



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

**Board of Directors**

**Meeting Packet**

**October 11, 2023 at 2 p.m.**



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

**AGENDA FOR REGULAR BOARD MEETING**  
**Wednesday, October 11, 2023 at 2:00 p.m.**

Mountain House CSD Board Chambers  
251 East Main Street  
Mountain House, CA 95391

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**TELECONFERENCE LOCATIONS**

4501 Pleasanton Ave.  
Pleasanton, CA

3740 Newton Way  
Pleasanton, CA

1801 West Buena Vista  
Lake Buena Vista, FL

200 Old Bernal  
Pleasanton, CA

**MEETING PROCEDURE**

This Board of Directors meeting will be conducted in person.

Public comments will be accepted via email and in-person. Emailed public comments will be accepted until 5:00 p.m. on the day before the meeting at [comments@valleylinkrail.com](mailto:comments@valleylinkrail.com). Please include "Public Comment – October 11, 2023" and the agenda item to which your comment applies in the subject line. In the body of the email please include your name. A list of the public comments submitted by the deadline will be read during public comment and copies of correspondence will be posted on the Authority's website along with other meeting material.

In-person public comment speakers must submit a "Speaker/Comment Card" to the secretary prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment.

Public comments will be subject to the regular two-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.

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*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 working days before the meeting. Requests should be sent to: [comments@valleylinkrail.com](mailto:comments@valleylinkrail.com).*

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**Listen and view meeting online:**

- Live on Zoom from a PC, Mac, iPad, iPhone or Android device click the link below:  
<https://zoom.us/j/93548110883>  
Password: **ValleyLink**

*Please note there is no option to make Public Comment on by video conference. Please see instructions below on making public comments.*

**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 there is no option to make Public Comment on telephone access. Please see instructions below on making public comments.*

**Written comments:**

- Send public comments prior to the meeting by email, to [comments@valleylinkrail.com](mailto:comments@valleylinkrail.com)

If you are submitting public comment via email, please do so by 5:00 p.m. the day before the meeting to [comments@valleylinkrail.com](mailto:comments@valleylinkrail.com).

Please include "Public Comment – October 11, 2023" 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 received by the deadline will be read during public comment, and letters will be posted on the Authority's website along with other meeting material.

**In-Person Comments:**

Speakers must submit a "Speaker/Comment Card" to the secretary prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment. Speakers are limited to 2 minutes at the discretion of the board chair.

**TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY**

**AGENDA FOR REGULAR BOARD MEETING  
Wednesday, October 11, 2023 at 2:00 p.m.**

Mountain House CSD Board Chambers  
251 East Main Street  
Mountain House, CA 95391

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1. Call to Order and Pledge of Allegiance
2. Roll Call of Members and Confirmation of Quorum
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 June 14, 2023 Board of Directors Meeting
  - b. Treasurer’s Reports – March to May 2023
5. Approve State Transit and Intercity Rail Capital Program (TIRCP) Funding Resolution – **ACTION**
6. State Legislative and Funding Update – **ACTION**
7. Environmental Update – **INFORMATION**
8. Executive Director’s Report – **INFORMATION**
9. Directors’ Discussion – Comments, Questions and Agenda Requests
10. Upcoming Meeting Details – The next regular meeting is scheduled for December 13, 2023.
11. Adjourn

**AGENDA**

**ITEM 4 A**



Tri-Valley San Joaquin Valley Regional Rail Authority  
Minutes of Board meeting on June 14, 2023  
7600 Amador Valley Blvd., Dublin

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

The meeting of the board of directors was called to order by Chair Melissa Hernandez at 2:04 p.m., Director John Marchand led the Pledge of Allegiance.

- a. Oath of Office - Director Haubert, Supervisor for Alameda County, swore in new member of the board: Julie Testa, LAVTA

2. **Roll Call of Members**

**Members Present - In-Person**

Director Bernice King Tingle, Mountain House (*joined during item #5*)

Director John Marchand, City of Livermore

Director Karen Stepper, Town of Danville

Director Julie Testa, LAVTA

Director Leo Zuber (Ripon), ACE

**Members Present - Remote**

Chair Melissa Hernandez, City of Dublin (*left after item #8*)

Vice Chair Dan Wright, City of Stockton

Director Paul Akinjo, City of Lathrop

Director Valerie Arkin, City of Pleasanton

Director Mateo Bedolla, City of Tracy

Director David Haubert, Alameda County (*left after item #8*)

Director Jose Nuño, City of Manteca

Director Robert Rickman, San Joaquin County

**Members Absent**

Director David Hudson, San Ramon

3. **Public Comments**

There was no public comment.

