



Date: December 16, 2022

To: Measure D Citizens' Oversight Committee

From: Michael Chandler, Acting City Manager
Randy Leptien, Acting City Engineer
Dave Glasser, Finance Director
Ali Hatefi, Senior Civil Engineer

Subject: Measure D Citizens' Oversight Committee FY 2020-21 Annual Report

Recommendation

Receive update, hold discussion, provide input to staff, accept the Measure D Citizens' Oversight Committee Fiscal Year (FY) 2020-21 Annual Report and forward to the next available City Council meeting.

Background/Timeline

On November 8, 2016, seventy-two percent (72%) of the residents of Martinez voters approved Measure D, to increase the sales and transaction tax by an additional one-half (0.50%) percent for 15 years to fund roadway projects. The measure was certified on December 7, 2016 via Resolution 093-16. On February 15, 2017, the City Council adopted Measure D Street Selection Policy (Resolution No. 019-17) and on April 1, 2017, Measure D went into effect and began to be collected on eligible transactions.

On January 31, 2018, the Franchise and Public Infrastructure Subcommittee held the first public workshop with interested residents regarding the Measure D funded Fiscal Year 2018-19 Annual Pavement Management Program. This workshop was held in accordance with the Measure D Street Selection Policy. Subsequent annual public workshops were held on January 23, 2019, January 22, 2020, and January 26, 2021.

At the January 18, 2022 workshop, staff proposed a five-year rolling program of pavement preservation work (known as the StreetSaver® program) which adds a new fiscal year into the program as each annual pavement preservation project is completed. The Subcommittee recommended that City Council approve the proposed five-year pavement preservation program and the recommended FY 2022-23 Measure D Annual Pavement Preservation Project as the first year of this new five-year program. On February 2, 2022, the City Council by motion approved the Subcommittee's recommendations to adopt the

proposed five-year pavement preservation StreetSaver® program and to approve the FY 2022-23 Pavement Preservation Project. The City has continued to use the StreetSaver® program as reflected in the Council's February 2, 2022 adoption of the current 5-year rolling work plan for the period of FY 2022-23 through FY 2026-2027.

Key Measure D paving work approved through the City Council includes the following:

On August 22, 2018, the City Council accepted bids for the 2018-19 Paving Project (C1061) and awarding the construction contract to MCK Services, Inc. from Martinez, CA, in the amount of \$1,280,361 and allocating \$1,351,300 from Measure D un-allocated reserves to account C1061.

On September 5, 2018, the City Council accepted bids for the 2018-19 Measure D Pavement Rehabilitation Project (C1062) and awarding the construction contract to American Pavement Systems Inc., Modesto CA, in the amount of \$2,436,630.00 and allocating \$1,025,000 from Measure D unallocated reserves to account C1062.

On April 17, 2019, the City Council adopted Resolution No. 52-19 accepting bids for the 2019-2021 On-Call Repair and Resurfacing of Certain Streets Project (C1064) and awarded the construction contract to McGuire and Hester in the amount of \$2,573,971.50, authorizing Task Order No. 1 in the amount of \$957,600.00 to McGuire and Hester for project work to be completed in 2019, and allocating \$1,277,600.00 from Measure D unallocated reserves to this project. The 2019-2021 On-Call Repair and Resurfacing of Certain Streets Project (C1064) included work at the following locations:

- Bid Schedule A - Arnold Drive (west of Morello)
- Bid Schedule B - Howe Road (Pine to Vista)
- Bid Schedule C - Midhill Road (Morello to Forsythia)
- Bid Schedule D - Muir Road (Morello to Glacier)

On May 15, 2019, the City Council adopted a resolution accepting bids for the 2019-2020 Measure D Pavement Rehabilitation Project (C1065), awarded the construction contract to American Pavement Systems, Inc., of Modesto, in the amount of \$2,096,512.45, and allocated \$2,435,500.00 from Measure D un-allocated reserves to this project. The 2019-2020 Measure D Pavement Rehabilitation Project (C1065) included the application of cape sealing on City Streets that were included on the approved 2019-20 Measure D Street List, as follows:

