

TRI-VALLEY TRANSPORTATION COUNCIL

Jean Josey
TVTC Chair
Vice Mayor
Dublin
(925) 833-2530

Newell Arnerich
TVTC Vice Chair
Mayor
Town of Danville
(510) 366-0716

David Haubert
Supervisor District 1
Alameda County
(925) 551-6995

Candace Andersen
Supervisor District 2
Contra Costa
(925) 957-8860

Brittni Kiick
Councilmember
City of Livermore
(925) 960-4019

Karla Brown
Mayor
City of Pleasanton
(925) 931-5001

Scott Perkins
Councilmember
San Ramon
(925) 973-2544

If you have any questions related to the Tri-Valley Transportation Council meeting agenda. Please contact Sai Mididdi. TVTC Administrative staff at (925)833-6630 or email at sai.mididdi@dublin.ca.gov

TVTC MEETING

Monday, July 18, 2022
4:00 p.m.

Join Zoom Meeting
<https://dublinca.zoom.us/j/83623490706>

Meeting ID: 836 2349 0706
One tap mobile
+16699009128, 83623490706# US (San Jose),
+12532158782, 83623490706# US (Tacoma)

Pursuant to Government Code section 54953(e), members of the Tri-Valley Transportation Council may conduct this meeting via teleconference. Teleconference locations are not open to the public pursuant to Section 54953(e).

For this meeting, there will be no physical location from which members of the public may observe/comment. There will be no physical location for members of the public to participate in the meeting. We encourage members of the public to access the meeting online using the web-video communication application, Zoom.

Zoom participants will have the opportunity to speak during the Public Comment period (for topics not on the agenda), in addition to each of the items on the agenda.

If you are submitting a public comment via email, please do so **by 12:00 p.m. on Monday, July 18, 2022** to sai.mididdi@dublin.ca.gov Please include **“Public Comment 07/18/22”** in the subject line. In the body of the email, please include your name and the item you wish to speak on. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

Members of the Public may participate and provide public comments to teleconference meetings as follows:

Public testimony will be taken at the direction of the Chair and members of the public may only comment during times allotted for public comments. If you wish to request a disability-related modification or accommodation, please contact the Administrator by email at sai.mididdi@dublin.ca.gov.

TRI-VALLEY TRANSPORTATION COUNCIL

AGENDA

1. Call to Order
2. Roll Call and Self Introductions
3. Public Comment
4. Consent Calendar
 - a. APPROVE July 7, 2022 Minutes
 - b. APPROVE TVTC Resolution 2022-14 - San Ramon's request for Funding of \$2,287,629
 - c. APPROVE TVTC Resolution 2022-15 - Pleasanton's request for Funding of \$2,650,000
5. Old Business
 - a. Action Plan Update
6. New Business
7. Administrative Business
8. Informational Items
TVTC Special Meeting on August 4 at 4:00 p.m. to extend virtual meetings and on August 15 at 4:00 p.m. to present the Action Plan update.
9. Adjournment

** Attachment(s)*

Item 4

TRI-VALLEY TRANSPORTATION COUNCIL

Item 4.a - DRAFT - MEETING MINUTES

TRI-VALLEY TRANSPORTATION COUNCIL SPECIAL MEETING

Zoom Teleconference Call

Wednesday, July 6, 2022

1. **CALL TO ORDER, ROLL CALL, AND SELF-INTRODUCTIONS**

The Tri-Valley Transportation Council (TVTC) was called to order at 4:00 p.m. by Chair, Jean Josey, City of Dublin.

TVTC Members in Attendance:

Jean Josey, Chair, Vice Mayor, Dublin
Newell Arnerich, Vice-chair, Mayor, Town of Danville
David Haubert, Supervisor District 1, Alameda County (absent)
Candace Andersen, Supervisor District 2, Contra Costa County
Brittini Kiick, City of Livermore
Karla Brown, Mayor, City of Pleasanton
Scott Perkins, Chair, Councilmember, San Ramon (absent)

TVTC Staff in Attendance:

Sai Midididdi, Dublin
Chris Weeks, San Ramon (absent)
Cedric Novenario, (absent)
Pratyush Bhatia, City of Dublin (absent)
Andy Dillard, Danville
Joan Liu, City of Livermore (absent)
Robert Sarmiento, Contra Costa County (absent)

Others in Attendance

Lindsay D'Andrea, General Counsel's Office

3. **PUBLIC COMMENT**

None

4. **CONSENT CALENDAR**

APPROVE Resolution No. 2022-13 to continue conducting remote teleconference meetings for all meetings of the legislative bodies of the Tri-Valley Transportation Council ("TVTC"), pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1]), due to a proclaimed state of emergency and imminent risks to the health and safety of attendees if meetings are held in person*