4. **Consent Calendar – ACTION**

Motion to approve all items on Consent Calendar as follows:

- a. Minutes of April 12, 2023 Board of Directors Meeting
- b. Fiscal Year 2024 Budget
- c. Authorize signature endorsement on behalf of the agency with Bank of the West

**Motion:** Marchand/Zuber

**Aye:** Akinjo, Arkin, Bedolla, Haubert, Hernandez, Marchand, Nuño, Rickman, Stepper, Testa, Wright, Zuber

**Nay:** None

**Abstain:** None

**Absent:** King-Tingle, Hudson

**Motion Passed**

5. **Approve Resolution R09-2023 To authorize the Executive Director/CEO to negotiate and enter into a contract with Gray-Bowen-Scott for Program Management Support Services – ACTION**

Tri-Valley San Joaquin Valley Regional Rail Authority  
Minutes of Board meeting on June 14, 2023  
7600 Amador Valley Blvd., Dublin

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Executive Director/CEO Kevin Sheridan introduced this item. Sheridan reviewed the procurement procedure that was followed up to this point and shared details about the winning proposal and the firm that was selected.

**Motion:** Stepper/Marchand

**Aye:** Akinjo, Arkin, Bedolla, Haubert, Hernandez, King-Tingle, Marchand, Nuño, Rickman, Stepper, Testa, Wright, Zuber

**Nay:** None

**Abstain:** None

**Absent:** Hudson

**Motion Passed**

**6. Approve Amendment to Bylaws re Accountability Procedures – ACTION**

Executive Director/CEO Kevin Sheridan gave the floor to Attorney Michael Conneran. Conneran summarized the provided staff report regarding the adoption of a code of conduct for the agency and a change to the bylaws about same. He advised that the motion would require a majority vote. Directors discussed this item. There was no public comment.

**Motion:** Haubert/Wright

**Aye:** Arkin, Haubert, Hernandez, King-Tingle, Marchand, Stepper, Testa, Wright, Zuber

**Nay:** Akinjo, Bedolla, Nuño, Rickman

**Abstain:** None

**Absent:** Hudson

**Motion Failed**

**7. Approve Resolution R10-2023 Adopting a Code of Conduct – ACTION**

A motion was made to table this item by Director Bedolla and seconded by Director Haubert. Item tabled without objection.

**8. State Legislative Update – Information**

State Legislative Consultant Gus Khouri reported that Governor Newsom released revisions to the proposed Fiscal Year 2023-2024 budget. Khouri advised that there is additional funding for transit projects in the revised budget and he noted some legislature to keep an eye on that would be of interest to the Valley Link project.

Chair Hernandez and Director Haubert left the meeting at the end of this item. Vice Chair Wright chaired the meeting from this point.

**9. State Funding Update – Information**

Deputy Director Wil Ridder reported that the Authority was awarded \$25 million, from a \$690 million statewide investment to expand transit and passenger rail service across California. Valley Link also received \$5 million from California Department of Transportation (Caltrans) in State budget funds approved by the legislature in the State Budget Act. These will allow the project to further design work. Ridder thanked the Governor and other involved parties for their support in us getting these funds.

**Tri-Valley San Joaquin Valley Regional Rail Authority  
Minutes of Board meeting on June 14, 2023  
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**10. Federal Transit Administration Update – Information**

Ridder outlined the staff report and announced that the Authority was approved as a direct recipient grantee by the Federal Transit Administration (FTA). This has been an ongoing effort for the last two years and it will allow the agency to be identified as the sponsor of this project.

**11. Executive Director's Report - INFORMATION**

Sheridan echoed his appreciation of the funding awards and FTA grantee approval. He thanked the cities and agencies that have shown their support for the Valley Link project. He advised the board on the ongoing outreach staff has undertaken in keeping interested parties informed on the project's progress.

**12. Directors' Discussion**

Director Rickman reported that he and Director Zuber had met with Mega Regional Working Group, and they were very interested in the possibility of the hydrogen plant in Tracy. Rickman thanked Assemblymember Villapudua, who was integral in securing the \$25 million award of Transit and Intercity Rail Capital Program (TIRCP) funds. Directors discussed revisiting agenda items 6 and 7. Sheridan and Conneran advised that director concerns will be taken into consideration before presenting to the board at a future meeting.

**13. Upcoming Meeting Details**

The next regular meeting of the board will be held on August 9, 2023.

**14. Adjourn**

The meeting adjourned without objection at 3:16 p.m.



**AGENDA**

**ITEM 4 B**





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

## STAFF REPORT

SUBJECT: Treasurer's Reports  
FROM: Tamara Edwards, Chief Financial Officer  
DATE: October 11, 2023

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### **Action Requested**

Staff requests that the Tri-Valley – San Joaquin Valley Regional Rail Authority Board accept the Treasurer's Reports for March, April and May 2023.

### **Background/Discussion**

The Treasurer's Reports show all expenses and revenues for the months of March to May as well as the year-to-date totals.

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 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.

