



Tri-Valley ▲ San Joaquin Valley
REGIONAL RAIL AUTHORITY

Board of Directors

Meeting Packet

October 13, 2021 at 2 p.m.



Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

AGENDA – BOARD OF DIRECTORS
October 13, 2021 at 2:00 p.m. via teleconference

CORONAVIRUS DISEASE (COVID-19) ADVISORY AND MEETING PROCEDURE

This meeting will be held via teleconference in accordance with the Brown Act and Government Code § 54953(e), as a precaution to protect the health and safety of staff, officials, and the general public. The Board of Directors will not be physically in attendance, but will be available via video conference.

The regular meeting facilities for the meetings of the Board of Directors are currently closed to the public. Consequently, there will be no physical location for members of the public to participate in the meeting. We encourage members of the public to access the meeting online using the instructions listed on the agenda. Online attendees will have the opportunity to speak during Public Comment.

If you would like to submit public comment via email, please do so by 11:00 a.m. Wednesday, October 13, 2021 to comments@valleylinkrail.com. Please include “Public Comment October 13, 2021” and the agenda item in the subject line. In the body of the email please include your full name. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

This Board of Directors meeting will be conducted on the web-video communication platform Zoom. To view and/or participate in this meeting, members of the public will need to either download Zoom from the website zoom.us. It is recommended that anyone wishing to participate in the meeting complete the download process before the start of the meeting. To listen without viewing, members of the public may also join the meeting by calling in via telephone. A live stream will also be available on our YouTube channel without the ability to make public comment. All public comments will be subject to the regular three-minute time restriction.

There will be zero tolerance for any person addressing the Board making profane, offensive and disruptive remarks, or engaging in loud, boisterous, or other disorderly conduct, that disrupts the orderly conduct of the public meeting.

TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

AGENDA – BOARD OF DIRECTORS October 13, 2021 at 2:00 p.m. via teleconference

How to listen and view meeting online:

- From a PC, Mac, iPad, iPhone or Android device click the link below:
<https://zoom.us/j/93548110883>
Password: **ValleyLink**
- To supplement a PC, Mac, tablet or device without audio, please also join by phone:
Dial: 1 (669) 900-6833
Webinar ID: 935-4811-0883
Password: **898381**

To comment by video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will be muted.

- Livestream online at: [Valley Link Rail YouTube Channel](#)

No option to make Public Comment on YouTube live stream.

How to listen via telephone to the meeting:

- For audio access to the meeting by telephone, use the dial-in information below:
Dial: 1 (669) 900-6833
Webinar ID: 935-4811-0883
Password: **898381**

*Please note to submit public comment via telephone dial *9 to raise your hand. The meeting’s host will be informed that you would like to speak. If you are chosen, you will be notified that your request has been approved and you will be allowed to speak. You will then press *6 to **unmute yourself**. Comments are limited to up to 3 minutes at the discretion of the board chair. After the allotted time, you will be muted by the host.*

To submit written comments:

- Send public comments prior to the meeting by email, to comments@valleylinkrail.com

If you are submitting public comment via email, please do so by 11:00 a.m. on Wednesday, October 13, 2021 to comments@valleylinkrail.com

Please include “Public Comment - October 13, 2021” and the agenda item to which your comment applies in the subject line. In the body of the email please include your full name. A list of the public comments submitted will be read during Public Comment and letters will be posted on the Authority’s website along with other meeting material.

TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

AGENDA – BOARD OF DIRECTORS
October 13, 2021 at 2:00 p.m. via teleconference

1. Call to Order and Pledge of Allegiance
2. Roll Call of Members
3. Public Comments:
Members of the public may address the Board on any issues not listed on the agenda that are within the purview of the Authority. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Time limits on public comments may be established by the Chair.
4. Consent Agenda – **ACTION**
Recommend approval of all items on Consent Agenda as follows:
 - a. Minutes of July 14, 2021 Board of Directors Meeting.
 - b. Preliminary Treasurer’s Report for June 2021, the Treasurer’s Reports for July and August 2021.
5. Executive Director’s Report – **INFORMATION**
6. Resolution R15-2021 Declaring Agency Meetings will continue to be held via Teleconference – **ACTION**
7. Resolution R16-2021 AECOM Contract Agreement Addendum #4 – **ACTION**
8. Funding Acquisition Strategies and Financing Planning – **INFORMATION**
9. Directors’ Discussion
Comments, Questions and Agenda Requests
10. **Adjourn to CLOSED SESSION pursuant to Government Code Section 54956.9(d)(1):** Conference with Legal Counsel – Existing Litigation; Alameda County Taxpayers' Assoc. v. Tri-Valley — San Joaquin Valley Regional Rail Authority et al., Alameda County Superior Court Case No. RG21110126
11. Reconvene to **OPEN SESSION**
12. Next Meeting Details: November 10, 2021 at 2 p.m. via teleconference
13. Adjourn

Upon request, the Tri-Valley-San Joaquin Valley Regional Rail Authority will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. A speech-to-text option (live transcription) is now available on all Zoom meetings. Live transcription currently only supports English and the accuracy of the feature depends on many variables, such as but not limited to: background noise, volume and clarity of the speaker’s voice, lexicons and dialects. Requests for any other reasonable accommodation should be submitted in writing, and must include; your name, mailing address, phone number and brief description of the requested materials and the preferred alternative format or auxiliary aid or service at least 2 days before the meeting. Requests should be sent to: comments@valleylinkrail.com.

AGENDA

ITEM 4 A



Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA)
Minutes of July 14, 2021 meeting via Zoom Teleconference

1. **Call to Order and Pledge of Allegiance**

The meeting of the board of directors was called to order by Vice Chair Melissa Hernandez at 2:00 p.m. Hernandez then lead the Pledge of Allegiance.

