

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

**Tracy City Hall  
Council Chambers  
333 Civic Center Plaza  
Tracy, CA**

**AGENDA  
OF BOARD OF DIRECTORS**

**February 13, 2019 2:00 p.m.**

1. Call to Order and Pledge of Allegiance
2. Roll Call of Members
3. Public Comments: Members of the public may address the Board on any issues not listed on the agenda that are within the purview of the Authority. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Time limits on public comments may be established by the Chair.
4. Approve Minutes of December 12, 2018 Board of Directors Meeting – **ACTION**
5. Executive Director Report – **INFORMATION**
6. Treasurer’s Report – **ACTION**
7. Valley Link Potential Funding Sources – **INFORMATION**
8. Update on Outreach for Station Area Planning – **INFORMATION**
9. Directors’ Discussion: Comments, Questions and Agenda Requests
10. Next Meeting Date: March 13, 2019 at Martinelli Center, 3585 Greenville Road, Livermore
11. Adjourn

*Upon request, the Tri-Valley-San Joaquin Valley Regional Rail Authority will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and the preferred alternative format or auxiliary aid or service at least 2 days before the meeting. Requests should be sent to: [mtree@lavta.org](mailto:mtree@lavta.org).*

**AGENDA**

**ITEM 4**



**Minutes of December 12, 2018 Meeting in Tracy**

## 1. Call to Order and Pledge of Allegiance

Meeting was called to order by Board Chair Scott Haggerty at 2:00pm.

## 2. Roll Call of Members

**Members Present**

Supervisor Scott Haggerty (Chair), Alameda County  
Mayor Pro Tem Veronica Vargas (Vice Chair), City of Tracy  
Supervisor Bob Elliott, San Joaquin County (arrived at 2:03pm)  
Mayor John Marchand, City of Livermore (arrived at 2:10pm)  
Mayor Jerry Thorne, City of Pleasanton  
Director Bernice King Tingle, Mountain House (arrived at 2:20pm)  
Vice Mayor Philip O'Loane, City of San Ramon  
Councilmember Karen Stepper, Town of Danville  
Councilmember Paul Akinjo, City of Lathrop  
Board Member Steven Spedowski (Livermore), LAVTA  
Board Member John McPartland (District 5), BART  
Board Member Leo Zuber (Ripon), ACE

**Members Absent**

Mayor David Haubert, City of Dublin  
Vice Mayor Debby Moorhead, City of Manteca  
Councilmember Susan Lofthus, City of Stockton

## 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.

[Bob Elliott, Supervisor from San Joaquin County and John Marchand, Mayor from City of Livermore arrived during Public Comments.]

Roland Lebrun, San Jose resident, provided a PowerPoint presentation on Shinn station. Mr. Lebrun spoke regarding the ACE to BART interchange design and the Guiding Principles.

Robert S. Allen, Livermore resident, requested adequate parking at the Isabel station during the first phase and direct bus service between the Isabel station and BART until the rail is in operation. Mr. Allen also stated that BART has a capacity issue on the Blue line with no shop or yard and requested the Rail Authority work with Caltrans and get a more adequate BART turnback to have more BART trains. Mr. Allen also left a note on the comment card for a non-agenda or consent item that stated "Scoping Report error, attachment A, Page 17, C. Project History, 6<sup>th</sup> line, Livermore is not in the Northern San Joaquin Valley. Should it be Lathrop?"

4. Approve Minutes of October 10, 2018 Board of Directors Meeting – **ACTION**

Approved: McPartland/Vargas

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland

No: None

Absent: Haubert, Moorhead, Lofthus, Tingle

5. Executive Director Report – **INFORMATION**

[Bernice King Tingle, Director from Mountain House arrived during the Executive Director Report.]