### **Attachments:**

1. March 2023 Treasurer's Report
2. April 2023 Treasurer's Report
3. May 2023 Treasurer's Report

## **ATTACHMENT 1**



**Tri-Valley San Joaquin Regional Rail Authority**  
**BALANCE SHEET**  
**FOR THE PERIOD ENDING:**  
**March 31, 2023**

**ASSETS:**

108 CASH-GENERAL CHECKING	912,672	
120 ACCOUNTS RECEIVABLE	202,073	
150 PREPAID EXPENSES	0	
111 NET PROPERTY COSTS	8,263	
<b>TOTAL ASSETS</b>		<b>1,123,008</b>

**LIABILITIES:**

205 ACCOUNTS PAYABLE	16,039	
20501 DUE TO LAVTA	2,929,055	
22110 PAYROLL CLEARING	0	
211 PRE-PAID REVENUE	45,152	
22000 FIT	(1,257)	
22010 SIT	(420)	
22020 FICA	(6,638)	
22030 SDI	0	
22090 Worker's Comp	20,147	
22100 457	15,389	
<b>TOTAL LIABILITIES</b>		<b>3,017,469</b>

**FUND BALANCE:**

301 FUND RESERVE	0	
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0	
30401 SALE OF BUSES & EQUIPMENT	0	
FUND BALANCE	(1,894,461)	
<b>TOTAL FUND BALANCE</b>		<b>-1,894,461</b>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>		<b>1,123,008</b>

**Tri-Valley San Joaquin Regional Rail Authority  
REVENUE REPORT  
FOR THE PERIOD ENDING:  
March 31, 2023**

<b>ACCOUNT</b>	<b>DESCRIPTION</b>	<b>BUDGET</b>	<b>CURRENT MONTH</b>	<b>YEAR TO DATE</b>	<b>BALANCE AVAILABLE</b>	<b>PERCENT BUDGET EXPENDED</b>
	MTC-Bridge Tolls	21,740,864	1,359,768	1,740,034	20,000,830	8.0%
	Alameda County/Strategic Development					
	<b>TOTAL REVENUE</b>	<b>21,740,864</b>	<b>1,359,768</b>	<b>1,740,034</b>	<b>20,000,830</b>	<b>8.0%</b>

Tri-Valley San Joaquin Regional Rail Authority  
EXPENDITURE REPORT  
March 31, 2023

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
<b>Direct Labor and Benefits</b>						
	Executive Director	252,000	23,625	235,912	16,088	93.62%
	Deputy Executive Director	212,800	19,968	197,846	14,954	92.97%
	Administrative Assistant	61,750	0	31,058	30,692	50.30%
	Finance Director	45,000	0	17,500	27,500	38.89%
	Manager of Policy, Planning, and Environmental	184,800	17,756	176,067	8,733	95.27%
	Rail Engineering, and Construction Project Manager	198,400	19,083	187,010	11,390	94.26%
	Employee Benefits	266,250	5,802	64,495	201,755	24.22%
	<b>TOTAL - Direct Labor</b>	<b>1,221,000</b>	<b>86,235</b>	<b>909,888</b>	<b>311,112</b>	<b>74.52%</b>
<b>Consultants/seconded staff</b>						
	General Engineering Consultants	15,000,000	519,603	2,246,176	12,753,824	14.97%
	AECOM	3,564,684	0	102,532	3,462,152	2.88%
	Hydrogen Proof of Concept	-	0	24,605	(24,605)	0.00%
	Temporary Clerical Help	-	889	889	(889)	0.00%
	Financial Advisory Services	150,000	0	0	150,000	0.00%
	Government Relations/Community Engagement	450,000	16,000	154,000	296,000	34.22%
	<b>TOTAL - Consultants</b>	<b>19,164,684</b>	<b>536,493</b>	<b>2,528,202</b>	<b>16,636,482</b>	<b>13.19%</b>
<b>Other Direct Costs</b>						
	Legal	430,000	0	97,301	332,699	22.63%
	Insurance	50,000	0	10,543	39,457	21.09%
	Audits	25,000	0	9,500	15,500	38.00%
	HR	-	137	473	(473)	0.00%
	Line of Credit	125,000	0	0	125,000	0.00%
	Travel/Mileage/Mis	25,000	849	1,887	23,113	7.55%
	Office space/furnishings	150,000	5,902	62,988	87,012	41.99%
	Professional Development	2,500	0	201	2,299	8.06%
	Memberships	2,500	0	1,400	1,100	56.00%
	Information Technology/Software	15,000	3,170	3,170	11,830	21.13%
	ACTC	250,000	0	0	250,000	0.00%
	SJRRC	100,000	0	0	100,000	0.00%
	BART	100,000	0	0	100,000	0.00%
	Caltrans Reimbursement	-	0	8,720	(8,720)	0.00%
	Union Pacific Reimbursement	80,000	0	0	80,000	0.00%
	<b>TOTAL OTHER DIRECT COSTS</b>	<b>1,355,000.00</b>	<b>10,058.27</b>	<b>196,183.76</b>	<b>1,158,816</b>	<b>14.48%</b>
	<b>TOTAL OPERATING EXPENDITURES</b>	<b>21,740,684</b>	<b>632,786</b>	<b>3,634,274</b>	<b>18,106,410</b>	<b>16.72%</b>
	<b>LAVTA Expense</b>		<b>0</b>	<b>0</b>		
	<b>FUND BALANCE (OPERATING)</b>		<b>726,982</b>	<b>(1,894,240)</b>		