- ✓ Willow/Grandview Area
- ✓ Castro Area
- ✓ Hillside/Talbart Northwest Neighborhood Area
- ✓ Yale Street Area

- ✓ Morello Avenue Area North
- ✓ Morello Avenue Area Village Oaks
- ✓ Starflower Area
- ✓ Sweetwater Area
- ✓ Glacier Area
- ✓ Vine Hill/MacAlvey Area

On June 16, 2021, the City Council adopted a resolution accepting bids for the Three-City Pavement Preventative Maintenance Project (C1068), awarded the construction contract to Bay Cities Paving and Grading, Inc., of Concord, in the amount of \$3,465,127.77. The Three City Pavement Project is a multi-city engagement involving the Cities of Clayton and Pittsburg for the pavement resurfacing and rehabilitation through cooperative agreements. Project No. C1068 included an allocation of \$4,000,000 of Measure D Funds to cover construction and other soft costs, such as engineering, management, and inspection. Project C1068 included the application of resurfacing treatments (Microsurfacing/Cape Seal) and rehabilitation (asphalt overlay) on City Streets that were included on the Measure D Street List, as follows:

Alhambra Avenue	Estudillo Street	Morello Parks Drive
Berrellesa Street	F Street	Muir Road
Bertola Street	Farmington Court	Muir Station Road
Breckenridge Court	Haag Road	Palm Avenue
Breckenridge Place	Lakefield Place	Shell Avenue
Brundros Court	Lakewood Place	Smith Drive
Castro Street	Lodgepole Court	Sunrise Drive
Center Avenue	Marina Vista Avenue	Talbart Street
Court Street	Marti Marine Court	Vista Oaks Drive
Douglass Drive	Medford Court	Vista Way
Durra Road	Morello Avenue	Westview Court
Escobar Street		

The curb ramp work was constructed under a separate construction contract (C1069, Two Cities Curb Ramp Project), due to a number of risk factors associated with the cooperative agreements. The City elected to pursue a base contract for the curb ramp work directly with J.J.R. Construction of San Mateo, which was awarded the work by the City Council on May 3, 2021 in the amount of \$332,842.75. Project C1069 includes an allocation of \$300,000 of Measure D funds, as well as gas tax and transfers from capital funds, and was reported completed to City Council on February 16, 2022.

Discussion

The Fiscal Years 2021-2026 Capital Improvement Program (CIP) was adopted in June 2022. In the CIP, the Council allocates funds only after they have been accumulated. Funding becomes available for expenditures to a project at the beginning of the fiscal year on July 1. On typical projects, the design begins during the fiscal year in which the funds become available. Depending on the complexity of the project, construction begins at the end of the fiscal year and can often run through a portion of the following fiscal year.

The City has allocated Measure D funds to the following projects in the current two-year capital budget for Fiscal Years 2021-23:

	<u>FY 2021-22</u>	<u>FY 2022-23</u>
C1057: Ward Street Undergrounding		\$100,000
C1064: On-Call Repair/Resurfacing	\$500,000	
C1068: Pavement Preservation Resurfacing	\$4,000,000	
C1069: Pavement Preservation Curb Ramp	\$300,000	
C1071: Annual Curb Replacement Project	\$250,000	\$250,000
C1073: Annual Pavement Rehabilitation		\$3,000,000

C1057 (Ward Street Undergrounding) will underground overhead utilities on Ward Street from Court Street to Estudillo Street and the side streets between Main Street and Green Street. This process normally takes five years to bring to construction and is being planned/ designed in anticipation of a future grant funded project, consistent with the Downtown Specific Plan. Major funding of the future project will be by PG&E Rule 20A funds. Preliminary plans and streetscape renditions will need to be completed prior to submittal for grants under PG&E Rule 20A and other grants. Funds will be necessary to initiate the process pay for elements of the project that are not eligible for Rule 20A funding. An undergrounding resolution will be necessary to begin the process.

