

**MEASURE B AND MEASURE BB
Annual Program Compliance Report
Reporting Period - Fiscal Year 2021-22**

AGENCY CONTACT INFORMATION

Agency Name: **San Joaquin Regional Rail Commission (SJRRC - ACE)**

Date: 12/30/2022

Primary Point of Contact

Name: Zita Rodriguez

Title: Senior Accountant

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Agency's Certification of True and Accurate Reporting by Submission

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

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

Program Compliance Report Structure

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

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

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

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

A. 2000 MEASURE B Direct Local Distribution Programs

	Bicycle / Pedestrian	Local Streets and Roads	Mass Transit	Paratransit	Total
Beginning of Year Fund Balance	\$ -	\$ -	\$ 2,715,263	\$ -	\$ 2,715,263
Revenue	\$ -	\$ -	\$ 2,844,622	\$ -	\$ 2,844,622
Interest	\$ -	\$ -	\$ 11,724	\$ -	\$ 11,724
Expenditures <small>Expenditures Matches Table 2?</small>	\$ - <small>TRUE</small>	\$ - <small>TRUE</small>	\$ 1,979,613 <small>TRUE</small>	\$ - <small>TRUE</small>	\$ 1,979,613
End of Year Fund Balance	\$ -	\$ -	\$ 3,591,996	\$ -	\$ 3,591,996

Notes

B. 2014 MEASURE BB Direct Local Distribution Programs

	Bicycle / Pedestrian	Local Streets and Roads	Mass Transit	Paratransit	Total
Beginning of Year Fund Balance	\$ -	\$ -	\$ 25,717	\$ -	\$ 25,717
Revenue	\$ -	\$ -	\$ 2,297,768	\$ -	\$ 2,297,768
Interest	\$ -	\$ -	\$ 1,652	\$ -	\$ 1,652
Expenditures <small>Expenditures Matches Table 2?</small>	\$ - <small>TRUE</small>	\$ - <small>TRUE</small>	\$ 880,720 <small>TRUE</small>	\$ - <small>TRUE</small>	\$ 880,720
End of Year Fund Balance	\$ -	\$ -	\$ 1,444,417	\$ -	\$ 1,444,417

Notes

C. TIMELY USE OF FUNDS MONITORING

Policy: RECIPIENT may not hold an end of fiscal year fund balance of greater than four-times their annual DLD revenue received for that same fiscal year, by respective Measure B and Measure BB Program. The Cities of Albany, Emeryville, and Piedmont are excluded from this requirement. Measure B RECIPIENT must expend all Measure B DLD funds and all interest earned thereon by June 30, 2026. RECIPIENT found to be non-compliant with this requirement (over the allowable maximum balance) must return the equal amount of DLD funds that exceeds the maximum allowable end of fiscal year fund balance to Alameda CTC, as approved by the Commission.

This section provides a tool to monitor a RECIPIENT's compliance to this policy.

	Total Annual Revenue (A)	Maximum Allowed Balance (4x Annual) (B) = (A) * 4	Current DLD Balance (C)	Current Balance Over / Under Maximum Allowed (D) = (C) - (B)
Measure B	\$ 2,844,622	\$ 11,378,488	\$ 3,591,996	\$ (7,786,492)
Measure BB	\$ 2,297,768	\$ 9,191,072	\$ 1,444,417	\$ (7,746,655)

Exemption Requests: RECIPIENT must demonstrate that extraordinary circumstances have occurred, and provide a timely expenditure plan that would justify the exemption.

For Exemption consideration, answer the follow:

- 1) Explain and justify why there is a excess balance beyond the maximum allowed.
- 2) Describe an Expenditure Plan, activities, and estimated timeframe to draw down balances.

**Transit Direct Local Distribution Program
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GENERAL COMPLIANCE REPORTING

- | | | |
|--------------------------------------------------------------------------|-------|---------|
| 1. What is the agency's average on-time performance goal/target? | 95 | Percent |
| 2. What is the agency's average on-time performance for the year? | 89.25 | Percent |

- 3. If your agency's actual average on-time performance for the year is less than the agency's on-time performance goal/target explain what actions are being taken to improve performance?**

The Rail Commission will continue coordinating with the Union Pacific passenger rail group on OTP goals and scheduling conflicts with freight trains and other passenger rail services (e.g., Amtrak and Caltrain).