**Tri-Valley San Joaquin Regional Rail Authority**  
**BALANCE SHEET**  
**FOR THE PERIOD ENDING:**  
**April 30, 2023**

**ASSETS:**

108 CASH-GENERAL CHECKING	932,897
120 ACCOUNTS RECEIVABLE	19,073
150 PREPAID EXPENSES	0
111 NET PROPERTY COSTS	8,263

**TOTAL ASSETS****960,233****LIABILITIES:**

205 ACCOUNTS PAYABLE	16,039
20501 DUE TO LAVTA	2,929,055
22110 PAYROLL CLEARING	0
211 PRE-PAID REVENUE	45,152
22000 FIT	(1,257)
22010 SIT	(420)
22020 FICA	(6,638)
22030 SDI	0
22090 Worker's Comp	21,017
22100 457	15,389

**TOTAL LIABILITIES****3,018,339****FUND BALANCE:**

301 FUND RESERVE	0
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0
30401 SALE OF BUSES & EQUIPMENT	0
FUND BALANCE	(2,058,105)

**TOTAL FUND BALANCE****-2,058,105****TOTAL LIABILITIES & FUND BALANCE****960,233**

**Tri-Valley San Joaquin Regional Rail Authority  
REVENUE REPORT  
FOR THE PERIOD ENDING:  
April 30, 2023**

<b>ACCOUNT</b>	<b>DESCRIPTION</b>	<b>BUDGET</b>	<b>CURRENT MONTH</b>	<b>YEAR TO DATE</b>	<b>BALANCE AVAILABLE</b>	<b>PERCENT BUDGET EXPENDED</b>
	MTC-Bridge Tolls	21,740,864	1,359,768	1,740,034	20,000,830	8.0%
	Alameda County/Strategic Development					
	<b>TOTAL REVENUE</b>	<b>21,740,864</b>	<b>1,359,768</b>	<b>1,740,034</b>	<b>20,000,830</b>	<b>8.0%</b>



Tri-Valley San Joaquin Regional Rail Authority  
EXPENDITURE REPORT  
April 30, 2023

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
<b>Direct Labor and Benefits</b>						
	Executive Director	252,000	23,625	259,537	(7,537)	102.99%
	Deputy Executive Director	212,800	19,968	217,814	(5,014)	102.36%
	Administrative Assistant	61,750	13,646	44,704	17,046	72.39%
	Finance Director	45,000	7,000	24,500	20,500	54.44%
	Manager of Policy, Planning, and Environmental	184,800	17,756	193,823	(9,023)	104.88%
	Rail Engineering, and Construction Project Manager	198,400	19,083	206,093	(7,693)	103.88%
	Employee Benefits	266,250	10,289	74,783	191,467	28.09%
	<b>TOTAL - Direct Labor</b>	<b>1,221,000</b>	<b>111,367</b>	<b>1,021,255</b>	<b>199,745</b>	<b>83.64%</b>
<b>Consultants/seconded staff</b>						
	General Engineering Consultants	15,000,000	0	2,246,176	12,753,824	14.97%
	AECOM	3,564,684	0	102,532	3,462,152	2.88%
	Hydrogen Proof of Concept	-	0	24,605	(24,605)	
	Temporary Clerical Help	-	4,180	5,070	(5,070)	
	Financial Advisory Services	150,000	0	0	150,000	0.00%
	Government Relations/Community Engagement	450,000	18,400	172,400	277,600	38.31%
	<b>TOTAL - Consultants</b>	<b>19,164,684</b>	<b>22,580</b>	<b>2,550,782</b>	<b>16,613,902</b>	<b>13.31%</b>
<b>Other Direct Costs</b>						
	Legal	430,000	21,827	119,128	310,872	27.70%
	Insurance	50,000	0	10,543	39,457	21.09%
	Audits	25,000	0	9,500	15,500	38.00%
	HR	-	233	706	(706)	
	Line of Credit	125,000	0	0	125,000	0.00%
	Travel/Mileage/Mis	25,000	843	2,731	22,269	10.92%
	Office space/furnishings	150,000	6,793	69,782	80,218	46.52%
	Professional Development	2,500	0	201	2,299	8.06%
	Memberships	2,500	0	1,400	1,100	56.00%
	Information Technology/Software	15,000	0	3,170	11,830	21.13%
	ACTC	250,000	0	0	250,000	0.00%
	SJRRC	100,000	0	0	100,000	0.00%
	BART	100,000	0	0	100,000	0.00%
	Caltrans Reimbursement	-	0	8,720	(8,720)	
	Union Pacific Reimbursement	80,000	0	0	80,000	0.00%
	<b>TOTAL OTHER DIRECT COSTS</b>	<b>1,355,000.00</b>	<b>29,697.13</b>	<b>225,880.89</b>	<b>1,129,119</b>	<b>16.67%</b>
	<b>TOTAL OPERATING EXPENDITURES</b>	<b>21,740,684</b>	<b>163,644</b>	<b>3,797,918</b>	<b>17,942,766</b>	<b>17.47%</b>
	<b>LAVTA Expense</b>		<b>0</b>	<b>0</b>		
	<b>FUND BALANCE (OPERATING)</b>		<b>1,196,123</b>	<b>(2,057,884)</b>		

**Tri-Valley San Joaquin Regional Rail Authority**  
**BALANCE SHEET**  
**FOR THE PERIOD ENDING:**  
**May 31, 2023**

**ASSETS:**

108 CASH-GENERAL CHECKING	1,449,297	
120 ACCOUNTS RECEIVABLE	19,073	
150 PREPAID EXPENSES	0	
111 NET PROPERTY COSTS	8,263	
<b>TOTAL ASSETS</b>		<b>1,476,633</b>