C1071 (Annual Curb Replacement Project) includes replacing damaged concrete curb and gutter at G Street, Arriba Street and Gilger Avenue near Alhambra Avenue. Damages to curb and gutter includes uplift due to tree roots. Replacement work will also include drainage improvements and working with an arborist to address root damages and measure to minimize future tree root intrusion. Preliminary design is underway to address damaged curb/gutter and drainage improvements at the north side of G Street, west of Alhambra Avenue.

C1073 (Annual Pavement Rehabilitation) include pavement resurfacing and pavement rehabilitation of streets selected under year 2022/23 of the Five-Year Pavement Preservation Program. Treatment methods for resurfacing includes slurry seal and cape seal, while asphalt overlay will be the treatment method for pavement rehabilitation. Streets selected for this project are located in the northeast area of the City bounded by Howe Road, Arnold Drive, and Pacheco Boulevard. Construction will be performed under two separate contracts, with the resurfacing project primarily located on residential streets, while pavement rehabilitation will take place in arterial and collector streets.

The City adopted the mid-cycle adjustments to the two-year capital budget in June 2022, which included additional appropriation of Measure D funds to the following projects:

- C1073 - Annual Pavement Rehabilitation: \$600,000
- C1074 - Alhambra Avenue Downtown Paving: \$240,000
- C2014 – Morello Avenue Sidewalk Gap Closure: \$100,000

C1074 (Alhambra Avenue Downtown Paving) was originally designed as a bid additive for the Downtown Arterial Paving Project (C1063), however there were not enough funds in the project budget to include it in the construction contract. Project C1074 is a federally funded project that was received \$846,000 of One Bay Area Grant 2 (OBAG 2) funds. Funding will also include \$360,000 of SB-1 RMRA Funds and \$240,000 of Measure D Funds to help secure local match.

C2014 (Morello Avenue Sidewalk Gap Closure) will address gaps on Morello Avenue south of Morello Hills Drive and at the northeast corner of the Morello Avenue and Arnold Drive intersection. Major funding is from Measure D of \$100,000, which serves as the 50% match for the SB 1 LPP-F Grant of \$100,000.

Oversight Committee Review/Financials

Each fiscal year, the City is required to have a financial audit conducted by an independent certified public accountancy firm. The CPA firm of Maze and Associates is the City's independent external auditor. The City's Fiscal Year 2020-21 audit was completed in January 2022 in conformity with generally accepted accounting principles (GAAP). The auditors' opinion was that the financial statements fairly represent the financial position of the City as of June 30, 2021. On March 16, 2022, the audit was received and accepted by the City Council.

The Measure D Citizens' Oversight Committee Bylaws, as amended on March 20, 2019, and attached for reference as Attachment A, specifies the following as the Committee's purview with sections 3.1 and 4.1, respectively:

3.1 Duties of the Committee. To carry out its stated purposes, the Committee shall perform the following duties:

(a) Inform the Public. The Committee shall inform the public regarding compliance of the City's expenditures of Special Tax proceeds as specified in Measure D.

(b) Review Expenditures. The Committee may review quarterly expenditure reports produced by the City to ensure that (a) Special Tax proceeds are expended only for the purposes set forth in the ballot measure; and (b) no Special Tax proceeds are used for any administrative salaries of City employees or other operating expenses.

(c) Present Annual Report. The Committee shall present to the City Council, in public session, an annual written report which shall include the following:

i. A statement indicating whether the Committee has determined that the City has expended Special Tax proceeds only for the purposes set forth in the ballot measure; and

ii. A summary of the Committee's proceedings and activities for the preceding year.

4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

(a) Receive and review copies of the City's annual independent audit of expenditure of Special Tax proceeds.

(b) Inspect City rights-of-way for which Special Tax proceeds have been or will be expended, in accordance with any access procedure established by the City Manager of the City.

