

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

**AGENCY CONTACT INFORMATION**

Agency Name: **City of Emeryville**

Date: 12/8/2022

**Primary Point of Contact**

Name: William Zenoni  
Title: Interim Finance Director  
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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.

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**Program Compliance Report Structure**

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

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

**MEASURE B AND MEASURE BB  
Annual Program Compliance Report**

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

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

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

	Bicycle / Pedestrian	Local Streets and Roads	Mass Transit	Paratransit	Total
<b>Beginning of Year Fund Balance</b>	\$ 115,838	\$ 450,286	\$ -	\$ 70,000	\$ 636,124
<b>Revenue</b>	\$ 38,229	\$ 283,382	\$ -	\$ 30,567	\$ 352,178
<b>Interest</b>	\$ 304	\$ 1,347	\$ -	\$ 129	\$ 1,780
<b>Expenditures</b> <small>Expenditures Matches Table 2?</small>	\$ 8,226 <small>TRUE</small>	\$ 45,708 <small>TRUE</small>	\$ - <small>TRUE</small>	\$ 100,696 <small>#REF!</small>	\$ 154,630
<b>End of Year Fund Balance</b>	\$ 146,145	\$ 689,307	\$ -	\$ -	\$ 835,452

Notes

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

	Bicycle / Pedestrian	Local Streets and Roads	Mass Transit	Paratransit	Total
<b>Beginning of Year Fund Balance</b>	\$ 44,103	\$ 600,425	\$ -	\$ 41,098	\$ 685,626
<b>Revenue</b>	\$ 52,372	\$ 447,455	\$ -	\$ 51,580	\$ 551,407
<b>Interest</b>	\$ 132	\$ 1,666	\$ -	\$ 150	\$ 1,948
<b>Expenditures</b> <small>Expenditures Matches Table 2?</small>	\$ 3,542 <small>TRUE</small>	\$ (49,980) <small>TRUE</small>	\$ - <small>TRUE</small>	\$ 25,464 <small>#REF!</small>	\$ (20,974)
<b>End of Year Fund Balance</b>	\$ 93,065	\$ 1,099,526	\$ -	\$ 67,364	\$ 1,259,955

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	\$ 352,178	\$ 1,408,712	\$ 835,452	\$ (573,260)
Measure BB	\$ 551,407	\$ 2,205,628	\$ 1,259,955	\$ (945,673)

**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.

**Bicycle and Pedestrian Direct Local Distribution Program  
Reporting Period - Fiscal Year 2021-22**

**GENERAL COMPLIANCE REPORTING**

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

Bicycle Master Plan  
Pedestrian Master Plan  
Bike/Ped Master Plan

**Adoption Year**

2017
2017
2017

**1a. If the plans are over five-years past the last adoption year, specify the status of the current update.**

*Indicate N/A, if not applicable.*

A Draft Active Transportation Plan has been completed and will be finalized in early 2023.

**1b. Describe which how your bike/pedestrian master plan is being implemented in the reporting fiscal year i.e. which projects being implemented and transportation benefits/needs addressed.**

The City's support of Bike to Work Day and installation of a bike counter along the Emeryville Greenway represent important implementation of the Bike/Ped Master Plan Encouragement programs which provide incentives and support to help people leave their car at home and try walking or bicycling instead. Bicycle encouragement programs, in particular, target "interested but concerned" bicyclists who would like to ride a bike but who may not be confident in their skills or in their interactions with motorists. These projects are essential in increasing the desirability and safety of walking and biking in Emeryville.

**2. Describe how your reported DLD expenditures specifically addressed safety.**

Bike to Work Day heightens awareness of bicycling facilities and culture in Emeryville, educates on where to find safe routes, promotes civic engagement on safety matters, and informs on laws and ordinances related to bike safety.

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

*Encumbered value should be less than or equal to the end of year balance.*

		\$ Encumbered	
MB Balance	\$ 146,145	\$	-
MBB Balance	\$ 93,065	\$	28,035
<b>Total</b>	\$ 239,210	\$	28,035

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

It is necessary for the City of Emeryville to aggregate multiple years of distributions to fund projects of efficient and effective size and scope.