**LIABILITIES:**

205 ACCOUNTS PAYABLE	16,039	
20501 DUE TO LAVTA	2,929,055	
22110 PAYROLL CLEARING	0	
211 PRE-PAID REVENUE	45,152	
22000 FIT	(1,257)	
22010 SIT	(420)	
22020 FICA	(6,638)	
22030 SDI	0	
22090 Worker's Comp	21,896	
22100 457	404	
<b>TOTAL LIABILITIES</b>		<b>3,004,232</b>

**FUND BALANCE:**

301 FUND RESERVE	0	
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0	
30401 SALE OF BUSES & EQUIPMENT	0	
FUND BALANCE	(1,527,599)	
<b>TOTAL FUND BALANCE</b>		<b>-1,527,599</b>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>		<b>1,476,633</b>

**Tri-Valley San Joaquin Regional Rail Authority  
REVENUE REPORT  
FOR THE PERIOD ENDING:  
May 31, 2023**

<b>ACCOUNT</b>	<b>DESCRIPTION</b>	<b>BUDGET</b>	<b>CURRENT MONTH</b>	<b>YEAR TO DATE</b>	<b>BALANCE AVAILABLE</b>	<b>PERCENT BUDGET EXPENDED</b>
	MTC-Bridge Tolls	21,740,864	1,859,082	3,599,116	18,141,748	16.6%
	Alameda County/Strategic Development					
	<b>TOTAL REVENUE</b>	<b>21,740,864</b>	<b>1,859,082</b>	<b>3,599,116</b>	<b>18,141,748</b>	<b>16.6%</b>

Tri-Valley San Joaquin Regional Rail Authority  
EXPENDITURE REPORT  
May 31, 2023

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
<b>Direct Labor and Benefits</b>						
	Executive Director	252,000	23,625	283,162	(31,162)	112.37%
	Deputy Executive Director	212,800	19,968	237,782	(24,982)	111.74%
	Administrative Assistant	61,750	36,825	81,529	(19,779)	132.03%
	Finance Director	45,000	10,500	35,000	10,000	77.78%
	Manager of Policy, Planning, and Environmental	184,800	17,756	211,579	(26,779)	114.49%
	Rail Engineering, and Construction Project Manager	198,400	19,083	225,176	(26,776)	113.50%
	Employee Benefits	266,250	11,733	86,516	179,734	32.49%
	<b>TOTAL - Direct Labor</b>	<b>1,221,000</b>	<b>139,491</b>	<b>1,160,746</b>	<b>60,254</b>	<b>95.07%</b>
<b>Consultants/seconded staff</b>						
	General Engineering Consultants	15,000,000	796,670	3,042,846	11,957,154	20.29%
	AECOM	3,564,684	346,998	449,530	3,115,154	12.61%
	Hydrogen Proof of Concept	-	0	24,605	(24,605)	
	Temporary Clerical Help	-	0	5,070	(5,070)	
	Financial Advisory Services	150,000	0	0	150,000	0.00%
	Government Relations/Community Engagement	450,000	28,400	200,800	249,200	44.62%
			0			
	<b>TOTAL - Consultants</b>	<b>19,164,684</b>	<b>1,172,068</b>	<b>3,722,850</b>	<b>15,441,834</b>	<b>19.43%</b>
<b>Other Direct Costs</b>						
	Legal	430,000	7,791	126,919	303,081	29.52%
	Insurance	50,000	0	10,543	39,457	21.09%
	Audits	25,000	0	9,500	15,500	38.00%
	HR	-	0	706	(706)	
	Line of Credit	125,000	0	0	125,000	0.00%
	Travel/Mileage/Mis	25,000	121	2,852	22,148	11.41%
	Office space/furnishings	150,000	7,520	77,302	72,698	51.53%
	Professional Development	2,500	0	201	2,299	8.06%
	Memberships	2,500	0	1,400	1,100	56.00%
	Information Technology/Software	15,000	1,585	4,755	10,245	31.70%
	ACTC	250,000	0	0	250,000	0.00%
	SJRRC	100,000	0	0	100,000	0.00%
	BART	100,000	0	0	100,000	0.00%
	Caltrans Reimbursement	-	0	8,720	(8,720)	
	Union Pacific Reimbursement	80,000	0	0	80,000	0.00%
	<b>TOTAL OTHER DIRECT COSTS</b>	<b>1,355,000.00</b>	<b>17,017.31</b>	<b>242,898.20</b>	<b>1,112,102</b>	<b>17.93%</b>
	<b>TOTAL OPERATING EXPENDITURES</b>	<b>21,740,684</b>	<b>1,328,576</b>	<b>5,126,494</b>	<b>16,614,190</b>	<b>23.58%</b>
	<b>LAVTA Expense</b>		<b>0</b>	<b>0</b>		
	<b>FUND BALANCE (OPERATING)</b>		<b>530,506</b>	<b>(1,527,378)</b>		

**AGENDA**

**ITEM 5**





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

## STAFF REPORT

SUBJECT: State Transit and Intercity Rail Capital Program (TIRCP) Funding Resolution

FROM: Wil Ridder, Deputy Director

DATE: October 11, 2023

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### **Action Requested**

Staff requests that the Board of Directors (Board) approve Resolution R10-2023 to authorize the Executive Director/CEO, or designee, to execute a Master Agreement and Program Supplements for State-funded transit projects.