In accordance with the bylaws, the audited statements as of June 30, 2021, included as Attachment B to this report for reference, reflect the following amounts of income received and expenses incurred:

2020-21 Measure D Financials - Audited	
Sales Tax Income Received (4/1/17 – 6/30/21):	\$ 16,137,753.77
Interest Earnings:	\$ 74,339.85
Total Income to Date:	\$ 16,212,093.62
Professional Services:	\$ 24,299.81
Project Costs:	\$ 14,837.00
Project Transfers:	\$ 11,789,400.00
Total Costs to Date:	\$ (11,828,536.81)
Balance/Money Available	\$ 4,383,556.81

Attachment C to this report provides more specific details regarding the total expenditures, by fiscal year, of capital projects C1061, C1062, C1064, and C1065, which were funded in whole or in part with contributions from Measure D and audited through FY 2020-21.

The annual audit for FY 2021-22 is ongoing and not anticipated to be completed until January 2023; therefore, the FY 2021-22 financials listed on the following page and in greater detail within Attachment D are provided for informational purposes only but are not part of the Oversight Committee's current annual review:

2021-22 Measure D Financials – Unaudited	
Sales Tax Income Received (4/1/17 – 6/30/22):	\$ 20,754,796.25
Interest Earnings:	\$ 82,063.58
Total Income to Date:	\$ 20,836,859.83
Professional Services:	\$ 58,096.32
Project Transfers:	\$ 16,839,400.00
Total Costs to Date:	\$ (16,897,496.32)
Encumbrances	(17,094.99)
Balance/Money Available	\$ 3,922,268.52

Completed Projects List

Measure D funding has contributed to the following pavement preservation projects, which have been completed (unless otherwise noted) on the following neighborhoods/streets:

FY 2018-19 Paving Project (C1061)

1. Glacier Drive – Muir to Olympic
2. Pine Street – South of Shell Ave (base failure repair)
3. Chilpancingo (base failure repair)
4. Miscellaneous streets (including Arlington, Huntington)

FY 2018-19 Measure D Pavement Rehabilitation Project (C1062)

1. Canyon Way & Castro/E. Street Area
2. Brookside Area
3. Brookside Expanded Area
4. Muir Estates Area 1
5. Muir Estates Area 2
6. Virginia Hills Area
7. Vine Hill Way Area
8. Morello/Chilpancingo Area
9. Hidden Lakes Drive Area
10. Olympic Drive Area
11. Fig Tree Area
12. Downtown Micro Seal

FY 2019-20 Paving (C1064)

1. Base Failure Repair in preparation for Cape and Slurry Seal (2019-22)
2. Various Streets paving - complete
3. Mid Hill Rd from Morello to Forsythia - complete
4. Muir Rd from Glacier to Morello - complete
5. Arnold West of Morello – construction March 2021
6. Howe Rd from Pine to Vista – construction March 2021

FY 2019-20 Measure D Pavement Rehabilitation Project (C1065):

1. Willow/Grandview area
2. Castro area
3. Hillside/Talbart (North West neighborhood)
4. Yale Street area
5. Morello Heights area
6. Morello Ave area (Village Oaks)
7. Starflower
8. Sweetwater
9. Glacier area

10. Vine Hill / Macalvey area

Three Cities Pavement Preservation (C1068) and Two Cities Curb Ramp Project (C1069):

Alhambra Avenue	Estudillo Street	Morello Parks Drive
Berrellesa Street	F Street	Muir Road
Bertola Street	Farmington Court	Muir Station Road
Breckenridge Court	Haag Road	Palm Avenue
Breckenridge Place	Lakefield Place	Shell Avenue
Brundros Court	Lakewood Place	Smith Drive
Castro Street	Lodgepole Court	Sunrise Drive
Center Avenue	Marina Vista Avenue	Talbart Street
Court Street	Marti Marine Court	Vista Oaks Drive
Douglass Drive	Medford Court	Vista Way
Durra Road	Morello Avenue	Westview Court
Escobar Street		

Next Steps

Accept and move the report to the next available City Council meeting.

