

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

Board of Directors Meeting Packet September 18, 2024 at 10:30 a.m. Tracy City Hall, Council Chambers

333 Civic Center Plaza, Tracy, CA. 95376



AGENDA

Wednesday, September 18, 2024

10:30 a.m. REGULAR BOARD MEETING Tracy City Hall, Council Chambers 333 Civic Center Plaza, Tracy, CA. 95376

12:00 p.m. ADVANCING HYDROGEN ELECTRIFICATION
AND DEPLOYMENT (AHEAD) LUNCHEON
Tracy Community Center
950 East St, Tracy, CA 95376

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. Please include "Public Comment", the meeting date 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.

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.

TRI-VALLEY - SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

AGENDA FOR REGULAR BOARD MEETING Wednesday, September 18, 2024 at 10:30 a.m.

Listen and view meeting and luncheon 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 and luncheon:

• 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

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.

Please include "Public Comment – September 18, 2024" 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, September 18, 2024 at 10:30 a.m.

- 1. Call to Order and Pledge of Allegiance
 - Oaths of Office
- 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.

Consent Agenda – ACTION

Recommend approval of all items on Consent Agenda as follows:

- a. Minutes of June 12, 2024 Board of Directors Meeting
- b. Treasurer's Report for March to May 2024
- c. Reschedule remaining 2024 Board of Directors Meetings
- 5. Approve Resolution R07-2024 Authorizing the Executive Director/CEO to Execute and Submit an Allocation Request to the Metropolitan Transportation Commission for Bridge Toll Funding to Support Ongoing Project Development Activities **ACTION**
- 6. Right of Way Update **INFORMATION**
- 7. Executive Director's Report **INFORMATION**
- 8. Directors' Discussion Comments, Questions and Agenda Requests
- 9. Upcoming Meeting Details
- 10. Adjourn to Luncheon
 - 12:00 p.m. Advancing Hydrogen Electrification and Deployment (AHEAD) LUNCHEON Tracy Community Center
 950 East St, Tracy, CA 95376

AGENDA ITEM 4 A

Tri-Valley San Joaquin Valley Regional Rail Authority Minutes of Board meeting on June 12, 2024

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

1. Call to Order and Pledge of Allegiance

The meeting of the Board of Directors was called to order by Chair Melissa Hernandez at 2:02 p.m. Hernandez led the Pledge of Allegiance.

2. Roll Call of Members and Confirmation of Quorum

Members Present - In-Person

Chair Melissa Hernandez, City of Dublin Vice Chair Dan Wright, City of Stockton Director Paul Akinjo, City of Lathrop Director David Hudson, San Ramon Director Bernice King-Tingle, Mountain House

Director Leo Zuber, ACE

Members Present - Remote

Director Mateo Bedolla, City of Tracy Director Jeff Nibert, City of Pleasanton Director Karen Stepper, Town of Danville Director Julie Testa, LAVTA

Director Robert Rickman, San Joaquin

Members Absent

Director David Haubert, Alameda County Director John Marchand, City of Livermore Excused Director Jose Nuño, City of Manteca

3. Public Comments

Public comment was heard from Roland Lebrun.

4. Consent Agenda – ACTION

Motion to approve all items on Consent Calendar as follows:

- a. Minutes of April 10, 2024 Board of Directors Meeting
- b. Treasurer's Reports for February 2024
- c. Resolution R04-2024 Fiscal Year 2025 Budget
- d. Resolution R05-2024 to Extend Terms of Employee Agreements
- e. Submission of Transit Intercity Rail Capital Program (TIRCP) Funding Request

Directors discussed this item, requesting amendment to 4.c. the expenditure approved at the April board meeting for the Real Estate Consultant Project Manager contract which had not been included. There was no public comment. The motion was restated as follows:

Motion to approve all items on consent as revised.

Motion: Stepper/2nd Rickman

Aye: Akinjo, Bedolla, Hernandez, Hudson, King-Tingle, Nibert, Rickman, Stepper, Testa, Zuber,

Wright. **Nav:** None

Abstain: None

Tri-Valley San Joaquin Valley Regional Rail Authority Minutes of Board meeting on June 12, 2024

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

Absent: Haubert, Marchand, Nuño

Motion Passed

5. Approve Resolution R06-2024 Authorizing the Executive Director/CEO to Negotiate a Contract for Alternative Delivery Support Services – ACTION

Deputy Director, Wil Ridder requested that the Board authorize the Executive Director/CEO to negotiate and enter a Professional Services with AECOM for Alternative Delivery Support Services (ADSS), in a form approved by legal counsel, for a not-to-exceed amount of 600,000 for a three-year base term with up to two additional one-year term options, for on-call services.

Directors discussed this item. Public comment was heard from Roland LeBrun.

Motion: Zuber/ 2nd Hudson

Aye: Akinjo, Bedolla, Hernandez, Hudson, King-Tingle, Nibert, Rickman, Stepper, Testa, Zuber,

Wright
Nay: None
Abstain: None

Absent: Haubert, Marchand, Nuño

Motion Passed

6. Equity Community Engagement Update – INFORMATION

Director of Policy, Planning and Environment; Marianne Payne gave an update on the status of the Authority's equity and community engagement efforts. She reminded everyone of the three components of the engagement efforts: 1. design of the framework to determine where and who our potential riders are; 2. to design a community engagement plan specifically geared towards these riders; and 3. to implement new and innovative methods of outreach. She noted that staff have been out in the community. The most recent events included Tracy's Earth Day showcase and the Los Positas College's Climate Fair. Both events were opportunities to highlight the Valley Link project's sustainability efforts and hear from commuters and the community at large.

Payne discussed some of the other ongoing work like the Travel Shed Analysis, that will provide information on the origins and destinations of commuters in the travel shed area. The Authority has also created and distributed a survey to gain more data on travel throughout the Altamont corridor. The survey has been distributed to all the jurisdictions within the project area via the Authority's website, social media, community sites and through community-based organizations. Authority staff is very happy with the response on the survey to-date.

Directors discussed this item. There was no public comment.

7. Environmental Update – INFORMATION

Environmental consultant Diane Cowin gave a detailed presentation outlining some historical milestones and the status of the environmental process. The project has completed the Draft Subsequent Environmental Impact Report (SEIR) and staff is looking forward to the potential certification of the Final SEIR in the Fall.

Tri-Valley San Joaquin Valley Regional Rail Authority Minutes of Board meeting on June 12, 2024

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

Directors discussed this item. Public comment was heard from Roland LeBrun, John Tocchini, Wendy Tocchini, Tatiana Brif, Janice Karle, and Linda Garcia. Cowin and Executive Director/CEO Sheridan addressed some of the comments. Cowin advised that all of the comments received from residents via the Draft SEIR comments would be addressed specifically in the Final SEIR.

8. State Legislative Update – INFORMATION

State Legislative Consultant Gus Khouri gave a comprehensive update of ongoing legislative activity relevant to the Valley Link project. He discussed the overall State Budget and outlined a number of bills that the Authority is following – SB 1068 (Eggman), SB 1031 (Weiner and Wahab) and SB 904 (Dodd). Directors discussed this item. Public comment heard from Roland Lebrun.

9. Executive Director's Report – INFORMATION

Executive Director/CEO Kevin Sheridan thanked the public for their comments. He reiterated the need to support SB 1031 to get the bill passed and how important it is to ensure there is a fair process for the distribution of funds. Sheridan advised that there will be some changes to the Board of Directors at the next board meeting. Directors discussed this item. There was no public comment.

- 10. **Directors' Discussion Comments, Questions, and Agenda Request**There was no discussion or public comment.
- 11. **Upcoming Meeting Details:** The next regular meeting is scheduled for August 14, 2024, at Livermore Public Library Community Room, 1188 S. Livermore Avenue, Livermore, CA 94550

12. Adiourn

The meeting adjourned without any objections at 3:40 p.m.

AGENDA ITEM 4 B

STAFF REPORT

SUBJECT: Treasurer's Report

FROM: Tamara Edwards, Chief Financial Officer

DATE: September 18, 2024

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 2024.