2. **Roll Call of Members**

Members Present

Chair Veronica Vargas, City of Tracy (**arrived during Item 6*)

Vice Chair Melissa Hernandez, City of Dublin

Director Paul Akinjo, City of Lathrop

Director David Haubert, Alameda County

Director David Hudson, San Ramon (**arrived during Item 7*)

Director Brittini Kiick (Livermore), LAVTA

Director Bernice King Tingle, Mountain House

Director John McPartland (District 5), BART (**arrived during Item 4*)

Director Kathy Narum, City of Pleasanton

Director Robert Rickman, San Joaquin County

Director Karen Stepper, Town of Danville

Director Bob Woerner, City of Livermore

Director Dan Wright, City of Stockton

Director Leo Zuber (Ripon), ACE

Members Absent

Director Benjamin Cantu, City of Manteca

3. **Public Comments**

Public comment was heard from Roland Lebrun who thanked the board for adding closed caption to the virtual meetings.

4. **Consent Calendar – ACTION**

Motion to approve all items on Consent Calendar as follows:

- a. Minutes of June 9, 2021 Board of Directors Meeting.
- b. Treasurer’s Report for May 2021.

Motion: Stepper/Wright

Aye: Akinjo, Haubert, Hernandez, Kiick, McPartland, Narum, Rickman, Stepper, Tingle, Woerner, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu, Hudson, Vargas

Motion Passed

5. **Executive Directors Report – INFORMATION**

Executive Director Michael Tree gave an oral report.

- **BOD Meetings** – As previously discussed, the board of directors will not meet in August. The board will reconvene in September.

Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA)
Minutes of July 14, 2021 meeting via Zoom Teleconference

- **SB548** – This legislation regarding Valley Link and the Authority continues to move forward in Sacramento. The bill was approved unanimously by the Assembly Transportation committee on June 21, 2021 and will next move to the Assembly floor and once approved, go to the Governor’s office for signature.
- **Pending Grant Applications** – Staff has submitted the following grants:
 - i. DOT/FTA 2021 Competitive Funding Opportunity: Pilot Program for Transit-Oriented Development (TOD) Planning
 - ii. DOT/ OSDBU FY 2021 National Infrastructure Investments RAISE 2021 to look at a joint corridor system with ACE.
- **Shared Autonomous Vehicle (SAV)** – A project of the Livermore Amador Valley Transit Authority, the SAV that will be a first and last mile option for riders of Valley Link. The project is now in phase 2 and links with the Valley Link Sustainability Blueprint.
- **Planning** – Many projects and opportunities that affect Valley Link are in the works: Regional Transportation Plans for the Bay Area and San Joaquin County, Link21, Bay Fair Connection, MTC Mega-regional Policy and SJCOG Managed Lanes Project. These will be addressed in further detail at the September board meeting.
- **Hydrogen Fuel** – Staff is working with suppliers to get hydrogen at a cost that the Valley Link project can sustain.
- **Deputy Executive Director** – Deputy Executive Director/Program Manager (DED/PM) Kevin Sheridan is working on the NEPA environmental clearance and PA&ED phase with Caltrans.
- **Ballot Measure** – Multiple groups and individuals are supporting a 9-county measure that may be added to the ballot in January 2024.

Tree took questions from members of the board regarding hydrogen and other clean fuel options. Public comment was heard from Roland Lebrun and Vaughn Wolfe.

6. Approve Resolution R12-2021 authorizing the Executive Director to execute Cooperative Agreement Amendment No. 1 with Caltrans – ACTION

DED/PM Sheridan introduced this item. The action will approve an additional \$100,000 to Caltrans for completion of the project initiation document, bringing the total to \$300,000. The document is scheduled to be completed by October 2021. This document will also contain co-operative agreements to continue with environmental studies. Directors discussed this item. There was no public comment.

Motion: Woerner/Haubert

Aye: Akinjo, Haubert, Hernandez, Kiick, McPartland, Narum, Rickman, Stepper, Tingle, Vargas, Woerner, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu, Hudson

Motion Passed

Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA)
Minutes of July 14, 2021 meeting via Zoom Teleconference

7. **Approve Resolution R14-2021 authorizing the Executive Director to execute an Employment Agreement with Bill O’Hair as the Authority’s Rail Engineering and Construction Project Manager– ACTION**

Tree introduced this item. O’Hair has been working in this role as a BART seconded employee. This action will allow the Authority to employ O’Hair as an at-will employee. Directors discussed this item and the human resource policy. There was no public comment.

Motion: Hudson/Narum

Aye: Akinjo, Haubert, Hernandez, Hudson, Kiick, McPartland, Narum, Rickman, Stepper, Tingle, Vargas, Woerner, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu

Motion Passed

8. **Approve Resolution R13-2021 authorizing the Executive Director to execute an Employment Agreement with Marianne Payne as the Authority’s Director of Policy, Planning & Environmental – ACTION**

The board discussed this item. There was no public comment.

Motion: Haubert/Akinjo

Aye: Akinjo, Haubert, Hernandez, Hudson, Kiick, McPartland, Narum, Rickman, Stepper, Tingle, Vargas, Woerner, Wright, Zuber

Nay: None

Abstain: None

Absent: Cantu

Motion Passed

9. **Directors’ Discussion**

Director Hudson emphasized the importance of every director, and entity they represent, adding Valley Link to their list of priorities. Discussion continued regarding human resource compliance and directors Woerner and Akinjo asked that the responsible person(s) be identified. Michael Conneran agreed to provide the board with a list of responsibilities as it pertains to human resource policies and procedures. Director Kiick requested that staff bring recommendations to the board on ways to best support the potential 2024 measure.

10. **Next Meeting**

September 8, 2021 at 2 p.m. – *Location to be determined*

11. **Adjourn (Akinjo/Hudson – without objection)**

Meeting adjourned at 3:04 p.m.

AGENDA

ITEM 4 B





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Preliminary Treasurer's Report for June 2021 and Treasurer's Reports for July and August 2021

FROM: Tamara Edwards, Director of Finance

DATE: October 13, 2021

Action Requested

Staff requests that the Tri-Valley – San Joaquin Valley Regional Rail Authority Board accept the Preliminary Treasurer's Report for June 2021, and the Treasurer's Reports for July and August 2021.

Background/Discussion

The Treasurer's Reports shows all expenses and revenues for the months of June, July and August as well as the year to date totals. The June report is preliminary as the final report for June, and fiscal year 2021 will be presented in the form of the Audited Financial Statements that will be brought to the Board in December.

