

Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA)
Minutes of Board meeting on December 14, 2022 via Zoom Teleconference

1. **Call to Order**

The meeting of the board of directors was called to order by Chair Veronica Vargas at 2:02 p.m. Vice Chair Melissa Hernandez led the Pledge of Allegiance.

2. **Roll Call of Members**

Members Present

Chair Veronica Vargas, City of Tracy
Vice Chair Melissa Hernandez, City of Dublin
Director Paul Akinjo, City of Lathrop (*joined during item #3*)
Director David Haubert, Alameda County
Director David Hudson, San Ramon
Director Brittni Kiick (Livermore), LAVTA
Director Bernice King Tingle, Mountain House
Director Kathy Narum, City of Pleasanton
Director Robert Rickman, San Joaquin County
Director Karen Stepper, Town of Danville
Director Dan Wright, City of Stockton
Director Leo Zuber (Ripon), ACE

Members Absent

Director Benjamin Cantu, City of Manteca
Director John McPartland (District 5), BART
Director Bob Woerner, City of Livermore

3. **Public Comments**

Live public comment was heard from Karen Moore, City of Tracy Councilmember Mateo Bedolla and Adrian Brandt. Legal Counsel Michael Conneran addressed Bedolla's comment regarding alternates being appointed to the Authority's board of directors. Conneran noted that the statute which created the Authority does not provide for alternates, and as such the Authority would need formal notice from the member agency as to who is to be appointed to the board and sworn in.

4. **Consent Calendar – ACTION**

Motion to approve all items on Consent Calendar as follows:

- a. Minutes of November 9, 2022 Board of Directors Meeting.
- b. Minutes of December 7, 2022 Special Board of Directors Meeting.
- c. Treasurer's Report for October 2022.
- d. Resolution R22-2022 Declaring that Agency meetings will continue to be held via teleconference.
- e. Set Board of Directors Meeting Dates for 2023.

Motion: Hudson/Hernandez

Aye: Akinjo, Haubert, Hernandez, Hudson, Kiick, King-Tingle, Narum, Rickman, Stepper, Vargas, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu, McPartland, Woerner

Motion Passed

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5. **Fiscal Year 2022 Basic Financial Statements and Memorandum of Internal Control – ACTION**

The Authority's Chief Financial Officer Tamara Edwards introduced this item, noting that the Authority is still only receiving funds on a reimbursement basis, and turned the floor over to Vikki Rodriguez, audit partner with Maze and Associates who led the audit. Rodriguez gave an overview of the draft basic financial statements for the fiscal year ending 30th June 2022. Rodriguez congratulated the Authority on receiving an unmodified opinion and explained that this was the cleanest opinion an agency could receive. There was no public comment or directors' discussion.

Motion: Haubert/Narum

Aye: Akinjo, Haubert, Hernandez, Hudson, Kiick, King-Tingle, Narum, Rickman, Stepper, Vargas, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu, McPartland, Woerner

Motion Passed

6. **Hydrogen Production Facility Project Advancement – ACTION**

Deputy Director Wil Ridder presented this item with the recommendation that the board authorize the Executive Director to negotiate and enter into an agreement with Linde Engineering North America for the advancement of the proposed Valley Link hydrogen production facility. Ridder explained that this collaboration will include the preparation of a project development agreement to further define the configuration of a hydrogen production facility, determine the implementation strategy and partnership structure with Linde, as well as develop and submit a project application to the State of California's Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) initiative for project funding. Ridder introduced four members of the Linde team that would be involved in the strategic collaboration should the board approve the request – Associate Director Joan Geary, Director of Business Development Richard Craig, Director of Clean Hydrogen Wladimir Sarmiento-Darkin and Proposal Manager Shawn Quinton.

Public comment was heard from Michael Marc, Adrian Brandt, Andres Clüver, Raul Hernandez, Cosmo and Councilmember Bedolla. Written comment was received from the Law Offices of Jason A. Bezis. Conneran addressed concerns about CEQA compliance noting that any large-scale project, like Valley Link, requires CEQA review and outlined Linde's role in assessing the feasibility of using hydrogen versus electric. Ridder and Sheridan responded to comments regarding the use of local workforce when the project get the construction phase. Directors discussed this item.

Motion: Wright/Hernandez

Aye: Akinjo, Haubert, Hernandez, Hudson, Kiick, King-Tingle, Narum, Rickman, Stepper, Vargas, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu, McPartland, Woerner

Motion Passed

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7. Update on CEQA Environmental Review – INFORMATION

Authority Director of Policy, Planning and Environmental Marianne Payne introduced this item and turned the floor over to AECOM Senior Environmental Planner Michael Kay, who gave a detailed presentation on the Subsequent Environmental Impact Report (SEIR) for the proposed Valley Link Rail project and the requirements under the California Environmental Quality Act (CEQA). Public comment was heard from Cosmo, Councilmember Bedolla and Karen Moore. Staff and directors discussed this item.

8. Executive Director’s Report/Recognitions

Executive Director/CEO Kevin Sheridan thanked the outgoing board members and chair then gave the floor to Ridder who thanked them for their service to the board and immeasurable support to the Valley Link project. A slideshow depicting the recognition plaques, what were to be delivered to outgoing Directors Benjamin Cantu, Kathy Narum and Bob Woerner. A special video was played for outgoing chair and founding member Veronica Vargas. Ridder noted that Sheridan was able to deliver her plaque and commemorative book ends to Vargas at the City of Tracy council meeting the day before. Public comment was heard from Karen Moore. Director Narum and Chair Vargas both addressed the meeting remarking what an honor it has been to serve on the board. They thanked everyone and wished the project all the best. Directors thanked the departing board members for their contributions and dedication to the board and project.

9. Directors’ Discussion

There was no discussion.

10. Upcoming Meeting Details

- a. Regular meeting – January 11, 2022 via teleconference

11. Adjourn

Meeting adjourned without objection at 3:58 p.m.