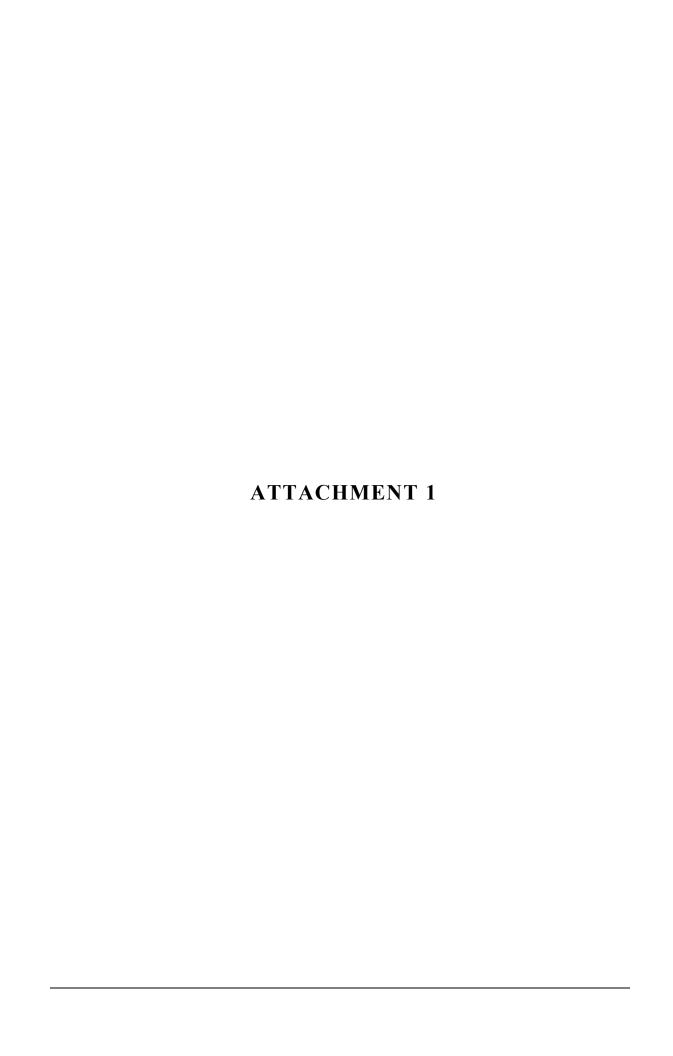
Background/Discussion

The Treasurer's Report shows all expenses and revenues for the month(s) stated above, 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 2024 Treasurer's Report
- 2. April 2024 Treasurer's Report
- 3. May 2024 Treasurer's Report



Tri-Valley San Joaquin Regional Rail Authority BALANCE SHEET FOR THE PERIOD ENDING: March 31, 2024

ASSETS:

106 MONEY MARKET ACCOUNT	515,327
107 CD	3,000,000
108 CASH-GENERAL CHECKING	123,017
120 ACCOUNTS RECEIVABLE	(282)
150 PREPAID EXPENSES	0
111 NET PROPERTY COSTS	8,263

TOTAL ASSETS 3,646,325

LIABILITIES:

205 ACCOUNTS PAYABLE	176,654
20501 DUE TO LAVTA	2,929,055
22110 PAYROLL CLEARING	0
211 PRE-PAID REVENUE	4,988,858
22000 FIT	(1,257)
22010 SIT	(866)
22020 FICA	(6,638)
22030 SDI	0
22090 Worker's Comp	19,542
22100 457	404

TOTAL LIABILITIES 8,105,754

FUND BALANCE:

301 FUND RESERVE	0
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0
30401 SALE OF BUSES & EQUIPMENT	0
FUND BALANCE	(4,459,428)

TOTAL FUND BALANCE -4,459,428

TOTAL LIABILITIES & FUND BALANCE 3,646,325

Tri-Valley San Joaquin Regional Rail Authority REVENUE REPORT FOR THE PERIOD ENDING: March 31, 2024

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	MTC-Bridge Tolls	22,401,750	0	1,543,889	20,857,861	6.9%
	State Budget Act of 2022	5,000,000	0	0	5,000,000	0.0%
	Interest	-	0	67,321	(67,321)	
	Alameda County/Strategic Development	0	0	0		
	TOTAL REVENUE	27,401,750	0	1,611,209	25,790,541	5.9%

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and	Benefits					
	Executive Director	255,000	26,640	253,813	1,187	99.53%
	Deputy Executive Director	250,000	20,771	197,092	52,908	78.84%
	Administrative Assistant	90,000	9,795	98,699	(8,699)	109.67%
	Finance Director	42,609	14,000	24,500	18,109	57.50%
	Manager of Policy, Planning, and Environmental	235,000	18,553	175,160	59,840	74.54%
	Rail Engineering, and Construction Project Manager	240,000	19,946	188,381	51,619	78.49%
	Employee Benefits	185,641	4,561	41,350	144,291	22.27%
	TOTAL - Direct Labor	1,298,250	114,264	978,994	319,256	75.41%
Consultants/secon	nded staff					
	General Engineering Consultants	20,000,000	536,547	3,525,784	16,474,216	17.63%
	AECOM	3,500,000	307,787	788,268	2,711,732	22.52%
	Program Management Support Services	1,000,000	97,735	431,191	568,809	43.12%
	Hydrogen Proof of Concept	-	0	0	0	#DIV/0!
	Temporary Clerical Help	50,000	3,217	19,013	30,988	38.03%
	Financial Advisory Services	150,000	0	0	150,000	0.00%
	Government Relations/Community Engagement	450,000	18,400	157,200	292,800	34.93%
	TOTAL - Consultants	25,150,000	963,686	4,921,455	20,228,545	19.57%
Other Direct Cost	ts					
	Legal	270,000	0	34,120	235,881	12.64%
	Insurance	50,000	0	12,299	37,701	24.60%
	Audits	25,000	0	8,315	16,685	33.26%
	HR	-	0	293	(293)	#DIV/0!
	Line of Credit	125,000	0	0	125,000	0.00%
	Bank Fees	-	0	214	(214)	
	Travel/Mileage/Mis	15,000	6,339	13,985	1,015	93.23%
	Office space/furnishings	137,500	10,811	53,877	83,623	39.18%
	Professional Development	2,500	0	7.500	2,500	0.00%
	Memberships Information Technology/Software	8,500	1 595	7,500	1,000 5,735	88.24%
	Information Technology/Software ACTC	20,000 100,000	1,585 0	14,265 0	5,735 100,000	71.33% 0.00%
	SJRRC	50,000	0	0	50,000	0.00%
	BART	100,000	0	25,100	74,900	25.10%
	Caltrans Reimbursement	-	0	0	0	#DIV/0!
	Union Pacific Reimbursement	50,000	0	0	50,000	0.00%
	TOTAL OTHER DIRECT COSTS	953,500.00	18,734.99	169,967.85	783,532	17.83%
	TOTAL OPERATING EXPENDITURES	27,401,750	1,096,685	6,070,417	21,331,333	22.15%
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)		(1,096,685)	(4,459,207)		



Tri-Valley San Joaquin Regional Rail Authority BALANCE SHEET FOR THE PERIOD ENDING: April 30, 2024

ASSETS:

106 MONEY MARKET ACCOUNT	567,217
107 CD	3,000,000
108 CASH-GENERAL CHECKING	1,570,137
120 ACCOUNTS RECEIVABLE	(1,510)
150 PREPAID EXPENSES	0
111 NET PROPERTY COSTS	8,263

TOTAL ASSETS 5,144,107

LIABILITIES:

205 ACCOUNTS PAYABLE	176,654
20501 DUE TO LAVTA	2,929,055
22110 PAYROLL CLEARING	0
211 PRE-PAID REVENUE	4,988,858
22000 FIT	(1,257)
22010 SIT	(866)
22020 FICA	(6,638)
22030 SDI	0
22090 Worker's Comp	18,928
22100 457	404

TOTAL LIABILITIES 8,105,140

FUND BALANCE:

301 FUND RESERVE	0
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0
30401 SALE OF BUSES & EQUIPMENT	0
FUND BALANCE	(2,961,032)

TOTAL FUND BALANCE -2,961,032

TOTAL LIABILITIES & FUND BALANCE 5,144,107

Tri-Valley San Joaquin Regional Rail Authority REVENUE REPORT FOR THE PERIOD ENDING: April 30, 2024

ACCOUNT	T DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	MTC Pridge Telle	22 404 750	2 225 056	4 044 002	10 206 040	17.00/
	MTC-Bridge Tolls	22,401,750	2,225,956	4,014,902	18,386,848	17.9%
	State Budget Act of 2022	5,000,000	0	0	5,000,000	0.0%
	Interest	-	51,890	119,211	(119,211)	
	Alameda County/Strategic Development	0	0	0		
	TOTAL REVENUE	27,401,750	2,277,845	4,134,112	23,267,638	15.1%

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and	Benefits					
	Executive Director	255,000	26,640	280,453	(25,453)	109.98%
	Deputy Executive Director	250,000	20,875	217,967	32,033	87.19%
	Administrative Assistant	90,000	9,795	108,493	(18,493)	120.55%
	Finance Director	42,609	3,500	28,000	14,609	65.71%
	Manager of Policy, Planning, and Environmental	235,000	18,553	193,712	41,288	82.43%
	Rail Engineering, and Construction Project Manager	240,000	19,946	208,327	31,673	86.80%
	Employee Benefits	185,641	4,304	45,654	139,987	24.59%
	TOTAL - Direct Labor	1,298,250	103,612	1,082,606	215,644	83.39%
Consultants/secon	nded staff					
	General Engineering Consultants	20,000,000	756,847	4,282,631	15,717,369	21.41%
	AECOM	3,500,000	0	788,268	2,711,732	22.52%
	Program Management Support Services	1,000,000	82,730	513,921	486,079	51.39%
	Hydrogen Proof of Concept	-	0	0	0	#DIV/0!
	Temporary Clerical Help	50,000	4,595	23,608	26,393	47.22%
	Financial Advisory Services	150,000	0	0	150,000	0.00%
	Government Relations/Community Engagement	450,000	18,400	175,600	274,400	39.02%
	TOTAL - Consultants	25,150,000	862,572	5,784,027	19,365,973	23.00%
Other Direct Cost	ts					
	Legal	270,000	46,164	80,284	189,716	29.73%
	Insurance	50,000	0	12,299	37,701	24.60%
	Audits	25,000	0	8,315	16,685	33.26%
	HR	-	0	293	(293)	#DIV/0!
	Line of Credit	125,000	0	0	125,000	0.00%
	Bank Fees	-	0	214	(214)	#DIV/0!
	Travel/Mileage/Mis	15,000	3,019	17,004	(2,004)	
	Office space/furnishings	137,500	7,104	60,981	76,519	44.35%
	Professional Development	2,500	0	7.500	2,500	0.00%
	Memberships Information Technology/Software	8,500	2.025	7,500	1,000	88.24%
	Information Technology/Software ACTC	20,000 100,000	2,035 0	16,300 0	3,700 100,000	81.50% 0.00%
	SJRRC	50,000	0	0	50,000	0.00%
	BART	100,000	0	25,100	74,900	25.10%
	Caltrans Reimbursement	100,000	0	0	0	#DIV/0!
	Union Pacific Reimbursement	50,000	0	0	50,000	0.00%
	TOTAL OTHER DIRECT COSTS	953,500.00	58,322.50	228,290.35	725,210	23.94%
	TOTAL OPERATING EXPENDITURES	27,401,750	1,024,507	7,094,923	20,306,827	25.89%
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)		1,253,339	(2,960,811)		



