations, and support innovative project delivery.

- Advance innovative and cost-effective project delivery.
- Support environmental streamlining, efforts that reduce project and program implementation costs, and expedited project delivery, including contracting flexibility and innovative project delivery methods.
- Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforce training programs.

- Support HOV/managed lane policies and efforts that promote effective and efficient lane implementation and operations, protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement.
- Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.



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MEMORANDUM

November 22, 2021

TO: Alameda CTC

FROM: R. Zachary Wasserman and Neal Parish

RE: Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Remote Commission and Committee Meetings

As discussed at previous Commission meetings, AB 361 requires that each local agency make appropriate findings at least every 30 days if the agency wishes to continue holding remote meetings of its legislative bodies. This requirement will apply throughout the duration of the current state of emergency declared by the Governor, until and unless the Brown Act is further amended or clarified pursuant by Governor Newsom through an Executive Order.

Due to the timing of the Commission's meetings during the months of December and January, in order to hold the regularly scheduled January 10, 2022 meetings of Alameda CTC's Standing Committees on a remote basis, the Commission must reconsider the AB 361 findings as part of today's meeting, and also hold a special meeting of the Commission on December 13 solely to reconsider the circumstances of the state of emergency.

Specifically, at today's meeting, the Commission must approve a motion making the following findings:

Pursuant to Government Code Section 54953(e)(1), the Alameda County Transportation Commission hereby (i) determines that there continues to be a state of emergency proclaimed by the State of California and the County of Alameda based upon the COVID-19 Pandemic; (ii) finds that the Commission has reconsidered the circumstances of the state of emergency and the findings previously adopted by the Commission pursuant to said Section 54953(e)(1); (iii) determines that today's meeting is held less than 30 days after November 8, 2021, the date Alameda CTC most recently reconsidered the circumstances of the state of emergency pursuant to said Section 54953(e)(1); and (iv) further finds that the state of emergency continues to directly impact the ability of the Commission and other legislative bodies of Alameda CTC to meet safely in person; and therefore Alameda CTC will continue to follow the provisions of Government Code Section 54953(e)(2) with respect to meetings of the Commission and any other legislative body of Alameda CTC, including but not limited to each of the Standing Committees and any Advisory Committee, subject to continued compliance and review pursuant to Section 54953(e)(3).

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