### **Background/Discussion**

On April 24, 2023, Governor Newsom announced the award of \$25 million to the Valley Link rail project as part of a \$690 million statewide investment to expand transit and passenger rail service across California. The \$25 million in funds from the Transit and Intercity Rail Capital Program (TIRCP) will advance Valley Link's design and equity focused community engagement during the current Project Development phase under the Federal Transit Administration's (FTA) Capital Investment Grants (CIG) Program. The \$25 million TIRCP award will specifically advance design work targeted to major-risk areas of the project where we would seek to increase design from 30% (typical in Project Development) to 60% during the Project Development period. This advanced design work will ensure that we are most accurately estimating the total cost of the project prior to requesting construction funding from both FTA and the State and is both allowable and encouraged by FTA under the CIG Program.

The attached Resolution R10-2023 will provide delegated authority to the Executive Director/CEO to execute a Master Agreement and Program Supplements with the California Department of Transportation (Caltrans) required to receive reimbursement of the \$25 million in TIRCP funds for expenditures incurred on activities funded by the current TIRCP award as well as any additional TIRCP funds secured in the future. Action on the resolution will allow staff to work with Caltrans to establish both the Master Agreement and Program Supplement close to the targeted allocation of the \$25 million in TIRCP funds at the December 2023 California Transportation Commission (CTC) meeting. This will ensure that the Board can act at their December meeting on planned consultant contracts to be funded under the TIRCP allocation and that subsequent contract expenditures are able to be reimbursed by Caltrans as they are incurred.

**Fiscal Impact**

The approval of the staff recommendation will allow the Authority to seek an allocation of the \$25 million in TIRCP funds by the California Transportation Commission (CTC) and subsequently be reimbursed for work incurred by staff or consultants on activities funded by the TIRCP award. Following CTC allocation of the \$25 million in TIRCP funds, staff will bring back to the Board budget amendments to reflect these revenues and uses.

**Recommendation**

Approve Resolution R10-2023 to authorize the Executive Director/CEO, or designee, to execute a Master Agreement and Program Supplements for State-funded transit projects.

## **ATTACHMENT 1**







**RESOLUTION NO. R10-2023**

\* \* \*

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN  
JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTIVE  
DIRECTOR TO EXECUTE A MASTER AGREEMENT AND PROGRAM  
SUPPLEMENTS FOR STATE-FUNDED TRANSIT PROJECTS WITH THE  
CALIFORNIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Tri-Valley - San Joaquin Valley Regional Rail Authority (Authority) may receive state funding from the California Department of Transportation (Department) now or sometime in the future for transit projects; and

**WHEREAS**, substantial revisions were made to the programming and funding process for the transportation projects programmed in the Transit and Intercity Rail Capital Program, by Chapter 36 (SB 862) of the Statutes of 2014; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to execute an agreement with the Department before it can be reimbursed for project expenditures; and

**WHEREAS**, the Department utilizes Master Agreements for State-Funded Transit Projects, along with associated Program Supplements, for the purpose of administering and reimbursing state transit funds to local agencies; and

**WHEREAS**, the Authority wishes to delegate authorization to execute these agreements and any amendments thereto to the Executive Director/CEO.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Authority that the fund recipient agrees to comply with all conditions and requirements set forth in this agreement and applicable statutes, regulations and guidelines for all state-funded transit projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Executive Director/CEO be authorized to execute the Master Agreement, all Award Agreements, and all Program Supplements for State-Funded Transit Projects and any Amendments thereto with the California Department of Transportation.

**APPROVED AND PASSED**, this 11th day of October 2023.

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Melissa Hernandez, Chair

**ATTEST:**

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Kevin Sheridan, Executive Director/CEO

**AGENDA**

**ITEM 6**





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

## STAFF REPORT

SUBJECT: State Legislative and Funding Update  
FROM: Wil Ridder, Deputy Director and Gus Khouri, Consultant  
DATE: October 11, 2023

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### **Action Requested**

Authorize the Executive Director/CEO to submit a request for \$35 million in Senate Bill 125 transit funding from the San Joaquin Council of Governments (SJCOG) including \$5 million for the federal environmental clearance of the Valley Link Rail Project between the Mountain House and North Lathrop stations in San Joaquin County and \$30 million for the Valley Link hydrogen production facility at the Tracy Operations and Maintenance Facility.

### **New State Transit Funding**

On July 10, Governor Newsom signed SB 125 (Skinner), Chapter 54, Statutes of 2023, to provide public transportation with \$5.1 billion in flexible funding for either capital or operations purposes. Of that amount, \$4 billion will be distributed over FY 2023-24 and FY 2025-26 (\$2 billion each fiscal year) through the Transit Capital and Intercity Rail Program (TIRCP) to Regional Transportation Planning Agencies (RTPAs) using the State Transit Assistance formula to supplement transit capital and operations funding needs. The remaining \$1.1 billion will continue previously appropriated funding for zero-emission vehicle infrastructure through the newly created Zero-Emission Transit Capital Program (ZETCP). This funding source can also be used to fund operations.