Tri-Valley San Joaquin Regional Rail Authority BALANCE SHEET FOR THE PERIOD ENDING: May 31, 2024

ASSETS:

106 MONEY MARKET ACCOUNT	569,393
107 CD	3,000,000
108 CASH-GENERAL CHECKING	99,543
120 ACCOUNTS RECEIVABLE	(1,510)
150 PREPAID EXPENSES	0
111 NET PROPERTY COSTS	8,263

TOTAL ASSETS 3,675,689

LIABILITIES:

205 ACCOUNTS PAYABLE	176,654
20501 DUE TO LAVTA	2,929,055
22110 PAYROLL CLEARING	0
211 PRE-PAID REVENUE	4,988,858
22000 FIT	(1,257)
22010 SIT	(866)
22020 FICA	(3,912)
22030 SDI	0
22090 Worker's Comp	20,500
22100 457	404

TOTAL LIABILITIES 8,109,437

FUND BALANCE:

301 FUND RESERVE	0
304 GRANTS, DONATIONS, PAID-IN CAPITAL	0
30401 SALE OF BUSES & EQUIPMENT	0
FUND BALANCE	(4,433,748)

TOTAL FUND BALANCE -4,433,748

TOTAL LIABILITIES & FUND BALANCE 3,675,689

Tri-Valley San Joaquin Regional Rail Authority REVENUE REPORT FOR THE PERIOD ENDING: May 31, 2024

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	MTC-Bridge Tolls	22,401,750	0	4,014,902	18,386,848	17.9%
	State Budget Act of 2022	5,000,000	0	0	5,000,000	0.0%
	Interest	-	2,176	121,386	(121,386)	
	Alameda County/Strategic Development	0	0	0		
	TOTAL REVENUE	27,401,750	2,176	4,136,288	23,265,462	15.1%

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and	Benefits					
	Executive Director	255,000	39,043	319,495	(64,495)	125.29%
	Deputy Executive Director	250,000	29,154	247,120	2,880	98.85%
	Administrative Assistant	90,000	13,775	122,268	(32,268)	135.85%
	Finance Director	42,609	0	28,000	14,609	65.71%
	Manager of Policy, Planning, and Environmental	235,000	28,362	222,074	12,926	94.50%
	Rail Engineering, and Construction Project Manager	240,000	28,795	237,123	2,877	98.80%
	Employee Benefits	185,641	6,005	51,659	133,982	27.83%
	TOTAL - Direct Labor	1,298,250	145,133	1,227,739	70,511	94.57%
Consultants/secon	nded staff					
	General Engineering Consultants	20,000,000	974,905	5,257,537	14,742,463	26.29%
	AECOM	3,500,000	214,157	1,002,425	2,497,575	28.64%
	Program Management Support Services	1,000,000	85,304	599,225	400,775	59.92%
	Hydrogen Proof of Concept	-	0	0	0	#DIV/0!
	Temporary Clerical Help	50,000	3,745	27,352	22,648	54.70%
	Financial Advisory Services	150,000	0	0	150,000	0.00%
	Government Relations/Community Engagement	450,000	43,369	218,969	231,031	48.66%
	TOTAL - Consultants	25,150,000	1,321,481	7,105,508	18,044,492	28.25%
Other Direct Cost	ts					
	Legal	270,000	0	80,284	189,716	29.73%
	Insurance	50,000	0	12,299	37,701	24.60%
	Audits	25,000	0	8,315	16,685	33.26%
	HR	-	0	293	(293)	#DIV/0!
	Line of Credit	125,000	0	0	125,000	0.00%
	Bank Fees	-	0	214	(214)	#DIV/0!
	Travel/Mileage/Mis	15,000	4,254	20,547	(5,547)	
	Office space/furnishings	137,500	0	60,981	76,519	44.35%
	Professional Development	2,500	0	7,500	2,500	0.00%
	Memberships Information Technology/Software	8,500	0 4.725	7,500	1,000	88.24%
	Information Technology/Software ACTC	20,000 100,000	4,735 0	21,035	(1,035) 100,000	105.18% 0.00%
	SJRRC	50,000	0	0	50,000	0.00%
	BART	100,000	0	25,100	74,900	25.10%
	Caltrans Reimbursement	100,000	0	0	74,900	#DIV/0!
	Union Pacific Reimbursement	50,000	0	0	50,000	0.00%
	TOTAL OTHER DIRECT COSTS	953,500.00	8,989.48	236,568.35	716,932	24.81%
	TOTAL OPERATING EXPENDITURES	27,401,750	1,475,603	8,569,815	18,831,935	31.27%
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)		(1,473,427)	(4,433,527)		

AGENDA ITEM 4 C

STAFF REPORT

SUBJECT: Reschedule Remaining 2024 Board of Directors Meetings

FROM: Kevin Sheridan, Executive Director/CEO

DATE: September 18, 2024

Action Requested

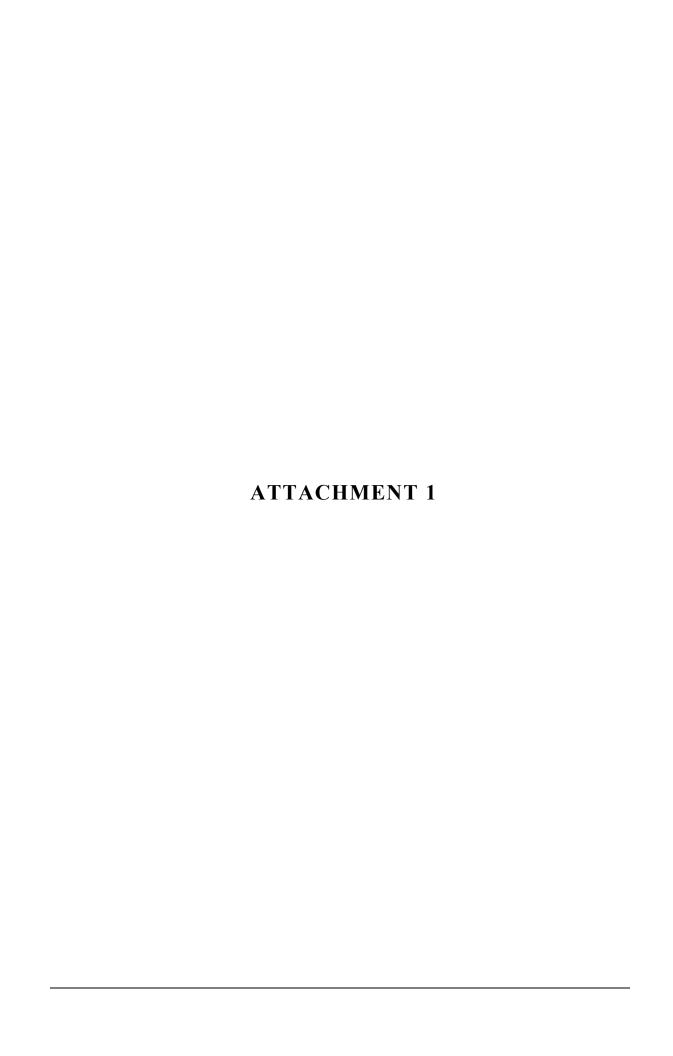
Amend approved 2024 meeting calendar for Tri-Valley – San Joaquin Valley Regional Rail Authority Board of Directors.

Discussion

Staff proposes rescheduling the October 9th Board of Directors meeting to October 23rd at 2 p.m. at a location to be determined. The December meeting will remain at its scheduled date and time (December 11th at 2 p.m.)

Attachments

1. Amended Meeting Calendar 2024





Board of Directors Amended Meeting Calendar 2024

2nd Wednesday of every other month at 2 p.m.

January No meeting

February 14

March No meeting

April 10

May No meeting

June 12

July No meeting

August 14 Cancelled

September No meeting 18

October 923

November No meeting

December 11

AGENDA ITEM 5

STAFF REPORT

SUBJECT: Approve Resolution R07-2024 Authorizing the Executive Director/CEO to Execute

and Submit an Allocation Request to the Metropolitan Transportation Commission

for Bridge Toll Funding to Support Ongoing Project Development Activities

FROM: Wil Ridder, Deputy Director

DATE: September 18, 2024

Action Requested

Staff requests that the Board of Directors approve Resolution R07-2024 authorizing the Executive Director/CEO to execute and submit an allocation request to the Metropolitan Transportation Commission (MTC) for Bridge Toll Funding to support ongoing project development activities.

Background/Discussion

Prior to this current allocation request, the Authority has received \$60,572,000 from four Bridge Toll funds allocations from MTC.