The fund balance reflected on both the balance sheet and the expense report is the difference between the revenue received and the expenses. As the Rail Authority's funding is all on a reimbursement basis this will be reflected as a negative amount (expenses higher than revenues) until year end when accruals are done at which time the fund balance will be zero. Additionally, as all of the Rail Authority's funding is on a reimbursement basis LAVTA continues to provide the cash flow for the Rail Authority which is reflected in the funds due to LAVTA line item.

Expenses for staff such as the Executive Director, the Executive Assistant, the Finance Director, and the Marketing Director who are LAVTA employees will be reflected once invoiced from LAVTA for their services are paid.

Attachments:

1. Preliminary June 2021 Treasurer's Report
2. July 2021 Treasurer's Report
3. August 2021 Treasurer's Report

ATTACHMENT 1



Tri-Valley San Joaquin Regional Rail Authority
BALANCE SHEET
FOR THE PERIOD ENDING:
June 30, 2021

ASSETS:

108 CASH-GENERAL CHECKING	1,060,016
120 ACCOUNTS RECEIVABLE	3,431,343
150 PREPAID EXPENSES	0

TOTAL ASSETS **4,491,359**

LIABILITIES:

205 ACCOUNTS PAYABLE	1,516,584
20501 DUE TO LAVTA	2,820,244
211 PRE-PAID REVENUE	154,531

TOTAL LIABILITIES **4,491,359**

FUND BALANCE:

301 FUND RESERVE	0
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0
30401 SALE OF BUSES & EQUIPMENT	0
FUND BALANCE	(0)

TOTAL FUND BALANCE **0**

TOTAL LIABILITIES & FUND BALANCE **4,491,359**

**Tri-Valley San Joaquin Regional Rail Authority
REVENUE REPORT
FOR THE PERIOD ENDING:
June 30, 2021**

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	Caltrans	20,000	0	0	20,000	0.0%
	MTC-Bridge Tolls	9,308,657	3,424,157	5,748,154	3,560,503	61.8%
	Alameda County/Strategic Development	39,950	23,758	44,233	(4,283)	110.7%
	Government Relations/Community Engage	58,815	0	0	58,815	0.0%
	TOTAL REVENUE	9,427,422	3,447,916	5,792,387	3,635,034	61.4%

Tri-Valley San Joaquin Regional Rail Authority
EXPENDITURE REPORT
June 30, 2021

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and Benefits						
	Executive Director	149,310	48,611	164,222	(14,912)	109.99%
	Administrative Assistant	96,200	4,205	73,244	22,956	76.14%
	Finance Director	42,000	13,189	42,544	(544)	101.29%
	IT support	36,000	0	0	36,000	0.00%
	Marketing Director	30,432	10,109	27,863	2,570	91.56%
	TOTAL - Direct Labor	353,942	76,113	307,872	46,070	86.98%
Consultants/seconded staff						
	Program Manager	490,000	422,634	467,322	22,678	95.37%
	Project Management support- Civil	373,607	56,550	56,550	317,057	15.14%
	Rail Vehicle Specs/Design	118,267	0	0	118,267	0.00%
	Program Management Staff	2,295,681	0	1,851,007	444,674	80.63%
	General Engineering Consultants	2,285,000	1,283,333	1,539,385	745,615	67.37%
	Environmental/30% Design	2,191,344	0	763,671	1,427,673	34.85%
	Feasibility Report	89,728	0	283,384	(193,656)	315.83%
	Strategic Development Dir	73,550	0	20,475	53,075	27.84%
	LTK	226,000	0	16,268	209,732	7.20%
	Government Relations/Community Engagement	15,000	30,000	50,108	(35,108)	334.06%
	TOTAL - Consultants	8,158,176	1,792,517	5,048,171	3,110,005	61.88%
Other Direct Costs						
	Legal	342,429	27,643	198,471	143,959	57.96%
	Insurance	10,000	0	7,624	2,376	76.24%
	Audits	25,000	0	5,395	19,605	21.58%
	Travel/Mileage/Mis	25,000	50,446	102,915	(77,915)	411.66%
	Office space/furnishings	145,000	0	1,122	143,878	0.77%
	ACE	20,000	0	0	20,000	0.00%
	BART	155,000	0	0	155,000	0.00%
	Caltrans Reimbursement	167,875	3,503	120,817	47,058	71.97%
	Union Pacific Reimbursement	25,000	0	0	25,000	0.00%
	TOTAL OTHER DIRECT COSTS	915,304.22	81,592.03	436,344	478,960	47.67%
	TOTAL OPERATING EXPENDITURES	9,427,422	1,950,223	5,792,387	3,635,035	61.44%
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)	(0.37)	1,497,693	(0)		

ATTACHMENT 2



Tri-Valley San Joaquin Regional Rail Authority
BALANCE SHEET
FOR THE PERIOD ENDING:
July 31, 2021

ASSETS:

108 CASH-GENERAL CHECKING	516,567	
120 ACCOUNTS RECEIVABLE	3,069,354	
150 PREPAID EXPENSES	0	
TOTAL ASSETS		3,585,920

LIABILITIES:

205 ACCOUNTS PAYABLE	681,663	
20501 DUE TO LAVTA	2,771,351	
21101 PAYROLL CLEARING	0	
211 PRE-PAID REVENUE	215,209	
22000 FIT	4,969	
22010 SIT	1,578	
22020 FICA	4,207	
22030 SDI	330	
22100 457	3,923	
TOTAL LIABILITIES		3,683,230

FUND BALANCE:

301 FUND RESERVE	0	
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0	
30401 SALE OF BUSES & EQUIPMENT	0	
FUND BALANCE	(97,310)	
TOTAL FUND BALANCE		-97,310
TOTAL LIABILITIES & FUND BALANCE		3,585,920

Tri-Valley San Joaquin Regional Rail Authority
REVENUE REPORT
FOR THE PERIOD ENDING:
July 31, 2021

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	Caltrans		0	0	-	#DIV/0!
	MTC-Bridge Tolls	24,497,378	0	0	24,497,378	0.0%
	Alameda County/Strategic Development		0	0	-	#DIV/0!
	Government Relations/Community Engage		0	0	-	#DIV/0!
	TOTAL REVENUE	24,497,378	0	0	24,497,378	0.0%