The Metropolitan Transportation Commission (MTC) is receiving a total of \$1.17 billion in SB 125 funds from TIRCP (\$771,108,895) and ZETCP (\$401,579,196). All but \$45 million of MTC's share of TIRCP funds is being recommended by MTC staff to fund cost increases on other Bay Area transit capital project priorities, including the BART Core Capacity Project and the Santa Clara VTA BART Phase 2 Project. MTC staff are subsequently prioritizing the use of the \$45 million balance in TIRCP and the \$401 million in ZETCP to undefined transit operation needs. These funds, however, present additional capacity to make Valley Link whole on its endorsement by MTC for \$40 million in Cycle 6 TIRCP competitive program where the California State Transportation Agency (CalSTA) awarded Valley Link \$25 million in TIRCP, leaving a balance of \$15 million to complete advanced design work targeted to major-risk areas of the Valley Link Rail Project during the current two-year Project Development period under the Federal Transit Administration's (FTA) Capital Investment Grants (CIG) Program. MTC Commissioners Nate Miley (Alameda County District 4 Supervisor) and Carol Dutra-Vernaci (Mayor of Union City) have submitted a request to MTC staff to commit \$15 million of MTC's \$1.17 billion of SB 125 funds to complete the original \$40 million TIRCP endorsement.

Funding Valley Link was also included in the 2023 legislative platform for the San Joaquin Valley Regional Policy Council, which consists of all eight RTPAs in the San Joaquin Valley. As a result, totals for all eight San Joaquin Valley RTPAs are identified below. As the San Joaquin Council of Governments (SJCOG) is beginning to consider the prioritization of SB 125 funds for projects, staff is requesting authorization for the Executive Director/CEO to submit a request to SJCOG for \$35 million in SB 125 funding, including \$5 million for the federal environmental clearance of the Valley Link Rail Project between the Mountain House and North Lathrop stations in San Joaquin County and \$30 million for the Valley Link hydrogen production facility at the Tracy Operations and Maintenance Facility.

Regional Transportation Planning Agency	TIRCP	ZEV	TOTAL
<b>Metropolitan Transportation Commission</b>	<b>\$771,108,885</b>	<b>\$401,579,196</b>	<b>\$1,172,688,081</b>
<b>San Joaquin Council of Governments</b>	<b>\$79,971,293</b>	<b>\$13,499,979</b>	<b>\$93,471,272</b>
Fresno Council of Governments	\$102,941,262	\$16,765,794	\$119,707,058
Kern Council of Governments	\$92,673,464	\$13,551,393	\$106,224,857
Kings Council of Governments	\$15,984,799	\$2,219,250	\$18,204,049
Madera County Transportation Commission	\$16,528,546	\$2,282,701	\$18,811,247
Merced County Association of Governments	\$29,375,128	\$4,182,464	\$33,557,592
Stanislaus Council of Governments	\$56,206,199	\$8,150,326	\$64,356,525
Tulare County Association of Governments	\$48,671,620	\$7,372,832	\$56,044,452
<b>San Joaquin Valley RTPAs Total</b>	<b>\$442,352,311</b>	<b>\$68,024,739</b>	<b>\$510,377,050</b>

CalSTA has adopted guidelines for the administration of funding for the entirety of the \$5.1 billion, with more of a focus on cataloging expenditures for public accountability of their use. The SB 125 guidelines, consistent with those for TIRCP Cycle 6, support the use of SB 125 funds on existing and new projects as well as those in development. Initial allocation packages from RTPAs for the use of SB 125 funds on projects are due to CalSTA December 31, 2023.

### Bills of Interest

The 2022-23 legislative year concluded on September 14, 2023. Governor Newsom will have until October 14, 2023 to sign or veto legislation pending on his desk. Legislators will return on January 3, 2024 to commence the net year of session.

- **SB 746 (Eggman)**, sponsored by Valley Link, allows Valley Link to enter service contracts to generate, sell, and use electrolytic hydrogen. **Status:** Governor's desk
- **AB 557 (Hart)** would remove the sunset date of January 1, 2024, on the Brown Act exemptions for boards to meet virtually during a state of the emergency declaration provided under AB 361 (Rivas), Chapter 165, Statutes of 2021. **Status:** Governor's desk
- **SB 537 (Becker)** would allow multijurisdictional bodies to meet virtually. Multijurisdictional means a legislative body that includes representatives from more than one county, city, city and county, special district, or a joint powers entity. This would allow the Valley Link board to meet virtually without a state of emergency declaration. **Status:** Assembly Floor. Two-year bill.
- **SB 617 (Becker)**, until January 1, 2029, would authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional

agency to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. Progressive design-build procurement is a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. **Status:** Governor's desk