- 1. The first allocation of \$660,000 allowed the Authority to conduct a detailed Feasibility Report, which verified that the Valley Link Project was a financially feasible project to construct and operate. The Authority Board adopted the Feasibility Report in October 2019.
- 2. The second allocation of \$10.2 million allowed the Authority to complete California environmental review (CEQA), prepare 15% design plans and prepare and submit a Project Initiation Document (PID) to Caltrans for review and approval.
- 3. The third allocation of \$3 million allowed the Authority to update the 15% design plans and revise the CEQA environmental document, which enabled the Authority to complete the Final Environmental Impact Report (EIR) in May 2021.
- 4. The fourth allocation of \$46,791,000 is allowing the Authority to complete 30% design plans, a Subsequent CEQA EIR for project scope changes since the 2021 CEQA, the federal environmental review document (NEPA), Caltrans Project Approval and Environmental Document (PA&ED) technical reports for the rail segment within the I-580 median, and various operations and technical reports and studies.

In addition to MTC regional funds, the Authority has secured \$30 million in State funds, including \$5 million in AB 179 State Budget funds and \$25 million in Transit and Intercity Rail Capital Program (TIRCP) funds, to support the Valley Link project development activities. The \$5 million in AB 179 funds have

been specifically targeted to FTA Project Development requirements under the Capital Investment Grants (CIG) New Starts Program beyond the NEPA and 30% design activities funded under the fourth MTC Bridge Toll funds allocation. These activities include the development of a Project Management Plan and subplans that address the policy, procedures, and resources needed to implement the project through construction and operations. \$6 million of the TIRCP funds are concurrently being used to advance equity community engagement, third-party agreements, procurement methodology, and fieldwork to inform the project cost and schedule.

The current allocation request for \$3 million is a funding augmentation to the existing phase of work that will allow the Authority to complete the Project Report as required by Caltrans for PA&ED. All of the technical activities and deliverables associated with PA&ED are scheduled to be completed by January 2025, however, this allocation request will support those activities associated with Caltrans' review and approval of the Project Report that will occur over the period from January 2025 through June 2025. The Caltrans approved Project Report will allow the Authority to meet all of the Caltrans requirements to move into final design on the I-580 portion of the Project in parallel to the targeted entry into the Engineering phase of the FTA CIG New Starts Program.

The Authority is actively updating the project funding plan for final design and construction of the Valley Link Project as part of the 20-year Financial Plan required by the FTA to pursue federal funding from the CIG New Starts Program. As part of the FTA requirements for the Project Development phase under CIG, the Authority is also working to secure the commitment of 30% of non-CIG capital funding, including local agency funding agreements. The current project funding plan identifies over \$625 million from city and county funds that will be subject to the local agency funding agreements. This includes \$400 million of Alameda County Transportation Commission (ACTC) Measure BB funds, \$200 million of corridor city funding, and \$25 million of Tri-Valley Transportation Council (TVTC) funds.

Additional MTC Allocation Requirements

In September 2022 MTC adopted Resolution No. 4530 that established MTC's regional Transit-Oriented Communities (TOC) Policy to support the region's transit investments by creating communities around transit stations and along transit corridors. MTC TOC Policy compliance is required for all fixed-guideway transit extension projects, including Valley Link, seeking allocations of regional discretionary capital funding or endorsements for federal or state discretionary capital funding. Allocations for project development and environmental review activities can proceed so long as project sponsors, and local jurisdictions as applicable, provide a letter acknowledging that future allocation requests to MTC will be subject to the TOC policy pursuant to later phases. Valley Link staff has been coordinating with staff from the Cities of Dublin, Livermore and Pleasanton to meet the letter of acknowledgement requirement for the current allocation request. The allocation request to MTC for final design funding targeted for early 2025 will be subject to the MTC requirement for a letter of commitment from each city stating specific steps being taken towards achieving compliance with TOC Policy areas by 2026 for the Valley Link station areas in each city.

In addition to the MTC TOC Policy requirements on the Cities of Dublin, Livermore and Pleasanton, the Valley Link rail project is subject to MTC's Interregional Project Funding and Coordination Policy per MTC Resolution No. 4399 for the next allocation of MTC funds for final design. Under this policy an Interagency Agreement must be executed between MTC and the San Joaquin Council of Governments (SJCOG) and/or other entities as appropriate to establish commitments of funding and responsibilities of cost sharing (savings and overruns) for final design, construction and operations.

Fiscal Impact

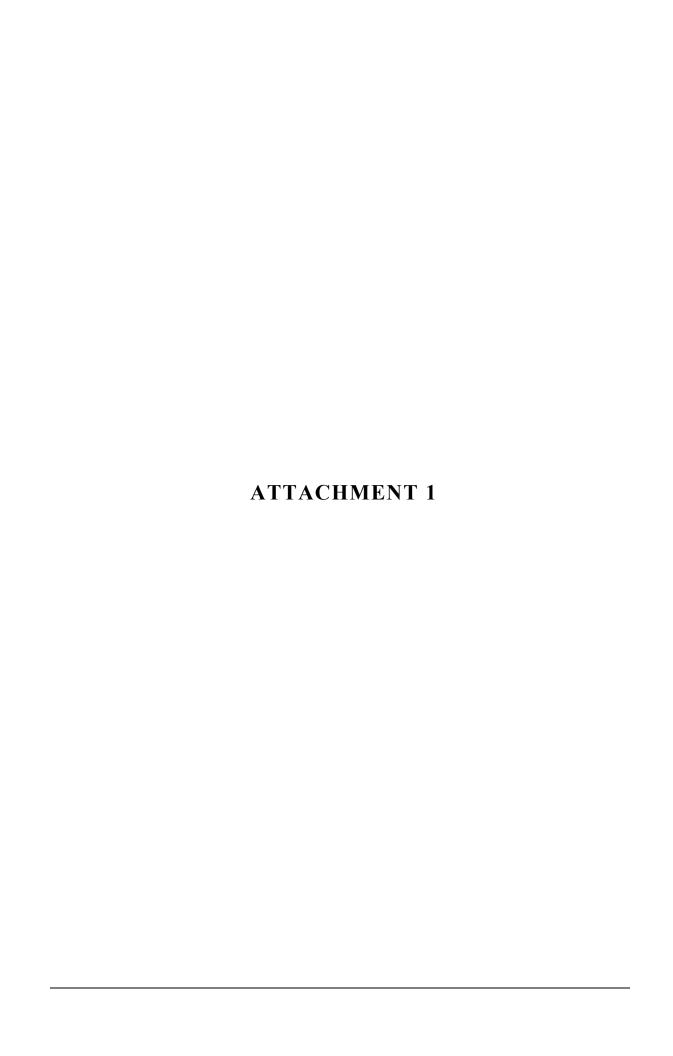
The \$3 million in Bridge Toll funds is sufficient to complete the ongoing project development activities required to advance the project to final design.

Recommendation

To access the requested \$3 million in MTC funding, it is requested that the Board of Directors approve the attached Resolution R07-2024, Initial Project Report, and Allocation Request. Upon approval of the resolution, Initial Project Report form and the Allocation request form, the package will be transmitted to MTC for approval at its upcoming Commission meetings in October 2024.

Attachments

- 1. Resolution R07-2024
- 2. Initial Project Report
- 3. Allocation Request





RESOLUTION NO. R07-2024

* * *

AB 1171 SPONSOR AGENCY RESOLUTION OF PROJECT COMPLIANCE ALLOCATION REQUEST

SPONSOR AGENCY: TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY PROJECT TITLE: VALLEY LINK RAIL PROJECT

WHEREAS, AB 1171 (Chapter 907, Statutes 2001), commonly referred to as AB 1171, provides that funds generated pursuant to Streets and Highways Code Section 31010(a) that are in excess of those needed to meet the toll commitment as specified by Streets and Highways Code Section 188.5(b)(4) shall be available to Bay Area Toll Authority (BATA) for funding, consistent with Streets and Highways Code Sections 30913 and 30914, the projects and purposes described in those sections; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for AB 1171 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for AB 1171 funding; and

WHEREAS, allocation requests to MTC must be submitted consistent with procedures and conditions as outlined in AB 1171 Policies and Procedures (MTC Resolution No. 4404; and

WHEREAS, Tri-Valley – San Joaquin Valley Regional Rail Authority is an eligible sponsor of transportation project(s) in the AB 1171 Expenditure Plan; and

WHEREAS, the Valley Link Rail Project is eligible for consideration in the AB 1171 Expenditure Plan, as identified in California Streets and Highways Code Section 30914.7(a); and

WHEREAS, the AB 1171 updated Initial Project Report (IPR) and allocation request, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which (agency name) is requesting that MTC allocate AB 1171 funds; now, therefore, be it

RESOLVED, that Tri-Valley – San Joaquin Valley Regional Rail Authority, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's AB 1171 Policies and Procedures; and be it further

RESOLVED, that Tri-Valley – San Joaquin Valley Regional Rail Authority certifies that Valley Link Rail Project is consistent with the Regional Transportation Plan (RTP); and be it further

RESOLVED, that the year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project; and be it further