Tri-Valley San Joaquin Regional Rail Authority
EXPENDITURE REPORT
July 31, 2021

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and Benefits						
	Executive Director	156,000	0	0	156,000	0.00%
	Deputy Executive Director	385,000	33,643.54	0	385,000	0.00%
	Administrative Assistant	95,000	0	0	95,000	0.00%
	Finance Director	45,000	0	0	45,000	0.00%
	IT support		0	0	0	#DIV/0!
	Marketing Director		0	0	0	#DIV/0!
	TOTAL - Direct Labor	681,000	33,644	33,644	647,356	4.94%
Consultants/seconded staff						
	Project Management support- Civil	335,000	0	0	335,000	0.00%
	Program Management Staff	3,564,684	0	0	3,564,684	0.00%
	General Engineering Consultants	17,148,694	0	0	17,148,694	0.00%
	Government Relations/Community Engagement	350,000	10,000	10,000	340,000	2.86%
	TOTAL - Consultants	21,398,378	10,000	10,000	21,388,378	0.05%
Other Direct Costs						
	Legal	430,000	0	0	430,000	0.00%
	Insurance	50,000	0	0	50,000	0.00%
	Audits	25,000	0	0	25,000	0.00%
	Line of Credit	125,000	0	0	125,000	0.00%
	Travel/Mileage/Mis	25,000	0	0	25,000	0.00%
	Office space/furnishings	180,000	12,606	12,606	167,394	7.00%
	ACTC	412,000	0	0	412,000	0.00%
	SJRRRC	150,000	0	0	150,000	0.00%
	BART	440,000	0	0	440,000	0.00%
	Caltrans Reimbursement	540,000	0	0	540,000	0.00%
	Union Pacific Reimbursement	41,000	0	0	41,000	0.00%
	TOTAL OTHER DIRECT COSTS	2,418,000.00	12,606.00	12,606.00	2,405,394	0.52%
	TOTAL OPERATING EXPENDITURES	24,497,378	56,250	56,250	24,441,128	0.23%
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)	-	(56,250)	(56,250)		

ATTACHMENT 3



Tri-Valley San Joaquin Regional Rail Authority
BALANCE SHEET
FOR THE PERIOD ENDING:
August 31, 2021

ASSETS:

108 CASH-GENERAL CHECKING	1,065,276	
120 ACCOUNTS RECEIVABLE	2,199,556	
150 PREPAID EXPENSES	0	
TOTAL ASSETS		3,264,832

LIABILITIES:

205 ACCOUNTS PAYABLE	367,389	
20501 DUE TO LAVTA	2,771,351	
22110 PAYROLL CLEARING	14,516	
211 PRE-PAID REVENUE	215,209	
22000 FIT	4,184	
22010 SIT	1,418	
22020 FICA	798	
22030 SDI	0	
22100 457	7,062	
TOTAL LIABILITIES		3,381,926

FUND BALANCE:

301 FUND RESERVE	0	
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0	
30401 SALE OF BUSES & EQUIPMENT	0	
FUND BALANCE	(117,094)	
TOTAL FUND BALANCE		-117,094
TOTAL LIABILITIES & FUND BALANCE		3,264,832

Tri-Valley San Joaquin Regional Rail Authority
REVENUE REPORT
FOR THE PERIOD ENDING:
August 31, 2021

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	Caltrans		0	0	-	#DIV/0!
	MTC-Bridge Tolls	24,497,378	0	0	24,497,378	0.0%
	Alameda County/Strategic Development		0	0	-	#DIV/0!
	Government Relations/Community Engage		0	0	-	#DIV/0!
	TOTAL REVENUE	24,497,378	0	0	24,497,378	0.0%

Tri-Valley San Joaquin Regional Rail Authority
EXPENDITURE REPORT
August 31, 2021

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and Benefits						
	Executive Director	156,000	0	0	156,000	0.00%
	Deputy Executive Director	385,000	20,988	0	385,000	0.00%
	Administrative Assistant	95,000	0	0	95,000	0.00%
	Finance Director	45,000	0	0	45,000	0.00%
	IT support		0	0	0	#DIV/0!
	Marketing Director		0	0	0	#DIV/0!
	TOTAL - Direct Labor	681,000	20,988	54,632	626,368	8.02%
Consultants/seconded staff						
	Project Management support- Civil	335,000	0	0	335,000	0.00%
	Program Management Staff	3,564,684	0	0	3,564,684	0.00%
	General Engineering Consultants	17,148,694	0	0	17,148,694	0.00%
	Government Relations/Community Engagement	350,000	0	10,000	340,000	2.86%
	TOTAL - Consultants	21,398,378	0	10,000	21,388,378	0.05%
Other Direct Costs						
	Legal	430,000	0	0	430,000	0.00%
	Insurance	50,000	0	0	50,000	0.00%
	Audits	25,000	0	0	25,000	0.00%
	Line of Credit	125,000	0	0	125,000	0.00%
	Travel/Mileage/Mis	25,000	0	0	25,000	0.00%
	Office space/furnishings	180,000	(1,204)	11,402	168,598	6.33%
	ACTC	412,000	0	0	412,000	0.00%
	SJRRRC	150,000	0	0	150,000	0.00%
	BART	440,000	0	0	440,000	0.00%
	Caltrans Reimbursement	540,000	0	0	540,000	0.00%
	Union Pacific Reimbursement	41,000	0	0	41,000	0.00%
	TOTAL OTHER DIRECT COSTS	2,418,000.00	(1,204.19)	11,401.81	2,406,598	0.47%
	TOTAL OPERATING EXPENDITURES	24,497,378	19,784	76,033	24,421,345	0.31%
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)	-	(19,784)	(76,033)		

AGENDA

ITEM 5





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Executive Director's Report
FROM: Michael Tree, Executive Director
DATE: October 13, 2021

Approval of SB 548 (Eggman)

The Governor on September 22, 2021, approved SB 548 (Eggman). The bill eliminates the requirement for the Authority to create a connection between BART and ACE specifically within the Tri-Valley Region. The bill also clarifies that the Authority was created for the purposes of operating, in addition to planning developing and delivering the transit connectivity. The legislation also clarifies that the Authority is a "rail transit district" for the purposes of exemption from applicable local building and zoning ordinances.