Executive Director Michael Tree provided the Executive Directors Report PowerPoint presentation to the Board of Directors. Executive Director Michael Tree noted presentations, briefings, and negotiations that have taken place, since the last meeting. Executive Director Michael Tree also set the stage for the meeting by giving a progress report on Phase II of the Feasibility Report and the Environmental Work and 30% Design. Executive Director Michael Tree provided an organizational chart of the Rail Authority and informed that MTC provided funding to remodel the LAVTA Board Room for Rail Authority staff. Executive Director Michael Tree announced a Valley Link Executive Steering Committee that is advisory in nature mandated by MTC. The Steering Committee meeting will be on a quarterly basis to receive briefings and will meet for the first time in January. It was noted that on December 6, 2018 San Joaquin Council of Governments (SJCOG) issued a call for projects for the San Joaquin One Voice program. The application period concludes on February 28, 2018 and the Rail Authority plans to submit an application with member agencies in the San Joaquin County. In March, the SJCOG will consider approval of projects to take to Washington, DC. Executive Director Michael Tree informed the Board of Directors that Bombardier has introduced the Talent 3 a battery electric multiple unit train that is emissions free and low noise (50% quieter than modern diesel trains). The travel capacity is 62 miles without a recharge and the recharge will take 10 minutes.

The item was discussed by the Board of Directors and staff.

Board Chair Scott Haggerty asked for public comment on this agenda item.

Roland Lebrun, San Jose resident, commended Executive Director Michael Tree for his report on train technologies and creating a level playing field for more than one manufacturer.

6. Treasurer's Report – **ACTION**

Executive Director Michael Tree provided the Treasurer's Report to the Board of Directors. Attachment A is the revenues and expenses for the agency as of October. Attachment B is the budget for the next twelve months.

The Board of Directors accepted the financial statements for the period of January 1, 2018 through October 31, 2018 and approved the budget for the next twelve months.

Approved: Vargas/Marchand

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland, Tingle

No: None

Absent: Haubert, Moorhead, Lofthus

7. Contract Award for Phase 2 of Feasibility Report – **ACTION**

Executive Director Michael Tree provided the Contract Award for Phase 2 of Feasibility Report to the Board of Directors. Executive Director Michael Tree informed that this was a competitive bidding process with a Request for Proposals (RFP) and was advertised for three weeks. The Rail Authority received one proposal from AECOM and it was found to be cost competitive. It was noted that Caltrans has given the Rail Authority close oversight through the RFP process and Form 12F has not been signed off on by Caltrans. Executive Director Michael Tree proposed that the Board of Directors award this contract to AECOM, based on the recommendations provided with the additional recommendation that staff receive final sign-off from Caltrans on Form 12F.

The item was discussed by the Board of Directors and staff.

The Board of Directors awarded a contract to AECOM Technical Services, Inc. (AECOM) for a total not-to-exceed amount of \$750,000 to perform Phase 2 of Feasibility Report. The Board of Directors also authorized the Executive Director, or his designee, to execute a contract with AECOM in full conformity with the terms and conditions of the solicitation documents and in a form approved by legal counsel. The Board of Directors in addition recommended that staff receive final sign-off from Caltrans on Form 12F.

Approved: McPartland/Vargas

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland, Tingle

No: None

Absent: Haubert, Moorhead, Lofthus

8. Contract Award for Project Management, Engineering and On-Call Consulting Services – **ACTION**

Executive Director Michael Tree provided the Contract Award for Project Management, Engineering and On-call Consulting Services to the Board of Directors. MTC felt the Rail Authority should have a Senior Project Manager and Senior Engineer Lead to provide direction to AECOM. \$800,731 of the \$10.1M was allocated by MTC for these positions. The Rail Authority did a competitive RFP and received three proposals from LTK, VSCE, and Lockwood, Andrews and Newman. An evaluation was completed on the three proposals and LTK was found to be the highest-ranked and best valued.

The item was discussed by the Board of Directors and staff. Board Member Karen Stepper requested that the motion be changed to include "not-to-exceed amount of \$200,000, if it is deemed in the best interest of the Valley Link and we have obtained the funds ahead of time." Legal Counsel Michael Conneran explained that it is inherent in the proposal, but it should be made clear that there is no authority for the Board to go beyond the budgeted amounts on these contracts without obtaining more funds or obtaining Board approval.

The Board of Directors awarded a contract to LTK Consulting Services, Inc., DBA "LTK Engineering Services" (LTK) for a total not-to-exceed amount of \$900,000 to provide on-call project management, engineering and consulting services for a three-year term at the negotiated rates specified in LTK's proposal. The Board of Directors authorized the Executive Director, or his designee, to execute a contract with LTK in full conformity with the terms and conditions of the solicitation documents and in a form approved by legal counsel. The Board of Directors authorized the Executive Director, or his designee, to exercise up to two, one-year option terms with LTK, for an aggregate total estimated, not-to-exceed amount of \$200,000, if it is deemed in the best interest of the Valley Link to do so.