- **RESOLVED**, that the AB 1171 phase or segment is fully funded, and results in an operable and useable segment; and be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority approves the allocation request and updated IPR, attached to this resolution; and be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority approves the cash flow plan, attached to this resolution; and be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the allocation request and updated IPR, attached to this resolution; and, be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority is authorized to submit an allocation request for AB 1171 funds for Valley Link Rail Project in accordance with California Streets and Highways Code 30914.7(a); and be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority certifies that the projects and purposes for which AB 1171 funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 2l000 et seq.), and with the State Environmental Impact Report Guidelines (I4 California Code of Regulations Section I5000 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et. seq. and the applicable regulations thereunder; and be it further
- **RESOLVED**, that there is no legal impediment to Tri-Valley San Joaquin Valley Regional Rail Authority making allocation requests for AB 1171 funds; and be it further
- **RESOLVED**, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of Tri-Valley San Joaquin Valley Regional Rail Authority to deliver such project; and be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866; and be it further
- **RESOLVED**, that Tri-Valley San Joaquin Valley Regional Rail Authority indemnifies and holds harmless MTC, BATA, and their Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of Tri-Valley San Joaquin Valley Regional Rail Authority, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of AB 1171 funds. Tri-Valley San Joaquin Valley Regional Rail Authority agrees at its own cost, expense, and risk, to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against MTC, BATA, and their Commissioners, officers, agents, and employees, or any of them, arising out of such act or omission, and to pay and satisfy any resulting judgments. In addition to any other remedy authorized by law, so much of the funding due under this allocation of AB 1171 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages, and be it further

RESOLVED, that Tri-Valley – San Joaquin Valley Regional Rail Authority shall, if any revenues or profits from any non-governmental use of property (or project) that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s); and be it further

RESOLVED, that assets purchased with AB 1171 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that AB 1171 funds were originally used; and be it further

RESOLVED, that Tri-Valley – San Joaquin Valley Regional Rail Authority shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with AB 1171 Toll Revenues; and be it further

RESOLVED, that Tri-Valley – San Joaquin Valley Regional Rail Authority authorizes its Executive Director to execute and submit an allocation request for the environmental phase with MTC for AB 1171 funds in the amount of \$3,000,000 for the project, purposes and amounts included in the allocation request attached to this resolution; and be it further

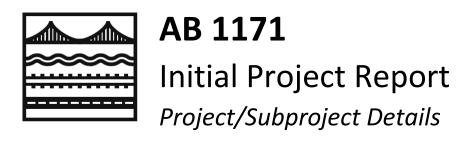
RESOLVED, that the Executive Director is hereby delegated the authority to make nonsubstantive changes or minor amendments to the allocation request or IPR as he/she deems appropriate; and be it further

RESOLVED, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the Tri-Valley – San Joaquin Valley Regional Rail Authority allocation request referenced herein.

APPROVED AND PASSED, this 18th day of September 2024.

ATTEST:	Melissa Hernandez, Chair		
Kevin Sheridan, Executive Director/CEO			
APPROVED AS TO FORM:			
Michael Conneran Legal Counsel			





Basic Project Information

RM3 Project Number	14
Project Title	Valley Link Rail Project
RM3 Funding Amount	\$100,000,000
RM1 Funding Amount	\$15,000,000
AB 1171 Funding Amount	\$83,772,000
Total Bridge Tolls Amount	\$198,772,000

Subproject Information

Subproject Number	
Subproject Title	
RM3 Funding Amount	

I. Overall Subproject Information

a. Project Sponsor / Co-sponsor(s) / Implementing Agency

Tri-Valley – San Joaquin Valley Regional Rail Authority

b. Detailed Project Description (include definition of deliverable segment if different from overall project/subproject)

The Tri-Valley – San Joaquin Valley Regional Rail Authority completed its Feasibility Report in October 2019. In May 2021, the Authority Board approved a staff-recommended CEQA Certified Alternative, as published in the Valley Link Rail Project Final Environmental Impact Report (EIR) for a 42-mile rail service from the existing Dublin/Pleasanton BART Station to the proposed ACE North Lathrop Station. The CEQA Certified Alternative included an initial operating segment (IOS) that would establish initial service from the Dublin/Pleasanton BART Station to a Mountain House Alternative station shown in Figure 1 below.

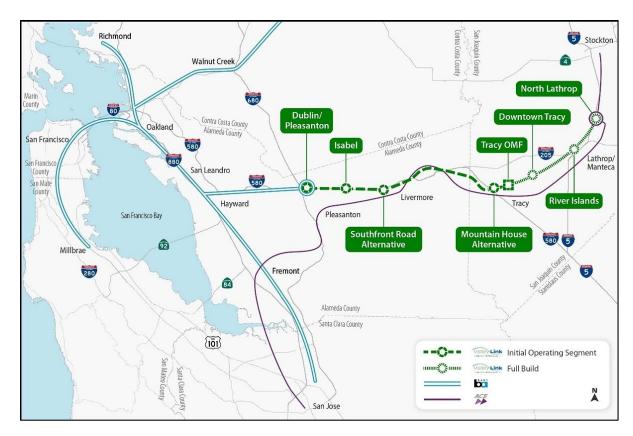


Figure 1 - Valley Link 2021 CEQA Alignment

Subsequent to the approval of the Final EIR in 2021, the Authority has advanced design and analysis of the Mountain House Station Alternative IOS from the existing Dublin/Pleasanton BART Station to include a new 22-mile alignment that responds to requests by the City of Mountain House for a Valley Link station that better serves their community. This new alignment will reduce construction cost, improve travel time through a straightened alignment, enable improved station access, and facilitate the advancement of transit-oriented development.

The changes to the 2021 CEQA Certified Alternative IOS, now constituting the Project, include locating the Dublin/Pleasanton Station platform to the south side of I-580 (rather than in the freeway median), realignment of the trackway in the Altamont Pass, a new Mountain House Community Station and Operations and Maintenance Facility (OMF), and construction of an Operations Support Site in the City of Tracy. The Mountain Community House Station would be constructed north of I-205 on a site west of Mountain House Parkway near the I-205/Mountain House Parkway interchange. The new OMF would be constructed on a site east of Mountain House Parkway and north of I-205.



The following is a Project Description of Valley Link:

Valley Link would establish a new passenger rail service along a 22-mile corridor between the existing Dublin/Pleasanton BART Station in Alameda County and the proposed Mountain House Community Station in San Joaquin County with all-day bi-directional service at frequent intervals using zero-emission multiple-unit vehicles. The alignment would be constructed within a combination of the existing Interstate 580 (I-580) freeway median, the existing transportation corridor owned by Alameda County, existing Caltrans right-of-way adjacent to the westbound (I-580) freeway, and new right-of-way to be acquired for the Project. The Project includes four new stations as well as a Layover Facility (LF) and an Operations and Maintenance Facility /Operations Support Site (OMF/OSS) in areas at the east end of the alignment as shown in Figure 2.



Figure 2 - Valley Link 2024 SEIR and NEPA Alignment

Valley Link stations will offer the latest in passenger amenities (level-boarding platforms, ADA-compliant digital messages signs with real-time train status and safety messages) and provide safe and secure access between the platforms and station facilities and will include an easy-to-use, convenient connection to the Dublin/Pleasanton BART station. These stations are intended to facilitate transit-oriented, pedestrian-friendly station areas; enhance seamless connections between rail, shuttle buses, and fixed bus service; and promote active transportation (bicycling and walking), use of zero emission vehicles, and shared rides.

Valley Link includes the construction and operation of four stations, described below (listed from west to east).

Dublin/Pleasanton Station

The Dublin/Pleasanton Station would be constructed south of the eastbound I-580 freeway lanes in proximity to the existing Dublin/Pleasanton BART Station and would be designed to provide seamless intermodal passenger service between Valley Link, BART and local bus transit services. Improvements that would be constructed include:

- A double-track Valley Link aerial station platform
- Stairs, escalators, and elevators for vertical circulation within the station

The Project does not include the construction of additional parking at the Dublin/Pleasanton BART Station.

<u>Isabel Station</u>

The Isabel Station would be constructed within the I-580 median with adjacent parking on a 24-acre site along East Airway Boulevard south of I-580 and east of the Isabel Avenue I-580 overcrossing in Livermore. The station site is within the City of Livermore's Isabel Neighborhood Specific Plan, which envisions more than 4,000 new housing units, parks, offices, and retail all within walking distance to the station. Vehicular access to the station would be provided from East Airway Boulevard and would include restriping for left-turn lanes and a traffic signal at the East Airway Boulevard/Rutan Drive intersection. Improvements that would be constructed as part of the Isabel Station include:

- A double-track, at-grade Valley Link station platform in the median of a widened I-580
- A surface parking lot providing parking spaces (including accessible spaces), kiss and ride, and bus bays
- A pedestrian overcrossing from the parking lot over Arroyo Las Positas and eastbound I-580 to the median station platform, as well as a pedestrian overcrossing of westbound I-580 (construction depending on available funding), including elevators and stairs to the station platform and at both ends of the bridge

Southfront Road Station

The Southfront Road Station in Livermore would be constructed within the I-580 median with adjacent parking located south of I-580 on a 7-acre site along Southfront Road between McGraw Avenue and Franklin Lane. The City of Livermore is currently undertaking a General Plan Update that will include a station area Specific Plan for the Southfront Road Station. Vehicular access to the station would be provided from Southfront Road and station improvements would include:

- A double-track, at-grade Valley Link station platform in the median of a widened I-580
- A surface parking lot providing parking spaces (including accessible spaces), kiss and ride, and bus bays
- A pedestrian overcrossing from the parking lot over Southfront Road and eastbound I-580 to the median station platform including elevators and stairs to the station platform and at both ends of the bridge
- Realignment of Southfront Road to accommodate the I-580 median widening, and new driveways for buses and vehicles into the station

 Platform design that accommodates a potential pedestrian overcrossing to the north of the I-580 (construction depending on available funding) subject to station area planning by the City of Livermore

Mountain House Community Station

The Mountain House Community Station would be constructed north of I-205 on an approximately 54-acre site west of Mountain House Parkway near the I-205/Mountain House Parkway interchange. The City of Mountain House is advancing initial phases of a transit-oriented development analysis for this site. Access to the station would be provided from a new driveway along Mountain House Parkway. Improvements that would be constructed as part of the Mountain House Community Station include:

- An at-grade, double-track Valley Link station platform
- A surface parking lot north of the tracks providing parking spaces (including accessible spaces), kiss and ride, and bus bays
- At-grade pedestrian crossings (including crossing gates, warning lights, and signals) on both ends of the platform across the Valley Link tracks to access the platform from the parking lot
- Evaluation of a grade-separated pedestrian crossing to the platform (construction depending on available funding)

Facilities to support the operations and maintenance and ancillary project activities are planned at the three locations described below.