Update on Caltrans Approval Process for I-580

Since the Board last approved the Caltrans Co-op Agreement Amendment at the July Board meeting, the Authority and Caltrans completed addressing comments, and the Project Initiation Document (PID) is now on internal signature rounds with Caltrans. The PID contains the executable Co-op Agreement that will allow Valley Link and Caltrans to begin the Project Approval & Environmental Document (PA&ED) Phase, anticipated to begin January 2022.

Update on NEPA/PA&ED Phase of Valley Link and SJCOG

To prepare for beginning the PA&ED phase with Caltrans, Authority staff has worked with consultant staff to fully prepare to enter into the NEPA PA&ED phase. This includes additional concepts to be studied, but also includes the EIR alternative that was previously approved. It is anticipated this work will begin January 2022 and be completed January 2024. This coincides with SJCOG's release of the Notice of Preparation for the I-205 Managed Lanes Project PA&ED phase, that has begun and is in the early stages. To avoid any differences between environmental documents and preliminary design analyzed during the PA&ED phase, the Authority and SJCOG will coordinate between projects to ensure the maximum benefits can be achieved in the corridor for passenger rail service. Both projects heavily involve Caltrans as the owner operator of Interstates 205 and 580.

Special Project Team Set Up to Evaluate Zero Emission Technology for Valley Link

Staff has created a special projects team to thoroughly evaluate zero emissions options for Valley Link, including hydrogen technology. The Authority's Rail and Construction Project Manager, William O'Hair, is closely involved in the special projects team to ensure that facilities, platforms, and other rail design criteria are being looked at to ensure compatibility. Authority staff has been in discussions with Caltrans, ACE, Stadler, and Alstom to explore this upcoming technology with the intent to give



recommendations to the Board on equipment that will be available to operate the Valley Link rail passenger service. Both Stadler and Alstom are key equipment manufactures for zero emissions vehicles. At right is a picture of a recent meeting between Valley Link staff and Alstom's hydrogen train experts.

Hydrogen Shot Summit

Authority staff participated in the U.S. Department of Energy (DOE) Hydrogen Shot Summit convened virtually on August 31. The summit included key worldwide leaders and thousands of stakeholders to introduce the DOE's new Hydrogen Shot initiative – part of the overall DOE Earthshots Initiative aimed at accelerating breakthroughs of more abundant, affordable, and reliable clean energy solutions within the decade. The Hydrogen Shot seeks to reduce the cost of clean hydrogen by 80% to \$1 per 1 kilogram in 1 decade (1 1 1). It is possible that potential demonstration projects and/or funding may occur in the future through this key DOE initiative.

The Megaregion Dozen

The Megaregion Working Group, made up of board members and commissioners of the Metropolitan Transportation Commission (MTC), San Joaquin Council of Governments (SJCOG), and Sacramento Area Council of Governments (SACOG), voted unanimously at their September 24th meeting to approve "The Megaregion Dozen," a package of interregional projects that will benefit quality of life, transportation and commerce throughout the Northern California Megaregion. Projects in the package, comprised of four projects each from the member agencies, were selected for meeting key principals and strategies approved previously by the working group including inter-regional functionality, policy alignment, persuasive leverage and strategic investment. The list includes highway improvements, passenger rail expansions, a new truck scale facility, and electric truck charging infrastructure. The Valley Link project is notably on the list as one of these top priority inter-regional projects in both the Bay Area and San Joaquin County and will benefit from an action plan that was also approved. The plan includes a comprehensive strategy for collective advocacy at the state and federal level as well as efforts to strengthen and develop business partnerships to support project advancement and funding. This momentous action, the first ever megaregional scale transportation collaboration between the three regional planning agencies, took place under the leadership of San Joaquin County Supervisor Robert Rickman who has been Chair of the Megaregion Working Group throughout this past year.

MTC Plan Bay Area 2050

The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) have released the Final Plan Bay Area 2050 and Final Environmental Impact Report – a major milestone in the four-year long development process for the 30-year long range plan for the nine-county San Francisco Bay Area. The Valley Link Project is included in the Final Blueprint Framework of PBA 2050 under Strategy T11 – Expand and Modernize the Regional Rail Network and is identified as a project for implementation within the 2021 – 2035 timeframe. The Final PBA 2050 includes an Implementation Plan, which focuses on concrete actions that MTC and ABAG propose to advance in the next one to five years for each of the plan's 35 adopted strategies. In support of strategy T11, Authority identified a number of key areas of opportunity to collaboratively partner to advance high priority focus areas of the Plan. One of these key areas will be the MTC Transit Oriented Development (TOD) policy update that is proposed to provide enhanced guidance for land use at proposed rail transit stations. The review and approval of resolutions to formally adopt Plan Bay Area 2050 as the region's new long-range plan is scheduled for October 21, 2021 at a scheduled joint meeting of MTC and the ABAG Executive Board.

SJCOG Envision 2050

SJCOG is continuing to advance efforts to update its Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). This effort is referred to as Envision 2050 which will result in the 2022 RTP/SCS that has policies and strategies to meet future challenges of the San Joaquin region. Besides having policies and strategies, the 2022 RTP/SCS will also have a list of regional transportation projects that qualify to receive federal, state and local funds. Current plan efforts are focused on the development and refinement of key actions for a final preferred scenario and extensive stakeholder

outreach has occurred on this to-date. A key next step will be to present the preferred scenario and strategies to SJCOG policymakers for approval on October 28.

New Valley Link Offices

Staff moved into new offices for Valley Link in September, moving from a one room area at LAVTA with open desk space, to the nearby Livermore Airway Business Park at 2600 Kitty Hawk Road, Suite 103. The office suite offers five offices, a conference room, a kitchenette and open space.



Up Coming Procurements with Authority

Anticipated for award are several Requests for Proposals (RFPs) that will be advertised in October, including RFPs to award contracts to both State and Federal advocacy contracts, and an RFP to procure a financial advisor for the agency.