Attachments

- Attachment A – Measure D Citizens' Oversight Committee Bylaws
- Attachment B – FY 2020-21 Measure D Fund (Audited Statement)
- Attachment C – FY 2017-18 to FY 2020-21 Measure D CIP Project Detail
- Attachment D – FY 2021-22 Measure D Fund (Unaudited Statement)

Attachment A

CITY OF MARTINEZ MEASURE D CITIZENS' OVERSIGHT COMMITTEE BYLAWS

Section 1. Committee Established. The City of Martinez (the "City") was successful at the election conducted on November 8, 2016 (the "Election"), in obtaining authorization from the City's voters to impose a special retail transaction and use tax ("Special Tax") in the incorporated territory of the City for the exclusive purpose of road improvement and maintenance at a rate of one-half percent (0.50%) for a period of 15 years on the sale of tangible personal property and the storage, use, or other consumption of such property. The election was held and conducted as provided by law for holding municipal elections, and the Special Tax revenue is to be collected by the State Board of Equalization and remitted to the City.

The City has voluntarily chosen to establish a Citizen's Oversight Committee to provide enhanced accountability to the citizens of the City. The City Council of the City (the "City Council") by the adoption of Resolution No. 016-17 establishes the Citizens' Oversight Committee (the "Committee") which shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity from the City. All meetings of the Citizens' Oversight Committee shall comply with the provisions of the Ralph M. Brown Act (Government Code Section 34950 et seq.).

Section 2. Purpose. The purpose of the Committee is to inform the public regarding the expenditure of Special Tax proceeds, as further set forth in these Bylaws, to ensure that Special Tax proceeds will be used only for the purposes specified in the ballot measure. Such purposes include improving and maintaining roadways.

The Committee shall confine itself specifically to Special Tax proceeds generated from the imposition of the Special Tax under the ballot measure. All monies generated under other sources shall fall outside the scope of the Committee review.

Section 3. Duties.

3.1 Duties of the Committee. To carry out its stated purposes, the Committee shall perform the following duties:

(a) Inform the Public. The Committee shall inform the public regarding compliance of the City's expenditures of Special Tax proceeds as specified in Measure D.

(b) Review Expenditures. The Committee may review quarterly expenditure reports produced by the City to ensure that (a) Special Tax proceeds are expended only for the purposes set forth in the ballot measure; and (b) no Special Tax proceeds are used for any administrative salaries of City employees or other operating expenses.

(c) Present Annual Report. The Committee shall present to the City Council, in public session, an annual written report which shall include the following:

- i. A statement indicating whether the Committee has determined that the City has expended Special Tax proceeds only for the purposes set forth in the ballot measure; and
- ii. A summary of the Committee's proceedings and activities for the preceding year.

3.2 Duties of the City Council. The City Council shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- (a) Approval of annual street selection,
- (b) Approval of construction contracts,
- (c) Approval of construction change orders,
- (d) Appropriation of construction funds,
- (e) Handling of all legal matters,
- (f) Approval of construction plans and schedules, and
- (g) Approval of maintenance plans.

3.3 Voter-Approved Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of Special Tax proceeds, the City has not charged the Committee with responsibility for:

- (a) Projects financed through sources other than the Special Tax proceeds, which shall be outside the authority of the Committee.
- (b) The establishment of priorities and order of construction for the Special Tax projects, which shall be made by the City Council in its sole discretion.
- (c) The selection of design professionals, engineers, soil engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on City criteria established by the City Council in its sole discretion.
- (d) The approval of the design for each project (including materials) by the City Council in its sole discretion.
- (e) The selection of independent audit firm(s), audit consultants and such other consultants as are necessary to support the activities of the Committee.
- (f) The approval of an annual budget for the Committee that is sufficient to carry activities set forth herein.
- (g) The adoption of a plan for publicizing the activities of the Committee and the determination as to whether a mailer, a newspaper notice or website materials would best suit the distribution of the Committee's findings and recommendations.
- (h) The amendment or modification of the Bylaws for the Committee as provided herein.
- (i) The appointment or reappointment of qualified applicants to serve on the Committee and based on criteria adopted in the City Council's sole discretion.

Section 4. Authorized Activities.

4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

- (a) Receive and review copies of the City's annual independent audit of expenditure of Special Tax proceeds.
- (b) Inspect City rights-of-way for which Special Tax proceeds have been or will be expended, in accordance with any access procedure established by the City Manager of the City.

Section 5. Membership.