**Bicycle and Pedestrian Direct Local Distribution Program  
Reporting Period - Fiscal Year 2021-22**

**GENERAL COMPLIANCE REPORTING**

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

Project Title	Brief Project Description	DLD Amount	Project Status
Annual Street Rehabilitation Project	Paving and upgrading of bike facilities, safety striping	\$ 150,000	Planned

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

Yes

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

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

5. Describe how the current DLD investments promoted safety and/or local vision zero efforts.

Bike Work Day heightens awareness of cycling facilities and culture in Emeryville, educates on where to find safe routes, promotes civic engagement

**Bicycle and Pedestrian Direct Local Distribution Program**

**Reporting Period - Fiscal Year 2021-22**

**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>	Primarily Capital or Administrative Expenditure?	Project Name	Project Description/Benefits	Quantity Completed in FY 20-21	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
1	Bike/Ped	Other	Other	Administrative	Compliance Audit	Funding Source Compliance Audit	1	Other		2. Proximate (w/in 1-mile)	\$ -	\$ 1,042
2	Bicycle	Operations	Education and Promotion	Administrative	Bike to Work Day Promotion	Provides promotion of biking and public visibility of biking infrastructure	1	Other		2. Proximate (w/in 1-mile)	\$ -	\$ 2,500
3	Bike/Ped	Other	Other	Administrative	Compliance Audit	Funding Source Compliance Audit	1			2. Proximate (w/in 1-mile)	\$ 1,042	\$ -
4	Bicycle	Construction	Signage and Wayfinding	Capital	Bike Traffic Counter	Cycling counter feedback, data collection, promoting bike ridership.	1			2. Proximate (w/in 1-mile)	\$ 7,184	\$ -
<b>TOTAL</b>											\$ 8,226	\$ 3,542
<b>Match to Table 1?</b>											TRUE	TRUE
<b>Total Percentage of Capital vs Administrative Costs</b>				61%								
a. Total Capital				\$ 7,184								
b. Total Administrative				\$ 4,584								

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

N/A

**Local Streets and Roads (LSR) Direct Local Distribution Program  
Reporting Period - Fiscal Year 2021-22**

**GENERAL COMPLIANCE REPORTING**

**1a. What is agency's 2021 Pavement Condition Index (PCI)?**

PCI =

*Use same PCI reported to MTC for their Pavement Condition Rpt.*

<https://mtc.ca.gov/operations/programs-projects/streets-roads-arterials/pavement-condition-index>

**1b. What is the basis for your PCI number if not from MTC Report** - <https://mtc.ca.gov/operations/programs-projects/streets-roads-arterials/pavement-condition-index>?

N/A

**1c. If your PCI fell below a score of 60 (fair condition), specify what corrective actions are being implemented to increase the PCI? Additionally, if your agency's PCI has been consistently under 60 in the past three years, explain why.**

*Indicate N/A, if not applicable.*

N/A

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

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

		\$ Encumbered
MB Balance	\$ 689,307	\$ -
MBB Balance	\$ 1,099,526	\$ 11,215
<b>Total</b>	\$ 1,788,833	\$ 11,215

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

It is necessary for the City of Emeryville to aggregate multiple years of distributions to fund projects of efficient and effective size and scope.

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

Project Title	Brief Project Description	DLD Amount	Project Status
Annual Street Rehabilitation	Maintenance of City streets, safety striping	\$ 976,218	Planned

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

**Local Streets and Roads (LSR) Direct Local Distribution Program  
Reporting Period - Fiscal Year 2021-22**

**GENERAL COMPLIANCE REPORTING**

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

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



**Local Streets and Roads Direct Local Distribution Program**

**Reporting Period - Fiscal Year 2021-22**

**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 <small>(Drop-down Menu)</small>	Project Phase <small>(Drop-down Menu)</small>	Project Type <small>(Drop-down Menu)</small>	Primarily Capital or Administrative Expenditure?	Project Name	Project Description/Benefits	Quantity Completed in FY 21-22	Units for Quantity <small>(Drop-down Menu)</small>	Additional description on units or expanded detail on expenditures, performance, accomplishments	Equity Priority Community Proximity	Measure B DLD Expenditures	Measure BB DLD Expenditures
1	Streets/Rds	Other	Other	Administrative	Annual Compliance Audit	Funding Source Compliance	1			2. Proximate (w/in 1-mile)	\$ 1,042	\$ -
2	Streets/Rds	Maintenance	Street Resurfacing/Main	Capital	Ongoing Street Maintenance	Maintaining pavement condition index	47	Lane Miles		2. Proximate (w/in 1-mile)	\$ -	\$ 20,978
3	Streets/Rds	Other	Other	Administrative	Annual Compliance Audit	Funding Source Compliance	1			2. Proximate (w/in 1-mile)	\$ -	\$ 1,042
4	Streets/Rds	Other	Other	Administrative	PTAP - Pavement Condition Survey	Survey of Pavemnt Condition	1			2. Proximate (w/in 1-mile)	\$ -	\$ 3,000
5	Bike/Ped	Construction	Signage	Capital	Eco Bike Counter	Feedback for cycling Greenway users	1	Signs		2. Proximate (w/in 1-mile)	\$ 29,241	\$ -
6	Bike/Ped	PS&E	Signals	Capital	Annual Iteris Accrual	Design and Evaluation of signals	1			2. Proximate (w/in 1-mile)	\$ 15,425	\$ -
7	Bike/Ped	Construction	Bike Paths and Lanes	Capital	Annual Street rehabilitation (QuickBuild)	Bike/Ped safety	1	Lane Miles		2. Proximate (w/in 1-mile)	\$ -	\$ (75,000)
<b>Percentage of Capital vs Administrative Costs</b>												
											<b>TOTAL</b>	
											<b>Match to Table 1?</b>	
											\$ 45,708	\$ (49,980)
											TRUE	TRUE