Approved: Stepper/Vargas

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland, Tingle

No: None

Absent: Haubert, Moorhead, Lofthus

Board Chair Scott Haggerty asked if a LTK representative would like to introduce themselves.

Thomas Matoff introduced himself to the Board of Directors and explained that he represents the LTK and Kimley Horn team and are honored to be selected to provide project management services for the Rail Authority.

9. Contract Award for Strategic Project Development Director Consultant Services – **ACTION**

Executive Director Michael Tree provided the Contract Award for Strategic Project Development Director Consultant Services to the Board of Directors. An RFP was advertised that gained interest, but one proposal was received from Marianne A. Payne DBA Valley Planning Associates (VPA). Executive Director Michael Tree noted that there is \$100,000 in budget for this contract position, but would like to award this for a total of not-to-exceed amount of \$300,000 to provide the strategic project development director services for a term of three years. A cost analysis of the proposed rate was completed and it was found to be market competitive.

The item was discussed by the Board of Directors and staff.

The Board of Directors awarded a contract to Marianne A. Payne DBA "Valley Planning Associates" (VPA) for a total not-to-exceed amount of \$300,000 to provide on-call strategic project development director services for a three-year term at the negotiated rates specified in VPA's proposal. The Board of Directors authorized the Executive Director, or his designee, to execute a contract with VPA in full conformity with the terms and conditions of the solicitation documents and in a form approved by legal counsel. The Board of Directors authorized the Executive Director, or his designee, to exercise up to two, one-year option terms with VPA, for an aggregate total estimated, not-to-exceed amount of \$200,000, if it is deemed in the best interest of the Valley Link to do so, if the funds are available for that expenditure.

Approved: McPartland/Vargas

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland, Tingle

No: None

Absent: Haubert, Moorhead, Lofthus

10. Adoption of a Sustainability Policy for the Valley Link Rail Project – **ACTION**

Consultant Marianne Payne provided a PowerPoint presentation on the Adoption of a Sustainability Policy for the Valley Link Rail Project to the Board of Directors. Presented was a policy to support the elements of the project purpose and need that was adopted on July 25, 2018. The PowerPoint presentation provided a Sustainability Policy Statement: "The Valley Link Project will be a model of sustainability in the design, construction and operation of the system." The policy objectives and strategies were also identified to help advance this policy in the areas of environment, connectivity, equitable access, and station area plans. The adoption of a sustainability policy will support the integration of cost-effective approaches to achieving project and State sustainability goals; foster

partnerships to support the sustainable goals and objectives of the communities it will serve; and promote the equitable participation of disadvantaged communities.

The item was discussed by the Board of Directors and staff.

The Board of Directors approved a sustainability policy for the Valley Link Rail Project to support project goals and direct the development and implementation of sustainable practices in the design, construction and operation of the Valley Link system.

Approved: Vargas/Akinjo

Aye: Haggerty, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland

No: Elliott, Marchand, Tingle

Absent: Haubert, Moorhead, Lofthus

#### 11. Project Scoping Report – **INFORMATION**

AECOM Program Manager Diane Cowin provided a PowerPoint presentation on the Project Scoping Report to the Board of Directors. There was an overview of the CEQA schedule and current CEQA tasks, and the CEQA Scoping. The Notice of Preparation (NOP) of an Environmental Impact Report (EIR) was released on September 13, 2018 and two public scoping meetings were held on October 2, 2018 in Livermore and on October 3, 2018 in Tracy. The scoping ended on October 15, 2018 with 61 comments from agencies, organizations, and individuals. There was extensive outreach conducted with newspapers advertisements, an email blast, mailing, and on the website. Comments were received and there was general support for the project and the project goals and various comments were provided during the presentation. There was also an overview on the NEPA strategy if the project activities trigger a review. CEQA requires the Rail Authority to identify a proposed project concept in the draft EIR and that concept was approved in the July 2018 Board of Directors meeting. The Valley Link alternatives were also provided to the Board of Directors for review.

The item was discussed by the Board of Directors and staff.

This was informational only.