5.1 Number. The Committee shall consist of the City Treasurer and four (4) members appointed by the Mayor from a list of candidates submitting written applications, and based on criteria established by the City, to wit:

- Membership should be balanced and should ideally include individuals with business experience; community service experience; and knowledgeable professionals in the fields of construction, engineering, finance, law and accounting.
- The final configuration of the committee will then consist of five (5) members, as follows:
 - One (1) City Treasurer
 - Four (4) members at large

5.2 Qualification Standards.

- (a) To be a qualified member of the Committee, a person must be at least 18 years of age and be a Martinez resident; a Martinez property owner; or a Martinez business owner.
- (b) The Committee may not include any employee, City Council member or any vendor, contractor or consultant of the City.

5.3 Ethics: Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and to complete the Form 700 as required by all "designated employees" of the City. Additionally, each member shall comply with the Committee Ethics Policy attached as "Attachment A" to these Bylaws.

5.4 Term. At the Committee's first meeting, at-large members will draw lots to select a minimum of two (2) members to serve for an initial one (1) year term, and the remaining two (2) members for an initial two (2) year term. No member may serve more than two (2) consecutive terms, except for the City Treasurer.

5.5 Appointment. Members of the Committee shall be appointed through the following process: (a) appropriate local groups will be solicited for applications; (b) the Mayor or his designee will review the applications; (c) the Mayor will make appointments of the members of the Committee with the approval of the City Council.

5.6 Removal; Vacancy. The City Council may remove any Committee member for any reason, including failure to attend two (2) consecutive Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy or applicable law. Upon a member's removal, his or her seat shall be declared vacant. The Mayor, in accordance with the established appointment process, shall fill any vacancies on the Committee.

5.7 Compensation. The Committee members shall not be compensated for their services.

5.8 Authority of Members. (a) Committee members shall not have the authority to direct staff of the City. (b) Individual members of the Committee retain the right to address the City Council as an individual.

Section 6. Meetings of the Committee.

6.1 Regular Meetings. The Committee is required to meet at least once a year including an annual organizational meeting.

6.2 Location. All meetings shall be held within the City.

6.3 Procedures. All meetings shall be open to the public in accordance with the *Ralph M. Brown Act*, Government Code Section 54950 *et seq.* Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business except adjournment.

Section 7. City Support.

7.1 The City shall provide to the Committee necessary technical and administrative assistance as follows:

- (a) preparation of and posting of public notices as required by the *Ralph M. Brown Act*, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the City Council;
- (b) provision of a meeting room, including any necessary audio/visual equipment;
- (c) preparation and copies of any documentary meeting materials, such as agendas and reports; and
- (d) retention of all Committee records, and providing public access to such records on an Internet website maintained by the City.

7.2 City staff shall attend all Committee proceedings in order to report on the status of projects and the expenditures of Special Tax proceeds.

7.3 No Special Tax proceeds shall be used to provide City support to the Committee.

Section 8. Reports. In addition to the Annual Report required in Section 3.2, the Committee may report to the City Council semi-annually, or more often if necessary, in order to advise the City Council on the activities of the Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 9. Officers. The City Treasurer shall serve as the Chair of the Committee. The Committee shall elect a Vice-Chair for a term of one (1) year, who shall act as Chair only when the Chair is absent.

Section 10. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a majority vote of the entire City Council.

Section 11. Termination. The Committee shall automatically terminate and disband at the earlier of the date when (a) all Special Tax proceeds are spent, or (b) all projects funded by Special Tax proceeds are completed.

Attachment A

CITIZENS' OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This following Ethics Policy Statement provides general guidelines for Committee members to perform their roles. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A Committee member shall not make or influence a City decision related to: (1) any contract funded by Special Tax proceeds or (2) any construction project which will benefit the committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent. By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and to complete the Form 700 as required by all "designated employees" of the City.
- **OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by Special Tax proceeds, or (2) any construction project. A Committee member shall not make or influence a City decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the City that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the City with respect to: (1) bidding on projects funded by the Special Tax proceeds; and (2) any construction project.
- **COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California and all other applicable government entities, and the policies, procedures, rules and regulations of the City of Martinez;
- **COMMITMENT TO CITY.** A Committee member shall place the interest of the City above any personal or business interest of the member.