Human Resource Firm

The Authority currently has three employees. The point person for human resource issues is the Executive Director. The Authority has procured the services of RGS Services, a human resource firm specializing in public agencies for assistance with human resource issues. Additionally, for more complex human resource issues that may arise the Executive Director has human resources legal support with Hanson & Bridgett under contract.

AGENDA

ITEM 6





Tri-Valley San Joaquin Valley REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Resolution R15-2021 Declaring that Agency Meetings Will Continue To Be Held Via Teleconference

FROM: Michael Tree, Executive Director

DATE: October 13, 2021

Action Requested

Staff requests that the Board of Directors (Board) adopt a resolution declaring that agency meetings will continue to meet via teleconference to ensure the health and safety of the public.

Background/Discussion

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded his prior Executive Order N-29-20, effective October 1, 2021. At that point, agencies would have transitioned back to public meetings held in full compliance with the preexisting Brown Act teleconference rules. Since the Governor issued Executive Order N-08-21, the Delta variant has emerged, causing a spike in cases throughout the state. As a result, the Governor's proclaimed State of Emergency remains in effect, and state and local officials, including San Joaquin Public Health Services, the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

On September 16, 2021, Governor signed Assembly Bill (AB) 361 into law, effective October 1, 2021, to allow agencies to use teleconferencing for public meetings during proclaimed state of emergencies without requiring the teleconference locations to be accessible to the public or a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction. AB 361 will sunset on January 31, 2024.

Under AB 361, a local agency will be allowed to meet remotely without complying with prior Brown Act teleconference requirements when:

- The local agency holds a meeting during a state of emergency declared by the Governor, and either
 - State or local health officials have imposed or recommended measures to promote social distancing, or
 - The legislative body finds that meeting in person would present imminent risks to the health or safety of attendees.

As discussed above, state and local officials continue to recommend social distancing. Therefore, Valley Link can continue to conduct meetings via teleconference, as long as it adheres to the following emergency requirements under Government Code Section 54953(e)(2), added by AB 361:

1. The legislative body gives notice and posts agendas as otherwise required by the Brown Act, including directions for how the public can access the meeting.
2. The legislative body does not take formal action on any item whenever there is a disruption in the meeting broadcast.
3. The public is allowed to provide comment in real time.
4. The legislative body allows time during a public comment period for members of the public to register with any internet website required to submit public comment.

For upcoming teleconference meetings, the Board can continue to follow the AB 361 requirements by declaring every 30 days that it has reconsidered the circumstances of the state of emergency and either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (2) state or local officials continue to impose or recommend measures to promote social distancing. These findings can be made through the consent calendar.

Fiscal Impact

There is no fiscal impact associated with this action.

Recommended Action

Adopt the attached resolution declaring that meetings of the Tri-Valley-San Joaquin Valley Regional Rail Authority will continue to be held via teleconference in accordance with Assembly Bill 361 and the provisions of Government Code Section 54953(e).

Attachments

1. Resolution R15-2021

ATTACHMENT 1





RESOLUTION NO. R15-2021

* * *

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN
VALLEY REGIONAL RAIL AUTHORITY DECLARING THAT AGENCY MEETINGS WILL
CONTINUE TO BE HELD VIA TELECONFERENCE**

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19.; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow legislative bodies to conduct meetings electronically without a physical meeting place; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would remain in effect through September 30, 2021, at which point it would expire; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency where state or local officials have recommended measures to promote social distancing; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and state and local officials, including San Joaquin County Public Health Services, the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED that, in order to ensure the health and safety of the public, meetings of the Tri-Valley-San Joaquin Valley Regional Rail Authority will continue to be held via teleconference in accordance with Assembly Bill 361 and the provisions of Government Code Section 54953(e).

APPROVED AND PASSED, this 13th day of October, 2021.

Veronica Vargas, Chair

ATTEST:

Michael Tree, Executive Director

AGENDA

ITEM 7





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Resolution R16-2021 AECOM Contract Agreement Addendum #4
FROM: Kevin Sheridan, Deputy Executive Director
DATE: October 13, 2021

Action Requested

Approve Resolution authorizing Addendum #4 to the Professional Services Agreement with AECOM Technical Services, Inc.

Background/Discussion

The Authority initially entered into a Professional Services Agreement with AECOM on March 26, 2018 (the Agreement), and has since approved three subsequent Addenda leading to the completion of the Feasibility Report and CEQA Final Environmental Impact Report (EIR). The existing contract authorization for the Agreement is \$9,688,000.

As the Valley Link project begins the process to complete an environmental document under the National Environmental Policy Act (NEPA), additional alternative analysis is required, in addition to the approved Valley Link EIR preferred alternative. As Valley Link prepares to enter into the Caltrans NEPA Project Approval & Environmental Document (PA&ED) phase, feasibility design concepts have been examined in advance that have the potential significantly reduce travel times in the corridor and improve ridership. Addendum #4 concentrates on a concept alignment that significantly straightens the rail corridor over the Altamont that can be studied during the PA&ED phase. In addition, additional Air Quality Analysis was required in response to the San Joaquin Valley Air Pollution Control District. Addendum #4 includes a budget and task to complete that analysis.

Within the I-205/I-580 transportation corridor, the San Joaquin Council of Governments (SJCOG) is currently scoping alternatives for the I-205 Managed Lanes project, Caltrans is the CEQA/NEPA lead agency for this project. The I-205 managed lanes project will be required to analyze alternatives that reduce or mitigate Vehicle Miles Traveled (VMT). The I-205 Managed Lanes alternative analysis does not preclude a new rail corridor in the I-205/I-580 right of way, which potentially offers greater benefits for passenger rail service connecting the Mega Region pursuant to the State Rail Plan. The Altamont alignment straightening concept would connect with SJCOG's fixed guideway concept, which includes a new rail station at the I-205 Mountain House/International Parkway Interchange.

Addendum #4 also includes assistance to staff in the preparation of a grant application for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant for federal funds from the U.S. Department of Transportation.

Under Addendum #4, AECOM was given limited authorization and budget under the Executive Director's contract authority (\$50,000) to begin working on an Altamont alignment straightening concept, RAISE Grant Application, and additional Air Quality Analysis for the San Joaquin Valley Air Pollution Control District. The net sum of the these tasks included in contract Addendum No. 4 is \$99,142. To complete

these tasks under contract Addendum #4, staff is requesting the Board authorize an additional expenditure of \$49,192, bringing the total Addendum #4 contract amount to a sum not to exceed \$99,142, and the total authorized contract amount to \$9,787,142.