Altamont Maintenance of Way Staging Area

The Altamont Maintenance of Way (MOW) Staging Area would be constructed on a 10-acre portion of the Alameda County Transportation Corridor ROW, approximately 2,250 feet east of Dyer Road. The MOW may be used as a contractor staging area during construction and would ultimately be designed to support the short-term storage of vehicle rolling stock, non-revenue vehicles, and material laydown areas for maintenance of rail and systems infrastructure during the revenue operations period.

Mountain House Layover Facility (LF)

To support train layovers, storage, and light maintenance associated with the Project, a new LF would be constructed on an approximately 86-acre site east of Mountain House Parkway and north of I-205. Access to the site would be provided from Mountain House Parkway. Administrative offices with a central control center, vehicle storage and maintenance activities would take place at the proposed Mountain House LF.

Tracy OMF/OSS

The Tracy OMF/OSS would be constructed on an approximately 200-acre property along West Schulte Road just west of the Owens-Brockway Glass Container Plant west of Tracy. The site would accommodate heavy maintenance activities as well as a backup control center and warehouse storage.



Consistent with implementing strategies identified in the Board-adopted Sustainability Policy, the Project includes the use of zero emission multiple unit vehicles (ZEMUs). The use of hydrogen vehicles is assumed for environmental documentation given recent State procurement activities and a key project goal to be consistent with the State Rail Plan. Similar hydrogen powered 4-car multiple unit vehicles are currently being procured by the California Department of Transportation (Caltrans) for the Valley Rail system that will be operated by the San Joaquin County Joint Powers Authority (SJJPA). An example configuration of the 4-car multiple unit vehicle is shown Figure 4 below. The vehicle will be designed to comply with the newest crashworthiness and structural strength and will meet the FRA Alternative Compliance requirement for operating in mixed traffic.



Figure 3 – 2-Car Hydrogen ZEMU Rail Vehicle Developed for Redlands Arrow Project

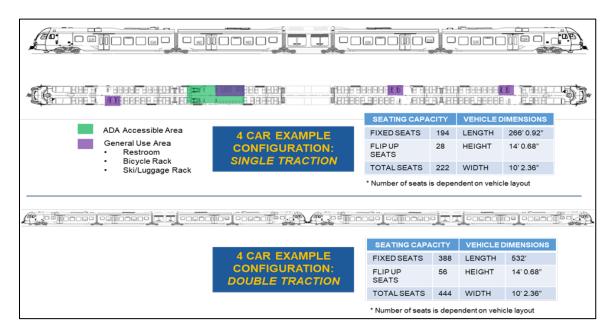


Figure 4 – Modular ZEMU Vehicle Configuration



Valley Link Rail Project proposed service schedule will provide service seven days a week including holidays with frequency matching the BART frequency at the Dublin/Pleasanton Station during peak commute hours with timed meets during the morning and afternoon commutes. Outside of peak commute periods, service will continue with 30 to 45-minute frequencies during weekday operating hours, and on weekends and holidays.

Weekdays	Saturdays	Sundays and Holidays
4:25 a.m.	8 a.m.	8 a.m.
to	to	to
8:30 p.m.	8 p.m.	8 p.m.

Figure 5 – Valley Link Conceptual Operating Plan Hours of Service

Weekdays				Weekends and Holidays
AM Peak (4:25 a.m. to 8:25 a.m.)	Midday (9:10 a.m. to 3:00 p.m.)	PM Peak (3:00 p.m. to 7:00 p.m.)	Evening (7:00 p.m. to 8:30 p.m.)	
15	45	15	45	45

Figure 6 – Valley Link Conceptual Operating Plan Headway (minutes)

Valley Link is estimated to have a 2040 ridership of more than 30,000 per weekday as shown in Figure 7.

Station	Boardings	Productions	Attractions
Dublin/Pleasanton	13,793	634	26,951
Isabel Avenue	3,316	4,191	2,440
Southfront Road	2,330	4,042	617
Mountain House Community	10,909	21,481	336
Total	30,346	30,344	30,346

Figure 7 – Valley Link Average Weekday Ridership in 2040

Additional information on Valley Link and the recommendations approved by the Tri-Valley – San Joaquin Valley Regional Rail Authority can be found at www.valleylinkrail.com.

The current request for an allocation of AB 1171 funds will provide funding augmentation for the ongoing phase of work including:

• Consultant activities:

 Project Management Support Services to oversee the completion of the Caltrans Project Report as part of the Caltrans required Project Approval & Environmental Document (PA&ED) process for the inclusion of Valley Link track system within the I-580 median between the BART Dublin/Pleasanton Station and the Greenville Road off-ramp in Livermore

• Authority:

- Continued oversight and management of consultant activities
- o Legal reviews
- o Government relations and community outreach
- Coordination with project partners
- Other project management and cost controls

c. Impediments to Project Completion

As identified in the Draft Subsequent EIR released to the public in May 2024, no significant environmental impacts are anticipated to occur throughout the project area. With mitigation, all impacts will be reduced to a less than significant level and thus will not be an impediment. The project also continues to receive widespread community support. With that said, potential impediments to project completion are tied to available funds to advance final design and construction of the Project.

The Authority is currently updating the project funding plan for final design and construction of the Valley Link Project as part of the 20-year Financial Plan required by the Federal Transit Administration (FTA) to pursue federal funding from the Capital Investment Grants (CIG) New Starts Program. That funding plan is focused on significant capital funding from both State sources, including the Transit Intercity Rail Capital Program (TIRCP) and Senate Bill 1 Solutions to Congested Corridors Program (SCCP), as well as CIG New Starts Program funds. All of these are competitive funding programs subject to availability of state and federal resources. These funding programs have also been significantly impacted by demands of cost increases on other transit capital projects as well as transit operating deficits due to the slower recovery of transit ridership following the Covid-19 pandemic. If supplemental funding is not secured, then the project schedule will likely be delayed.

d. Risk Management (describe risk management process for project budget and schedule, levels of contingency and how they were determined, and risk assessment tools used)

The Authority is actively preparing a Risk and Contingency Management Plan (RCMP) consistent with FTA requirements for Project Development under the Capital Investment Grants (CIG) New Starts Program. The RCMP describes the activities, governance, compliance, roles, responsibilities, process, and reporting which are needed to confirm that the Project manages its risks effectively. As part of this process, all identified risks are documented in a Risk Register. The Risk Register has been developed and is being reviewed and updated on a recurring basis by the project delivery functional teams. Evaluations of the risks and the project information, including project schedules and cost

estimates, are being used for the inputs for the Quantitative Risk Analysis (QRA) and associated contingency development. The RCPM will identify mitigation measures including maintenance of contingency amounts for cost and schedule.

e. Operability (describe entities responsible for operating and maintaining project once completed/implemented)

Final EIR adopted by the Authority in May 2021 indicated an operating budget of \$26 million and a ridership of approximately 30,000 per weekday in 2040. Those numbers are being refined as part of the current phase of work, including a revised operations funding plan required to pursue federal funding from the FTA Capital Investment Grants (CIG) New Starts Program. It is anticipated that funds will come from a variety of sources, including local and regional funding from the metropolitan planning organizations, the counties of Alameda and San Joaquin and state and federal sources, including the Congestion Mitigation and Air Quality (CMAQ) program for start-up operations.