The undersigned acknowledges he or she has received a copy of this Ethics Policy Statement, understands the provisions of this policy and agrees to adhere to its requirements.

MEASURE D FUND (ATTACHMENT B)
06/30/21 (Audited)

<u>INCOME</u>	<u>Life-To-Date</u>
Sales Tax	16,137,753.77
Interest Earnings	74,339.85
Total Fiscal Year Income to Date	\$ 16,212,093.62

<u>PROFESSIONAL SERVICES</u>	
Engineering Consultant	(13,403.00)
HdL Sales Tax Consultant	(4,896.81)
Cost-Benefit Consultant	(6,000.00)

<u>PROJECT COSTS</u>	
Radar Speed Survey	(13,600.00)
2020-2021 J Street Bridge Project (C1067)	(1,237.00)

<u>PROJECT TRANSFERS</u>	
2018-2019 Paving Project (C1061)	(1,351,300.00)
2018-2019 Measure D Pavement Rehabilitation Project (C1062)	(2,725,000.00)
2019-2021 On-Call Repair/Resurfacing (C1064)	(3,077,600.00)
2019-2020 Measure D Pavement Rehabilitation Project (C1065)	(4,635,500.00)
Total Fiscal Year Costs to Date	\$ (11,828,536.81)

Balance / Money Available	\$4,383,556.81
	06/30/21 (Audited)

MEASURE D FUND (ATTACHMENT C)
06/30/21 (Audited)

<u>INCOME</u>	6/30/2017	6/30/2018	6/30/2019	6/30/2020	6/30/2021
Sales Tax	472,429.90	3,810,893.24	3,745,449.13	3,998,914.98	4,110,066.52
Interest Earnings	155.99	24,811.66	26,418.87	3,781.40	19,171.93
Total Fiscal Year Income to Date	\$ 472,585.89	\$ 3,835,704.90	\$ 3,771,868.00	\$ 4,002,696.38	\$ 4,129,238.45
<u>PROFESSIONAL SERVICES</u>					
Engineering Consultant	-	-	-	(4,856.00)	(8,547.00)
HdL Sales Tax Consultant	-	(900.00)	(698.59)	(900.00)	(2,398.22)
Cost-Benefit Consultant	-	-	-	-	(6,000.00)
<u>PROJECT COSTS</u>					
Radar Speed Survey	-	-	-	(13,600.00)	-
2020-2021 J Street Bridge Project (C1067)	-	-	-	-	(1,237.00)
<u>PROJECT TRANSFERS</u>					
2018-2019 Paving Project (C1061)	-	-	(1,351,300.00)	-	-
2018-2019 Measure D Pavement Rehabilitation Project (C1062)	-	-	(2,725,000.00)	-	-
2019-2021 On-Call Repair/Resurfacing (C1064)	-	-	(1,277,600.00)	(500,000.00)	(1,300,000.00)
2019-2020 Measure D Pavement Rehabilitation Project (C1065)	-	-	(2,435,500.00)	-	(2,200,000.00)
Total Fiscal Year Costs to Date	\$ -	\$ (900.00)	\$ (7,790,098.59)	\$ (519,356.00)	\$ (3,518,182.22)
Net Income (Loss)	\$472,585.89	\$3,834,804.90	(\$4,018,230.59)	\$3,483,340.38	\$611,056.23
Balance / Money Available	472,585.89	4,307,390.79	289,160.20	3,772,500.58	4,383,556.81

MEASURE D FUND (ATTACHMENT D)
06/30/22 (Unaudited)

<u>INCOME</u>	<u>Life-To-Date</u>
Sales Tax	20,754,796.25
Interest Earnings	82,063.58
Total Fiscal Year Income to Date	\$ 20,836,859.83

PROFESSIONAL SERVICES

Engineering Consultant	(47,199.51)
HdL Sales Tax Consultant	(4,896.81)
Cost-Benefit Consultant	(6,000.00)