Fiscal Impact

The Regional Rail Authority budget includes funds for contract amendments with AECOM for Feasibility Concepts, Preliminary Engineering (30% Design) and additional Environmental Clearance.

Recommendation Action

Authorize an increase of \$49,192 in Addendum #4, to a total addenda amount not to exceed of \$99,142.

Attachments

1. Resolution R16-2021

ATTACHMENT 1





RESOLUTION NO. R16-2021

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING AN INCREASE IN ADDENDUM #4 OF \$49,192 TO THE PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR THE VALLEY LINK PROJECT

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq.*, to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, as required by AB 758, the Authority prepared and delivered an initial Project Feasibility Report to the Legislature on June 30, 2019 to explore the improvement of transit connectivity between the Tri-Valley and San Joaquin Valley; and

WHEREAS, pursuant to the final Project Feasibility Report, the Authority has been engaged in the design and environmental activities to advance the Valley Link Rail Project (Project) towards construction and eventual operation; and

WHEREAS, on March 26, 2018, the Authority entered into a Professional Services Agreement (Agreement) with AECOM Technical Services, Inc. (AECOM), for the preparation of a feasibility study, environmental documents and preliminary engineering services; and

WHEREAS, the Authority and AECOM have since entered into three addenda to the Agreement, bringing the total contract amount to \$ 9,688,000; and

WHEREAS, on June 24, 2020 secured \$46.8 million from the Metropolitan Transportation Commission (MTC) for the Project including the preparation of 30% design plans, a federal environmental document, and various operational and technical reports that will allow the Project to advance expeditiously to meet the overall project schedule; and

WHEREAS, the Authority's Executive Director authorized \$50,000 for AECOM Contract Addendum #4 to perform additional work, and requests the Board to approve an additional \$49,142 to complete that work, bringing the total compensation under Addendum #4 to an amount not to exceed \$99,142.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby authorizes the Executive Director to amend the Agreement, via Addendum #4 in the amount of \$49,192, with the total amount of Addendum #4 to a sum not to exceed \$99,192, bringing the total authorized contract amount to \$9,787,142.

APPROVED AND PASSED, this 13th day of October 2021.

Veronica Vargas, Chair

ATTEST:

Michael Tree, Executive Director

AGENDA

ITEM 8





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Funding Acquisition Strategies and Financing Planning

FROM: Michael Tree, Executive Director

DATE: October 13, 2021

Action Requested

This is an informational item and no action is requested.

Background

The Tri-Valley – San Joaquin Valley Regional Rail Authority (Authority) has retained the services of a General Engineering Consultant (GEC), a joint venture of WSP USA Inc. and PGH Wong Engineering Inc., to perform planning and design activities to advance the Valley Link Project. As part of the initial work program, the Authority authorized Work Directive 0002 that would include the development of funding strategies and the preparation of an initial financial assessment for the Project.

Discussion

In mid-May 2021, the GEC and the Authority began Work Directive 0002, which includes the development of two deliverables: 1) an Initial Financial Assessment Report and 2) a Funding Acquisition and Strategies Report.

The purpose of this Work Directive is to:

- Prepare the Project to enter Project Development (PD) Phase [30% design and NEPA]
- Update prior initial funding plans from the Feasibility Study (Oct 2019)
- Evaluate potential of new funding sources (using updated cost estimates)
- Prepare the Authority to pursue federal funds
- Identify paths and actions to meet the Project's funding needs

The findings of the two draft report deliverables were presented to the Executive Steering Committee (ESC) (via a slide deck) in September 2021. A similar set of slides will be presented under this agenda item.

Input from the ESC have been incorporated into the two draft reports, which are now going through an internal review by staff.

Fiscal Impact

As this is an informational item, there is no fiscal impact to the Authority.