#### 12. Set Board of Director Meeting Dates for 2019 – **ACTION**

The Board of Directors approved the 2019 meeting calendar for Tri-Valley – San Joaquin Valley Regional Rail Authority Board of Directors.

Approved: Vargas/O'Loane

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland, Tingle

No: None

Absent: Haubert, Moorhead, Lofthus

Board Chair Scott Haggerty acknowledged that Debby Moorhead, Susan Lofthus, and Steven Spedowski will no longer be on the Board of Directors and thanked them for their service.

Board Vice Chair Veronica Vargas acknowledged the City Manager of Tracy, Randall Bradley and thanked him for the support on this project.

#### 13. Adjourn to CLOSED SESSION

Meeting adjourned to closed session at 4:03pm.

14. Closed Session pursuant to Government Code Section 54957(b):  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: Executive Director

15. Reconvene to OPEN SESSION

Meeting reconvened at 4:21pm.

16. Consideration of Amendment to Employment Agreement with Executive Director Michael Tree

The Board of Directors approved an amendment to employment with Executive Director Michael Tree to increase his stipend to \$125,000.

Approved: Vargas/Tingle

Aye: Haggerty, Elliott, Marchand, Thorne, Vargas, Spedowski, Akinjo, Stepper, Zuber, O'Loane, McPartland, Tingle

No: None

Absent: Haubert, Moorhead, Lofthus

17. Directors' Discussion: Comments, Questions and Agenda Requests

None.

18. Next Meeting Date: January 9, 2019 at Martinelli Center, 3585 Greenville Road, Livermore

19. Adjourn

Meeting adjourned at 4:29pm.



**AGENDA**

**ITEM 5**





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

**STAFF REPORT**

SUBJECT: Executive Director Report  
FROM: Michael Tree, Executive Director  
DATE: February 13, 2019

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The Executive Director will provide an oral report at the meeting of the Board of Directors.

**AGENDA**

**ITEM 6**





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

**STAFF REPORT**

SUBJECT: Treasurer's Report  
FROM: Tamara Edwards, Director of Finance  
DATE: February 13, 2019

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**Action Requested**

Staff recommends the Tri-Valley – San Joaquin Valley Regional Rail Authority Board accept the financial statements comparing the budgeted amounts approved at the December Board meeting to the expenses through the end of December 2018.

**Background/Discussion**

Attached is the budget approved by the board in December along with the revenues received and expenses expended in November and December. Additional expenses for the project were incurred during this period, however, they were applied to a grant that was outside the scope of this budget and not part of this report. The grant used was a carry-over from the previous budget and had some funds still available. The grant (RM1- through MTC) is now fully expended and will be closed out.

**Attachments:**

- A. Budget vs Actual: November 1, 2018 to December 31, 2018

**Tri-Valley-San Joaquin Valley Regional Rail Authority**  
**Estimated 12 Month Budget Plan**

		Budget	Actual	Amount remaining	% budget remaining
<b>Revenues</b>					
	Caltrans	\$ 750,000		\$ 750,000	100%
	MTC	\$ 10,121,000		\$ 10,121,000	100%
		<u>\$ 10,871,000</u>	<u>\$ -</u>	<u>\$ 10,871,000</u>	<u>100%</u>
<b>Expenses</b>					
<b>Stipends</b>					
	Executive Director	\$ 125,000	\$ 5,834	\$ 119,166	95%
	Finance Director	\$ 25,000	\$ -	\$ 25,000	100%
	Planning Director	\$ 25,000	\$ -	\$ 25,000	100%
	Total Stipends	<u>\$ 175,000</u>	<u>\$ 5,834</u>	<u>\$ 169,166</u>	<u>97%</u>
<b>Consultants</b>					
	Environmental/30% Design	\$ 8,500,000	\$ -	\$ 8,500,000	100%
	Feasability report /EIR	\$ 750,000	\$ -	\$ 750,000	100%
	Senior Project Manager	\$ 425,000	\$ -	\$ 425,000	100%
	Senior Lead Engineer	\$ 376,000	\$ -	\$ 376,000	100%
	Strategic Development Dir	\$ 100,000	\$ -	\$ 100,000	100%
	Administrative Assistant	\$ 55,000	\$ -	\$ 55,000	100%
	Total Consultants	<u>\$ 10,206,000</u>	<u>\$ -</u>	<u>\$ 10,206,000</u>	<u>100%</u>
<b>Other Direct costs</b>					
	Legal	\$ 100,000	\$ 10,507	\$ 89,493	89%
	Meeting Materials	\$ 15,000	\$ 400	\$ 14,600	97%
	Insurance	\$ 25,000	\$ 6,844	\$ 18,156	73%
	Travel/Mileage/Mis	\$ 20,000	\$ 2,411	\$ 17,589	88%
	Office Remodel	\$ 30,000	\$ -	\$ 30,000	100%
	Caltrans Reimbursement	\$ 150,000	\$ -	\$ 150,000	100%
	Union Pacific Reimbursement	\$ 150,000	\$ -	\$ 150,000	100%
	Total Other Direct Costs	<u>\$ 490,000</u>	<u>\$ 20,163</u>	<u>\$ 469,837</u>	<u>96%</u>
	Total Budget	\$ 10,871,000	\$ 25,996	\$ 10,845,004	100%