In December 2020 the Authority Board authorized the Executive Director to execute an initial Memorandum of Understanding (MOU) with the San Joaquin Regional Rail Commission (SJRRC) to bring on the SJRRC as an early operations manager for the future Valley Link service and to provide guidance and support during the development and construction phases of the Project. Staff from the SJRRC has since been supporting the Authority in the development of the Project including all FTA Project Development requirements from design to the Project Management Plan and subplans including the Rail Fleet Management Plan (RFMP), Risk and Contingency Management Plan (RCMP) and Safety and Security Management Plan (SSMP).

f. Project Graphic(s) (include below or attach)

II. Project Phase Description and Status

a. Environmental/Planning

Does NEPA apply? Yes ⊠ No□

Release NOP December 2022

Draft SEIR Release May 2024

Certify Final SEIR October 2024

Certify Final NEPA Document/FONSI January 2025

b. Design

Update 15% Design Plan for Submission w/ Draft SEIR December 2023

Complete 30% Design December 2024

It is anticipated that the Tri-Valley – San Joaquin Valley Regional Rail Authority will utilize a combination of design-bid-build, Construction Manager/General Contractor (CM/GC) and progressive design-build delivery methods in the final design and construction. Delivery methodology for the Project is currently being evaluated as part of the Federal Transit Administration (FTA) Project Development work to inform the final design process and schedule.

c. Right-of-Way Activities / Acquisition

N/A

d. Construction / Vehicle Acquisition / Operating

N/A

III. Project Schedule

Phase-Milestone	Planned		
	Start Date	Completion Date	
Environmental Document – Feasibility Report	January 2018	November 2019	
State Environmental Studies (CEQA), Preliminary Eng. (ENV / PE / PID)	November 2019	May 2021	
30% Design Plans + Federal Environmental Review (NEPA) + Caltrans PA&ED + FTA CIG Project Development	August 2020	June 2025	
Final Design - Plans, Specs. & Estimates (PS&E)	Spring 2025	Summer 2026	
Right-of-Way Activities /Acquisition (R/W)	Summer 2025	Winter 2027	
Construction (Begin – Open for Use) / Rolling Stock Acquisition (CON)	Summer 2026	Winter 2028	

IV. Project Budget

Capital

Project Budget	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Environmental Document – Feasibility Report	+1,710 (prior allocation - 9/2016)
	\$9,194 = \$10,121(prior allocation - 10/2018)
State Environmental Studies (CEQA) & Preliminary Eng (ENV / PE / PID)	+3,000 (prior allocation - 3/2020)
	-3,927 (prior allocation - 10/2018)
	\$64,718 = \$3,000 (current allocation request)
	+3,927 (prior allocation - 10/2018)
30% Design + Federal Environmental (NEPA) + Caltrans PA&ED + FTA CIG Project Development	+46,791 (prior allocation - 6/2020)
	+5,000 (prior allocation – 5/2023)
	+6,000 (prior allocation – 12/2023)
Final Design - Plans, Specifications and Estimates (PS&E)	\$129,200
Right-of-Way Activities /Acquisition (R/W)	\$160,000
Construction / Rolling Stock Acquisition (CON)	\$1,515,800
Total Project Budget (in thousands)	\$1,880,622

Deliverable Segment Budget (if different from Project budget)	Total Amount - Escalated to Year of Expenditure (YOE- (Thousands)

Operating	Total Amount - Escalated to Year of Expenditure (YOE) (Thousands)
Annual Operating Budget	

V. Project Funding

Please provide a detailed funding plan in the Excel portion of the IPR. Use this section for additional detail or narrative as needed and to describe plans for any "To Be Determined" funding sources, including phase and year needed.

Prior to this current allocation request, the Tri-Valley — San Joaquin Valley Regional Rail Authority (Authority) has received \$60,572,000 from four Bridge Toll funds allocations from MTC. The first allocation of \$660,000 allowed the Authority to conduct a detailed Feasibility Report, which verified that the Valley Link Project was a financially feasible project to construct and operate. The Authority Board adopted the Feasibility Report in October 2019. The second allocation of \$10.2 million allowed the Authority to complete California environmental review, prepare 15% design plans and prepare and submit a Project Initiation Document (PID) to Caltrans for review and approval. The third allocation of \$3 million allowed the Authority to update the 15% design plans and revise the CEQA/EIR environmental document, which enabled the Authority to complete the Final EIR in May 2021. The fourth allocation of \$46,791,000 is allowing the Authority to complete 30% design plans, a Subsequent EIR for project scope changes since the 2021 CEQA, the federal environmental review document (NEPA), Caltrans Project Approval and Environmental Document (PA&ED) technical reports for the rail segment within the I-580 median, and various operations and technical reports and studies.

In addition to MTC regional funds, the Authority has secured \$30 million in State funds, including \$5 million in AB 179 State Budget funds and \$25 million in Transit and Intercity Rail Capital Program (TIRCP) funds, to support the Valley Link project development activities. The \$5 million in AB 179 funds have been specifically targeted to FTA Project Development requirements under the Capital Investment Grants (CIG) New Starts Program beyond the NEPA and 30% design activities funded under the fourth MTC Bridge Toll funds allocation. These activities include the development of a Project Management Plan and subplans that address the policy, procedures, and resources needed to implement the project through construction and operations. \$6 million of the TIRCP funds are concurrently being used to advance equity community engagement, third-party agreements, procurement methodology, and fieldwork to inform the project cost and schedule.

The current allocation request for \$3,000,000 as described in this allocation request form, is a funding augmentation to the existing phase of work that will allow the Authority to complete the Project Report as required by Caltrans for PA&ED. All of the technical activities and deliverables associated with PA&ED are scheduled to be completed by January 2025, however, this allocation request will support those activities associated with Caltrans' review and approval of the Project Report that will occur over the period from January 2025 through June 2025. The Caltrans approved Project Report will allow the Authority to meet all of the Caltrans requirements to move into final design on the I-580 portion of the Project in parallel to the targeted entry into the Engineering phase of the FTA Capital Investment Grants (CIG) New Starts Program.

The Authority is actively updating the project funding plan for final design and construction of the Valley Link Project as part of the 20-year Financial Plan required by the Federal Transit Administration (FTA) to pursue federal funding from the Capital Investment Grants (CIG) New Starts Program. As part of the FTA requirements for the Project Development phase under CIG, the Authority is also working to secure the commitment of 30% of non-CIG capital funding, including local agency funding agreements. The current project funding plan identifies over \$625 million from city and county funds

that will be subject to the local agency funding agreements. This includes \$400 million of Alameda County Transportation Commission (ACTC) Measure BB funds, \$200 million of corridor city funding, and \$25 million of Tri-Valley Transportation Council (TVTC) funds.

VI. Contact/Preparation Information

Contact for Project Sponsor

Name: Kevin Sheridan Phone: 925-605-8442

Title: Executive Director/CEO

E-mail: ksheridan@valleylinkrail.com

Address: 2600 Kitty Hawk Road, Suite 103, Livermore, CA 94551

Person Preparing Initial Project Report (if different from above)

Name: Wil Ridder Phone: 209-518-2365 Title: Deputy Director

E-mail: wridder@valleylinkrail.com

Address: 2600 Kitty Hawk Road, Suite 103, Livermore, CA 94551





AB 1171

Allocation Request

Project Information

RM3 Project Number	14
Project Title	Valley Link Rail Project
RM3 Funding Amount	\$100,000,000
RM1 Funding Amount	\$15,000,000
AB 1171 Funding Amount	\$83,772,000
Total Bridge Tolls Amount	\$198,772,000

Subproject Information (if different from overall RM3 project)

Subproject Number	
Subproject Title	
Subproject Funding	
Amount	

Allocation History (Add lines as necessary)

	MTC Approval Date	Amount	Phase
#1: RM1	09/28/2016	\$660,000	Feasibility Report
#2: AB1171	10/25/2018	\$10,121,000	ENV/PE/PID
#3: AB1171	03/25/2020	\$3,000,000	UPDATED 15% DESIGN-ENV/ PROJECT MGMT/ COOP AGMTS
#4: AB1171	06/24/2020	\$46,791,000	CALTRANS PA&ED/ OPERATIONS&TECHNICAL STUDIES/ PROGRAM MGMT/ COOPERATIVE AGMTS/ PE/NEPA

Total: \$60,572,000

Current Allocation Request:

Request submittal date	Amount	Phase
July 19, 2024	\$3,000,000	CALTRANS PROJECT REPORT/ FTA CIG PROJECT DEVELOPMENT

I. AB 1171 Allocation Request Information

a. Describe the current status of the project, including any progress since the last allocation request or IPR update, if applicable.

Subsequent to the approval of the Final CEQA EIR in 2021, the Authority has advanced design and analysis of the Mountain House Station Alternative IOS from the existing Dublin/Pleasanton BART Station to include a new 22-mile alignment that responds to requests by the City of Mountain House for a Valley Link station that better serves their community. This new alignment will reduce construction cost, improve travel time through a straightened alignment, enable improved station access, and facilitate the advancement of transit-oriented development. The changes to the 2021 CEQA Certified Alternative IOS, now constituting the Project, include locating the Dublin/Pleasanton Station platform to the south side of I-580 (rather than in the freeway median), realignment of the trackway in the Altamont Pass, a new Mountain House Community Station and Operations and Maintenance Facility (OMF), and construction of an Operations Support Site in the City of Tracy. The Mountain Community House Station would be constructed north of I-205 on a site west of Mountain House Parkway near the I-205/Mountain House Parkway interchange. The new OMF would be constructed on a site east of Mountain House Parkway and north of I-205. All of these changes are being addressed through a Subsequent EIR and concurrent NEPA Environmental Assessment along with 30% design.

The Valley Link Project is currently in the Project Development phase of the Federal Transit Administration's (FTA) Capital Investment Grants (CIG) New Starts Program along with the Project Approval and Environmental Document (PA&ED) phase of the Caltrans project delivery process for the portion of the Project alignment within the 12 miles in Interstate 580. Since FTA approval of the Valley Link Rail Project entry into Project Development, the Authority has made significant progress towards the completion of all Project Development and PA&ED requirements.