- 4a. How much of the balance identified here is encumbered into active contracts and projects?**

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

		\$ Encumbered
MB Balance	\$ 3,591,996	\$ 1,698,610
MBB Balance	\$ 1,444,417	\$ -
Total	\$ 5,036,413	\$ 1,698,610

- 4b. Why is there a fund balance?** *Indicate N/A, if not applicable.*

Measure B and BB Revenues for the last two fiscal years have been higher than the Baseline Service Plan. Excess funds for these years rolled into fund balance, due in part to lower than expected capital maintenance costs paid to Union Pacific and the availability of Federal funds used to pay for operations. Remaining balance from MB and MBB not encumbered or budgeted will be used for future years operations and capital projects.

- 4c. Specify any large planned uses of fund balances within this program and their status i.e. planned or underway.**

Project Title	Brief Project Description	DLD Amount	Project Status
Capital Spares	Consists of inventory tools and spare parts consumed in the normal transit operations of ACE Trains	\$ 200,000	Underway
Capital Maintenance	Under the Capital Trackage Rights Agreement the SJRRC has an annual obligation of \$4,000,000 for Capital Maintenance.	\$ 400,000	Underway
Operations	ACE Operations	\$ 1,098,610	Underway
		\$ -	
		\$ -	

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

Yes

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

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

Transit Direct Local Distribution Program
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TABLE 2: DETAILED SUMMARY OF EXPENDITURES AND ACCOMPLISHMENTS

Provide a detailed summary of Measure B and BB Expenditures for the reporting fiscal year. Performance reporting/quantity complete and other fund expenditures should be consistent with reporting data sent to other agencies (regional/state/federal reporting).
- Expenditure total must correspond to your Audited Financial Statements and Table 1 values.

No.	Project Category <i>(Drop-down Menu)</i>	Project Phase <i>(Drop-down Menu)</i>	Project Type <i>(Drop-down Menu)</i>	Project Name	Project Description/Benefits	Quantity Completed in FY 21-22	Units for Quantity <i>(Drop-down Menu)</i>	Additional description on units or expanded detail on expenditures, performance, accomplishments	Equity Priority Community Proximity	Measure B DLD Expenditures	Measure BB DLD Expenditures	Other Fund Expenditures	Total Cost
1	Rail	Operations	Operations	ACE Service Operations	Provide rail service for San Joaquin, Alameda and Santa Clara Counties	ACE service passengers transported- 321,752 Alameda County Stations- 87,706	Number of People/Passengers	The reported number of passengers is from total boardings on the entire route. Boardings for the Alameda stations are as follows: Vasco- 11,741 Livermore- 12,142 Pleasanton- 25,228 Fremont- 38,595 Total- 87,706	3. None (Not near EPC)	\$ 1,942,245	\$ 844,181	\$ 34,135,359	\$ 36,921,785
2	Rail	Other	Other	Administrative Fee	Administrative services provided by (ACTC)	1	Other	As invoiced by ACTC. Invoice is for attendance of the ACE Service board meetings and all associated service fees.	3. None (Not near EPC)	\$ 15,000	\$ 15,000	\$ -	\$ 30,000
3	Rail	Other	Other	Audit Fees	Audit Services Provided by Kemper	1	Other	Audit services	3. None (Not near EPC)	\$ 6,300	\$ 6,300	\$ -	\$ 12,600
4	Rail	Maintenance	Other	Maintenance of Alameda County stations.	Grounds keeping and clean up of Alameda Co. Stations	2	Other	3 Stations Vasco, Livermore and Pleasanton	3. None (Not near EPC)	\$ 15,239	\$ 15,239	\$ -	\$ 30,478
5	Rail	Construction	Other	Sunol Quiet Zone	Modification of existing rail crossings to comply with the FRA prerequisite requirements for establishing a quiet zone.	1	Other	Construction has been completed but to address public concerns, revisions need to be made. Preliminary Design for the revised project, Four Quadrant Gates on Main Street Sunol, is complete. Coordination with Alameda County for the final design and construction of the project is ongoing.	3. None (Not near EPC)	\$ 829	\$ -	\$ -	\$ 829
TOTAL										\$ 1,979,613	\$ 880,720	\$ 34,135,359	\$ 36,995,692
Match to Table 1?										TRUE	TRUE		