**AGENDA**

**ITEM 7**





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

## STAFF REPORT

SUBJECT: Valley Link Potential Funding Sources

FROM: Michael Tree, Executive Director

DATE: February 13, 2019

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### **Action Requested**

There is no action requested by staff at this time. This is an item for discussion only.

### **Background/**

At the January 17, 2018 inaugural meeting, the Tri-Valley - San Joaquin Regional Rail Authority adopted the advancement of a work program concept for purposes of expediting the development of cost-effective and responsive transit connectivity between the BART system and ACE rail service in the Tri-Valley region. Assembly Bill 758 that established the Authority, also requires that the Authority develop a plan for how to fund the proposed project concept. Diane Cowin from AECOM will discuss the approach to the development of a funding and finance plan, as well as, the potential funding sources for both capital expenditures and on-going operations and maintenance costs.

### **Discussion**

#### ***Potential Capital Funding Sources***

Potential funding sources at the federal level consist primarily of grants, namely Better Utilizing Investments to Leverage Development (BUILD) grants, Infrastructure for Rebuilding America (INFRA) grants, Congestion Mitigation and Air Quality (CMAQ) grants.

Other federal programs are also being reviewed.

At the state level, potential funding sources are the Senate Bill (SB)-1 Solutions for Congested Corridors Program (SCCP), SB-1 Transit and Intercity Rail Capital Program (TIRCP), and AB 1171 Bridge Toll Funds.

Additionally, private funding and financing could be arranged. Of the \$1.8 billion estimated capital cost, \$588 million in funding has been identified.

#### ***Potential Operating Funding Sources***

Potential Federal sources of funding being considered include Section 5307 Urban Formula grants, Section 5337 State-of-Good-Repair Formula grants, and Congestion Mitigation and Air Quality (CMAQ) grants.

State sources being considered include SB-1 Commuter Rail State Assistance (SRA) funds, State Transit Assistance funds (SJCOG and MTC), and Low Carbon Transit Operations Program (LCTOP).

Local sources include County and/or City measures, Express Lanes tolls, San Joaquin Local Transportation Funds, Alameda County Transportation Commission (ACTC) Measure funds, and Air Quality Management Districts Transportation Funds for Clean Air. Private funding and financing are also a possibility.

**Fiscal Impact**

There are no fiscal impacts associated with the approval of this action.



**AGENDA**

**ITEM 8**





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

**STAFF REPORT**

SUBJECT: Update on Outreach for Station Area Plans

FROM: Michael Tree

DATE: February 13, 2019

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**Action Requested**

There is no action requested by staff at this time. This is an item for discussion only.

**Background/Discussion**

On December 12, 2018, the Board adopted a Sustainability Policy that included a key policy objective and strategy to work in partnership with communities to identify and incorporate high priority local goals and objectives for individual stations. To initiate this effort, the Ad Hoc Committee for San Joaquin County Stations was convened in January and public workshops and pop-up activities are being planned throughout the San Joaquin County station area communities. Plans to convene a Tri-Valley Ad Hoc Stations Committee is underway and station outreach in the Tri-Valley communities will be discussed and closely coordinated with local jurisdictions. An update on these efforts will be provided at the February 13, 2019 Board meeting including a review of an outreach survey.

**Fiscal Impact**

There are no fiscal impacts associated with the approval of this action.