- April 2023: The Authority Board adopted the 22-mile Valley Link Rail Project alignment along with its four stations, a layover facility and an operations and maintenance facility as the Locally Preferred Alternative (LPA).
- May 2023: The Metropolitan Transportation Commission (MTC) formally amended the Valley Link LPA into the region's 2023 federal Transportation Improvement Program (TIP) to update the project as previously included in the region's fiscally constrained Regional Transportation Plan (Plan Bay Area 2050) in October 2021.
- May 2023: FTA approved the Authority as an FTA Direct Recipient
- September 2023: FTA approved the NEPA Class of Action (COA) as an Environmental Assessment (EA).
- January 2024: The Authority submitted the Administrative Draft NEPA EA to FTA
- May 2024: The Authority released the Draft Subsequent EIR for public review and held two public meetings.

- Concurrent actions 2023-2024: The Authority has been advancing all other PD requirements, including 30 percent design, the Project Management Plan (PMP) and sub-plans, and information for FTA to develop a project rating. This project rating information also involves the Authority's development of a new STOPS ridership model to address FTA's recent guidance on post-Covid19 ridership assumptions in coordination with the FTA Headquarters modeling team.
- b. Describe the scope of the allocation request. Provide background and other details as necessary. The scope must be consistent with the AB 1171 statute. If the scope differs from the most recent IPR for this project, please describe the reason for any changes here; a revised IPR may be necessary.

The current allocation request for \$3,000,000 is a funding augmentation to the existing phase of work that will allow the Authority to complete the Project Report as required by Caltrans for PA&ED. All of the technical activities and deliverables associated with PA&ED are scheduled to be completed by January 2025, however, this allocation request will support those activities associated with Caltrans' review and approval of the Project Report that will occur over the period from January 2025 through June 2025. The Caltrans approved Project Report will allow the Authority to meet all of the Caltrans requirements to move into final design on the I-580 portion of the Project in parallel to the targeted entry into the Engineering phase of the FTA Capital Investment Grants (CIG) New Starts Program.

- c. Deliverable segment budget please fill out attached Excel file. If the budget differs from the most recent IPR for this project, please describe the reason for any changes here; a revised IPR may be necessary.
- d. Schedule what is the expected completion date of the phase for this allocation? Describe any significant milestones.

This allocation request will support those activities associated with Caltrans' review and approval of the Project Report that will occur over the period from January 2025 through June 2025. All of the technical activities and deliverables associated with PA&ED are scheduled to be completed by January 2025 along with the Subsequent EIR, NEPA EA and 30% design.

e. If the project received an RM3 Letter of No Prejudice, how much has been spent against the approved RM3 LONP amount? (Note: the scope and RM3 amount for this allocation request should match the approved LONP)

f. Request Details

Amount being requested	\$3,000,000
Project phase being requested	ENV
Are there other fund sources involved in this phase?	⊠ Yes □ No
Date of anticipated Implementing Agency Board approval of RM3 Allocation Request resolution for the allocation being requested	September 18, 2024
Month/year being requested for MTC commission approval of allocation	October 2024

Note: Allocation requests are recommended to be submitted to MTC staff for review sixty (60) days prior to action by the Implementing Agency Board

g. List any other planned bridge toll allocation requests in the next 12 months

The Authority is targeting a bridge toll allocation request for final design in early 2025.

AGENDA ITEM 6

STAFF REPORT

SUBJECT: Right of Way Update

FROM: Kevin Sheridan, Executive Director/CEO and Ricky Rodriguez, Monument

DATE: ROW September 18, 2024

Action Requested

This is an information item to introduce the Board to the upcoming right of way activities in late 2024 and 2025. No action is requested.

Background

The Valley Link right of way and utility coordination efforts are underway. The right of way efforts are subject to a myriad of Federal, State, and local regulations. The Federal Transit Administration (FTA) requires Capital Investment Grants (CIG) recipients to have an approved Real Estate Acquisition Management Plan (RAMP) to establish the necessary policies and procedures to comply with Federal and State requirements for right of way, appraisal/appraisal review, land acquisition, condemnation and relocation activities. To meet the FTA requirements, staff will be presenting a resolution to the Authority Board at the next Board meeting outlying roles and responsibilities and asking the Board to delegate certain authorities to the Executive Director to help deliver the right of way and utility coordination activities.

The 22-mile Valley Link alignment extends in the median of I-580 from the Dublin/Pleasanton BART station to the I-580/Greenville Interchange and then travels through the Altamont Pass into San Joaquin County and ends at the Mountain House Community Station and Layover Facility. While Valley Link will predominately be in the middle of the I-580 and existing Alameda County Transportation Corridor, the corresponding shift in I-580 and the corridor path over the Altamont Pass will require new rights of way from approximately 140 parcels.

The right of way needs will impact lands owned by multiple public agencies and over 100 private owners throughout the 22-mile alignment. There are also a handful of businesses and residents that may be displaced along the new alignment. The initial right of way needs assessment has already started. Formal negotiations with property owners are not anticipated until mid-2025.

Discussion

The right of way process is regulated by several Federal and State laws and guidelines. In general, the right of way process can be broken into the following phases:

- Survey Define the existing boundaries and delineate the new area required for the Project.
- **Design** Clearly delineate the area required for the Project.
- **Appraisal** Valuation of the real property required for the Project.

- Acquisition Negotiations with the owner(s) of record based following the approval of the appraised value.
- **Relocation Assistance** Coordinate the relocation of impacted residents and businesses to suitable replacement sites.
- **Eminent Domain** If negotiations reach an impasse, the Board can elect to adopt a Resolution of Necessity (RON) and file legal action to acquire the property through eminent domain proceedings.

As a recipient of federal funds, the Authority's real estate acquisition and relocation activities must adhere to all applicable Federal, State, and local regulations. The following apply to the Authority's real estate acquisition program:

- 49 CFR Part 24, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, and the Uniform Act, P L 91-646, as amended.
- California Code of Civil Procedure sections 1230.010 to 1273.050 (Eminent Domain Law).
- California Government Code 7267.
- California Code of Regulations, Title 25, Chapter 6, Subchapter 1.
- Caltrans Right-of-Way Manual.
- FTA Circular 5010.1E

The goal is to reach a negotiated settlement with each of the property owners and utility companies and respectfully relocate all utilities and any displaced residents or businesses. If voluntary negotiations are unsuccessful, the real property negotiations will continue under the threat of condemnation. If necessary, at that time staff will return to the board to hold a public hearing to consider approving a resolution of necessity under the eminent domain process.

Next Steps

At the next Board meeting, staff will be presenting an overview of the right of way acquisitions necessary for the project and requesting delegations from the Board delegating authority to the Executive Director to approve and sign all necessary right of way and utility documents up to the Board approved budget. A sampling of the documents include:

- 1. Notice of Decision to Appraise
- 2. Notice of Decision to Acquire
- 3. Real Estate Appraisal
- 4. Appraisal Review
- 5. Business Valuation Appraisals
- 6. Furniture, Fixture and Equipment Appraisals
- 7. Just Compensation
- 8. Offer to Purchase Real Property
- 9. Offer to Purchase Furniture, Fixtures, and Equipment
- 10. Counter Offers
- 11. Purchase and Sale Agreements

- 12. Escrow Instructions
- 13. Grant Deeds
- 14. Relocation Eligibility Notices
- 15. Relocation Claims
- 16. Relocation Vacate Notices
- 17. Eviction Notices
- 18. Accept real property
- Sign Right of Way Certification for the Project
- 20. Interagency agreements e.g. Cooperative Agreements
- 21. Utility Agreements
- 22. Notice to Utility Owners

Right of Way Schedule

Below is an anticipated schedule outlining the various steps necessary to deliver the right of way (ROW) by early 2027.

ROW Process Presentation to Board	Fall 2024
Resolution delegating ROW authorities to the Executive Director	Fall 2024
FTA Real Estate Acquisition Management Plan	January 2025
Closed session approving ROW budget	Spring 2025
Finalize ROW needs	Summer 2025
Begin ROW appraisal process	Summer 2025
Finalize ROW appraisals	Fall 2025
Approval of appraisal and establishment of Just Compensation	Winter 2025
Initiate negotiations	Early 2026
Begin relocation assistance efforts	Early 2026
Open escrows and deposit funds	Mid 2026
Resolutions of Necessity (as needed)	Late 2026
ROW Certification	Early 2027

Fiscal Impact

There is no fiscal impact at this time.

AGENDA ITEM 7



STAFF REPORT

SUBJECT: Executive Director's Report

FROM: Kevin Sheridan, Executive Director/CEO

DATE: September 18, 2024

Action Requested

This is an information item. No action is requested.

Background/Discussion

An oral report and/or presentation will be provided at the board meeting.

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AHEAD LUNCHEON

Tri-Valley-San Joaquin Valley

AHEAD

Advancing Hydrogen Electrification and Deployment Project



Tracy Community Center, 950 East Street Tracy, CA 95376

Innovation Tri-Valley Leadership Group, in partnership with the Tri-Valley – San Joaquin Valley Regional Rail Authority (Valley Link) and the Livermore Amador Valley Transit Authority (LAVTA), will host a lunch and learn event on September 18th at the Tracy Community Center to showcase the joint Valley Link/LAVTA AHEAD (Advancing Hydrogen Electrification and Deployment) project and other exciting advancements of hydrogen vehicle deployment in local transit systems. The event will include updates on the Valley Link project, regional hydrogen workforce development initiatives and the future hydrogen production facility in Tracy.

Special thanks to: San Joaquin Regional Rail Commission, San Joaquin Valley Air Pollution Control District, Tracy Earth Project, AECOM and the Tracy Chamber of Commerce.

THANK YOU TO OUR PARTNERS AND SPONSORS!