ATTACHMENT 1





FUNDING ACQUISITION STRATEGIES AND FINANCIAL ASSESSMENT

AGENDA ITEM # 8

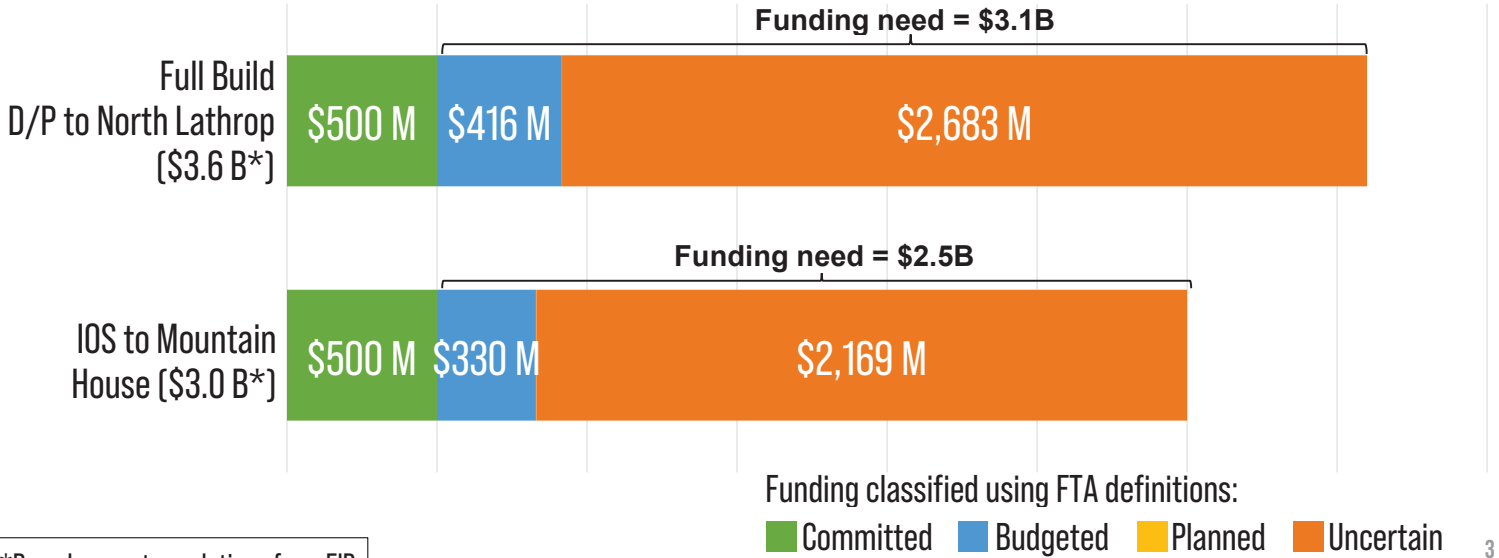
October 13, 2021



PURPOSE AND SCOPE

1. Prepare Project to enter Project Development (PD) Phase
2. Build off prior initial funding plans from Feasibility Study (Oct 2019)
3. Reset approach
 - a. Conduct financial assessment
 - b. Evaluate and identify potential new funding sources
 - c. Incorporate updated/escalated cost estimates
 - d. Determine initial partial estimate of FTA rating for Project
4. Identify strategies to improve FTA rating and meet funding needs

PROJECT FINANCIAL ASSESSMENT

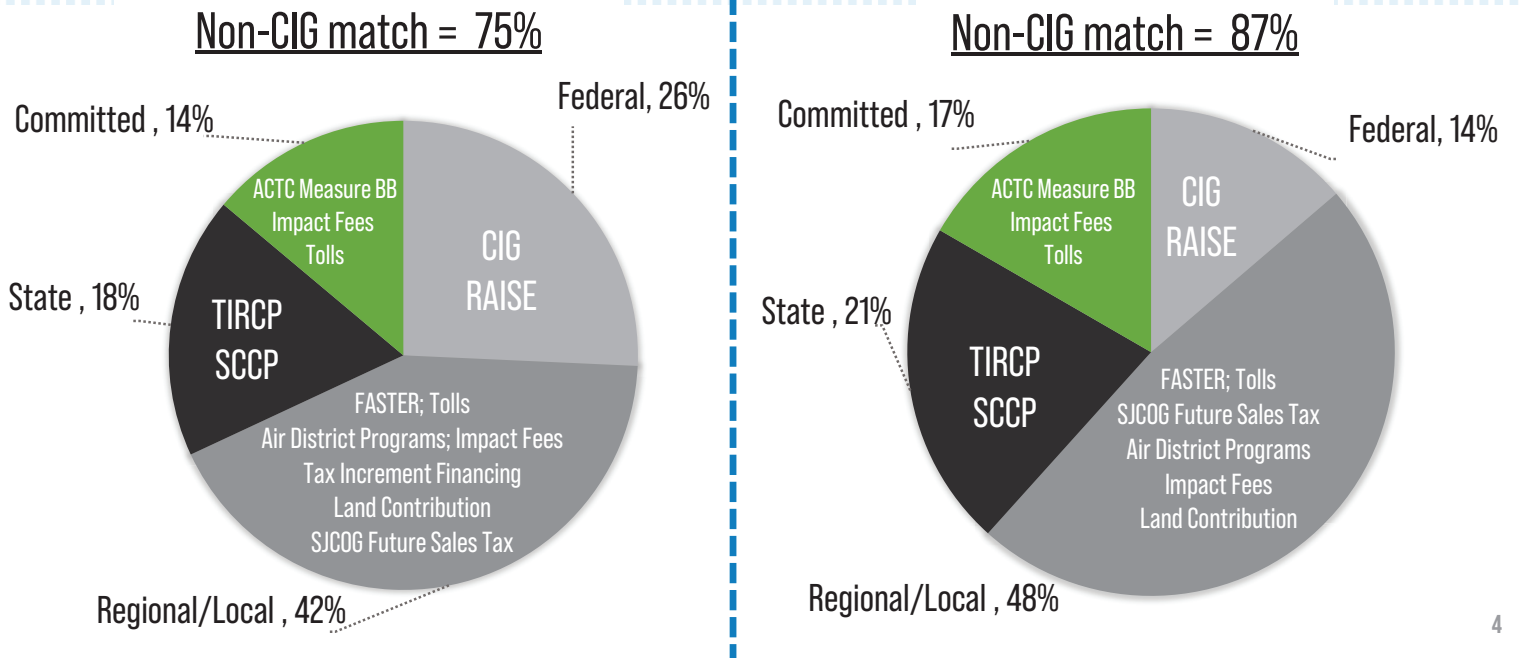


*Based on cost escalations from EIR

POTENTIAL FUNDING SOURCES

FULL BUILD (\$3.6 B)

IOS (\$3.0 B)



FEDERAL CIG EVALUATION CRITERIA

INDIVIDUAL CRITERIA RATINGS

- MOBILITY IMPROVEMENTS [1/6]
- ENVIRONMENTAL BENEFITS [1/6]
- CONGESTION RELIEF [1/6]
- COST-EFFECTIVENESS [1/6]
- ECONOMIC DEVELOPMENT [1/6]
- LAND USE [1/6]

- CURRENT CONDITION [1/4]
- COMMITMENT OF FUNDS [1/4]
- RELIABILITY/CAPACITY [1/2]

SUMMARY RATINGS

PROJECT JUSTIFICATION (50% OF OVERALL RATING)

Initial high-level FTA rating on Proj. Justification
Full Build = Medium
IOS = Medium-Low

LOCAL FINANCIAL COMMITMENT (50% OF OVERALL RATING)

OVERALL RATING

OVERALL PROJECT RATING

[LOW/MEDIUM/HIGH*]

* Note: Eligibility for CIG funds requires a rating of Medium or High

STRATEGIES AND NEXT STEPS

AUTHORITY

- Further refine project scope and schedule
- Identify benefits and costs
- Complete Environmental Analysis Documentation (NEPA)

FEDERAL

- Evaluate CIG eligibility and competitiveness
- Monitor new Federal funding programs
- Continue to pursue FTA TOD Pilot Program and related grants

STATE/REGIONAL/LOCAL

- Track, pursue major State funding programs
- Retain, gain advocates to place project in new funding measures
- Secure funding with local jurisdictions