- **ACA 1 (Aguiar-Curry)** would authorize a local government, including a special district, to impose, extend, or increase a sales and use tax or transactions and use tax imposed, or a parcel tax, to fund the construction, rehabilitation, or replacement of public infrastructure, defined to include improvements to transit and streets and highways and projects for the protection of property from the impacts of sea level rise, as well as for affordable housing if the proposition proposing that tax is approved by 55% of its voters. **Status:** Will be placed on the November 2024 ballot.
- **ACA 13 (Ward)** requires an initiative constitutional amendment to comply with any increased voter approval threshold it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters. This measure is a response to the California Business Roundtable's (CBR) initiative to make all tax thresholds to be set at a 2/3 vote margin. The CBR must notify the Secretary of State by June 27, 2024, if it plans to pull its initiative. Otherwise, it has qualified for the November 2024 ballot. **Status:** ACA 13 may be on the November ballot pending CBR action.

### **New Senate President pro Tempore**

On August 28, it was announced that Senator Mike McGuire (D-North Coast) will become the 52nd California State Senate President pro Tempore New Senate President pro Tempore. He will succeed Toni Atkins (D-San Diego), who is termed out in 2024 and will be running for Governor in 2026 when Governor Newsom is also termed out. Atkins will join a field expected to include Lieutenant Governor Eleni Kounalakis and Attorney General Rob Bonta. McGuire, who will be termed out in 2026, has been a strong advocate on transportation issues, including his work on SB 1, the \$5 billion annual transportation package that provides a broad array of investments into passenger rail, highways, and local streets and roads.

### **Fiscal Impact**

The approval of the staff recommendation will allow the Authority to seek a total of \$35 million in SB 125 funding for the federal environmental clearance of the Valley Link Rail Project between the Mountain House and North Lathrop stations and the Valley Link hydrogen production facility. Staff will bring back to the Board budget amendments to reflect these revenues and uses as these funds are secured and formally allocated to the Authority by the California Transportation Commission (CTC).

### **Recommendation**

Authorize the Executive Director/CEO to submit a request for \$35 million in SB 125 transit funding from SJCOG including \$5 million for the federal environmental clearance of the Valley Link Rail Project between the Mountain House and North Lathrop stations in San Joaquin County and \$30 million for the Valley Link hydrogen production facility at the Tracy Operations and Maintenance Facility.

**AGENDA**

**ITEM 7**





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

## STAFF REPORT

SUBJECT: Environmental Update

FROM: Marianne Payne, Director of Policy, Planning and Environmental

DATE: October 11, 2023

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### **Action Requested**

This is an informational item to provide an update on the environmental review that is currently underway for the Valley Link Rail Project in compliance with the National Environmental Policy Act (NEPA) and California Environment Quality Act (CEQA). An oral presentation will be provided at the October Board meeting. No action is requested.

### **Background/Discussion**

Consistent with the requirements of NEPA, the Authority is continuing to advance the environmental review of the Valley Link Rail Project with the Federal Transit Administration (FTA) as the NEPA Lead Agency. To meet NEPA requirements, on April 12, 2023, the Board approved the designation of a Locally Preferred Alternative (LPA) to serve as the focus of the environmental evaluation. Since that action, staff and consultants have worked in earnest towards the completion of all aspects of environmental review and have worked with FTA staff to provide all necessary components needed to support an FTA Class of Action (COA) determination for the project. A decision was received from FTA on September 19, 2023 with a determination that an Environmental Assessment (EA) is the appropriate NEPA COA for the project. Although the review took longer than anticipated, FTA has communicated with Valley Link staff that it will make all attempts to expeditiously work towards completing the EA over the next 12 months. FTA is also coordinating reviews with Caltrans (NEPA Cooperating Agency) as there are areas within the project limits that involve the State Highway System's Right of Way.

A Subsequent Environmental Impact Report (SEIR) is also being prepared to update the 2021 CEQA EIR. Caltrans is a CEQA Responsible Agency and is reviewing all technical reports to support the SEIR. After receiving public input and comments from the project scoping meeting completed in December 2022, Authority staff and consultants have conducted extensive field studies, completed technical analysis in all required disciplines and have held monthly Project Development Team (PDT) meetings with Caltrans, as well as meetings with local jurisdictions, property owners, and key stakeholders. Additionally, plans to advance Equity Community Outreach are currently underway with a Request for Proposals from consultants is expected to be released later this month following an Industry Outreach event to solicit input on the scope of services for this procurement. The Equity Community Outreach will ensure that further project environmental review and design meets key project goals to encourage community engagement in project planning and decision-making with a meaningful level of participation from disadvantage and low-income communities and households and maximize their project benefits.



At the upcoming October 11, 2023 Board meeting, staff will provide an update on significant progress that has been achieved to-date on environmental review and highlight future activities that are planned including the advancement of the Equity Community Outreach.

**Fiscal Impact**

There is no fiscal impact.

**Recommendation**

This is an information item only. No action is requested.

**AGENDA**

**ITEM 8**





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

**STAFF REPORT**

SUBJECT: Executive Director's Report  
FROM: Kevin Sheridan, Executive Director/CEO  
DATE: October 11, 2023

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**Action Requested**

This is an information item. No action is requested.

**Background/Discussion**

An oral report will be provided at the board meeting.