PROJECT TRANSFERS

2018-2019 Paving Project (C1061)	(1,351,300.00)
2018-2019 Measure D Pavement Rehabilitation Project (C1062)	(2,725,000.00)
2019-2021 On-Call Repair/Resurfacing (C1064)	(3,577,600.00)
2019-2020 Measure D Pavement Rehabilitation Project (C1065)	(4,635,500.00)
2021-2022 Pavement Preservation Resurfacing (C1068)	(4,000,000.00)
2021-2022 Pavement Preservation Curb Ramp (C1069)	(300,000.00)
2021-2023 Annual Curb Replacement Project (C1071)	(250,000.00)
Total Fiscal Year Costs to Date	\$ (16,897,496.32)

Engineering Consultant - Encumbrance	(17,094.99)
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Balance / Money Available	\$ 3,922,268.52
	06/30/22 (Unaudited)

PROJECTED TRANSFERS FY 2023

WARD ST UNDERGROUNDING (C1057)	(100,000.00)
2021-2023 CURB REPLACEMENT PROJECT (C1071)	(250,000.00)
2022-2023 ANNUAL PAVEMENT REHABILITATION (C1073)	(3,600,000.00)
ALHAMBRA AVE DOWNTOWN PAVING (C1074)	(240,000.00)
MORELLO AVENUE SIDEWALK GAP CLOSURE (C2014)	(100,000.00)
Total Projected Transfers FY 2023	(4,290,000.00)

MEASURE D FUND
06/30/22 (Unaudited)

INCOME	6/30/2017	6/30/2018	6/30/2019	6/30/2020	6/30/2021	6/30/2022
Sales Tax	472,429.90	3,810,893.24	3,745,449.13	3,998,914.98	4,110,066.52	4,617,042.48
Interest Earnings	155.99	24,811.66	26,418.87	3,781.40	19,171.93	7,723.73
Total Fiscal Year Income to Date	\$ 472,585.89	\$ 3,835,704.90	\$ 3,771,868.00	\$ 4,002,696.38	\$ 4,129,238.45	\$ 4,624,766.21
 PROFESSIONAL SERVICES						
Engineering Consultant	-	-	-	(4,856.00)	(8,547.00)	(33,796.51)
HdL Sales Tax Consultant	-	(900.00)	(698.59)	(900.00)	(2,398.22)	-
Cost-Benefit Consultant	-	-	-	-	(6,000.00)	-
 PROJECT COSTS						
Radar Speed Survey	-	-	-	(13,600.00)	-	13,600.00
2020-2021 J Street Bridge Project C1067	-	-	-	-	(1,237.00)	1,237.00
 PROJECT TRANSFERS						
2018-2019 Paving Project (C1061)	-	-	(1,351,300.00)	-	-	-
2018-2019 Measure D Pavement Rehabilitation Project (C1062)	-	-	(2,725,000.00)	-	-	-
2019-2021 On-Call Repair/Resurfacing (C1064)	-	-	(1,277,600.00)	(500,000.00)	(1,300,000.00)	(500,000.00)
2019-2020 Measure D Pavement Rehabilitation Project (C1065)	-	-	(2,435,500.00)	-	(2,200,000.00)	-
2021-2022 Pavement Preservation Resurfacing (C1068)	-	-	-	-	-	(4,000,000.00)
2021-2022 Pavement Preservation Curb Ramp (C1069)	-	-	-	-	-	(300,000.00)
2021-2023 Annual Curb Replacement Project (C1071)	-	-	-	-	-	(250,000.00)
Total Fiscal Year Costs to Date	\$ -	\$ (900.00)	\$ (7,790,098.59)	\$ (519,356.00)	\$ (3,518,182.22)	\$ (5,068,959.51)
Net Income (Loss)	\$472,585.89	\$3,834,804.90	(\$4,018,230.59)	\$3,483,340.38	\$611,056.23	(\$444,193.30)
Engineering Consultant - Encumbrance	-	-	-	-	-	(17,094.99)
Balance / Money Available	472,585.89	4,307,390.79	289,160.20	3,772,500.58	4,383,556.81	3,922,268.52