	219%
a. Total Capital	\$ (9,356)
b. Total Administrative	\$ 5,083

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

N/A

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

In this fiscal year, how much of Measure BB LSR funds were expended on bike/pedestrian improvements?

Percent of Measure BB LSR funds expenditures on bike/pedestrian improvements:

Meets minimum 15% threshold?

\$	4,800
	-9.6%
	FALSE

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

The City received \$75,000 QuickBuild grant in FY21/22 from the Alameda County for the Street Rehabilitation program to offset the expenses incurred prior year which paid by the Measure BB funds. Yes, FY21/22 Annual paving project was delayed and did not begin until September 2022. Expenditures for FY22/23 will be well above 15% MBB LSR requirement.

**Paratransit Direct Local Distribution Program  
Reporting Period - Fiscal Year 2021-22**

**GENERAL COMPLIANCE REPORTING**

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

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

		\$ Encumbered	
MB Balance	\$ -	\$	-
MBB Balance	\$ 67,364	\$	16,820
<b>Total</b>	\$ 67,364	\$	16,820

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

Paratransit operations have not fully recovered from COVID. Limited ridership.

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

Project Title	Brief Project Description	DLD Amount	Project Status
8 to Go Shuttle	Paratransit Shuttle Service for 94608	\$ 50,000	Underway
		\$ -	
		\$ -	
		\$ -	
		\$ -	
		\$ -	
		\$ -	
		\$ -	

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

Yes

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

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

Paratransit Direct Local Distribution Program

Reporting Period - Fiscal Year 2021-22

**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	Other	Operations	Program Administration	Finance - Audit Fees	Fees to prepare audited financial statements	100%				\$ 1,042	\$ 1,042	\$ -	\$ 2,084
2	Senior and Disabled Services	Operations	Group Trips	Accessible Group Trips Program	Provide ADA-accessible transportation for group trips throughout the Bay Area for Seniors and People with Disabilities	0	Number of One-Way Unduplicated Trips		1. Direct (in EPC)	\$ -	\$ -	\$ -	\$ -
3	Senior and Disabled Services	Operations	Same Day/Taxi Program	Taxi Reimbursement	Reimburse seniors over 70 years old in Emeryville for 90% of their taxi fares, up to \$80 per quarter (\$320/year)	15	Number of One-Way Unduplicated Trips		1. Direct (in EPC)	\$ 1,762		\$ -	\$ 1,762
4	Senior and Disabled Services	Operations	Same Day/Taxi Program	Lyft/Uber Reimbursement	Reimburse seniors over 70 years old in Emeryville for 90% of their taxi fares, up to \$80 per quarter (\$320/year)	60	Number of One-Way Unduplicated Trips		1. Direct (in EPC)	\$ -	\$ -	\$ -	\$ -
5	Senior and Disabled Services	Operations	Meal Delivery	Meals on Wheels Reimbursement	Reimburse mileage costs at Federal reimbursement rate to volunteers who deliver meals	2	Other	Meal Mileage Reimbursement Recipients	1. Direct (in EPC)	\$ 23	\$ -	\$ -	\$ 23
6	Senior and Disabled Services	Operations	Scholarship/Subsidized Fare	Subsidized East Bay Paratransit Fare	Sell EBP tickets at 10% of cost to EBP certified customers in Emeryville. Customers can purchase a maximum of \$40 worth of tickets per quarter (\$160/year)	760	Other		1. Direct (in EPC)	\$ 385	\$ 386	\$ -	\$ 771
7	Senior and Disabled Services	Operations	City-based Door-to-Door	8 to Go Shuttle Service	Provide seniors and people with disabilities rides 9-4, M-F throughout the 94608 zip code area	2500	Number of One-Way Unduplicated Trips		1. Direct (in EPC)	\$ 36,297	\$ 24,036	\$ 52,911	\$ 113,244
8	Other	Other	Group Trips	Bus Purchase	New bus purchase for group trips program	1				\$ 61,187	\$ -	\$ -	\$ 61,187
<b>TOTAL</b>										\$ 100,696	\$ 25,464	\$ 52,911	\$ 179,071
Match to Table 1?										TRUE	TRUE		