TRI-VALLEY TRANSPORTATION COUNCIL

Motion to Approve Resolution No. 2022-13 by Supervisor Anderson; Second by Mayor Brown

Approved (Ayes 4; Noes 0; Abstain 0) Perkins Absent, Haubert Absent

5. OLD BUSINESS

N/A

6. NEW BUSINESS

N/A

7. INFORMATIONAL ITEMS

Ms. Midididdi recommended that TVTC hold a special meeting in August to vote on a resolution to continue with the virtual meeting. The Board agreed to meet on Thursday, August 4, 2022, at 4:00 for a special meeting. Ms. Midididdi will forward the meeting request to the Board members.

Ms. Midididdi reminded of the upcoming TVTC regularly scheduled Board meeting on July 18.

8. ADJOURNMENT

The meeting was adjourned by Chair Josey at 4:20.

TRI-VALLEY TRANSPORTATION COUNCIL

Item 4.b

Jean Josey
TVTC Chair
Vice Mayor
Dublin
(925) 833-2530

To: Tri-Valley Transportation Council (TVTC)

From: TVTC Technical Advisory Committee

Date: July 18, 2022

Newell Arnerich
TVTC Vice Chair
Mayor
Town of Danville
(510) 366-0716

Subject: City of San Ramon – Request to Allocate Tri-Valley Transportation Development Fee Funds in the amount of \$2,287,629 to the Iron Horse Trail Bicycle Pedestrian Overcrossing at Bollinger Canyon Road of the Tri-Valley Transportation Council Strategic Expenditure Plan Project C.11A

David Haubert
Supervisor District 1
Alameda County
(925) 551-6995

Candace Andersen
Supervisor District 2
Contra Costa
(925) 957-8860

Brittni Kiick
Councilmember
City of Livermore
(925) 960-4019

Karla Brown
Mayor
City of Pleasanton
(925) 931-5001

Scott Perkins
Councilmember
San Ramon
(925) 973-2544

BACKGROUND

The City of San Ramon, in concert with the Contra Costa Transportation Authority (CCTA), has embarked on the final phase of the Iron Horse Trail (IHT) Bicycle Pedestrian Overcrossing at Bollinger Canyon Road. The IHT is an 18-mile regional non-motorized trail that runs north/south through the San Ramon Valley providing critical access to adjacent land uses. The construction of overcrossings at key locations will develop attractive travel alternatives for congestion relief for commute trips as well as enhancing facilities for schools, shopping, and recreational trips.

At Bollinger Canyon Road, the overcrossing will provide substantial benefits including:

- Improve safety by eliminating conflicts between pedestrians, bicyclists, and motorists;
- Improve motor vehicle circulation by removing the at-grade crossings;
- Reduce and eliminate unsafe crossing maneuvers by pedestrians and bicyclists;
- Enhance safety by providing an environment that encourages walking and bicycling along the Iron Horse Regional Trail; and
- Increase trail usage by improving the connectivity at the Bollinger Canyon Road.

The final design for the project is complete. The project is currently in final phases of cost negotiations that are being led by CCTA. Following completion of the negotiations, it is anticipated that the project will go to the final award, and construction will begin in late Fall or early Winter beginning with steel fabrication and other long-lead items.

TRI-VALLEY TRANSPORTATION COUNCIL

In August 2021, the Tri-Valley Transportation Council (TVTC) unanimously approved the 2020 TVTC Nexus Fee Update Study. Subsequently, on April 18, 2022, the TVTC unanimously adopted the 2022 Strategic Expenditure Plan (SEP) Update and SEP Funding Plan. The SEP Funding Plan includes Project C.11A Iron Horse Trail Bicycle Pedestrian Overcrossing at Bollinger Canyon Road. The SEP authorizes an appropriation of \$2,287,629 from the Tri-Valley Transportation Development Fund (TVTDF).

The TVTC Technical Advisory Committee (TAC) has determined that there is sufficient funding to allocate the \$2,287,629 in TVTDF this fiscal year 2022-23. Given that San Ramon is a member of TVTC and signatory to the Joint Exercise of Powers Agreement, San Ramon is the Project Sponsor. In this capacity, the \$2,287,629 in funds will be transmitted to the City of San Ramon.

RECOMMENDATION

TVTC TAC recommends TVTC Board approve Resolution No. 2022-14 authorizing allocation of \$2,287,629 in TVTDF funds to the Iron Horse Trail Bicycle Pedestrian Overcrossing at Bollinger Canyon Road (Project C.11A)

ATTACHMENTS

- A. TVTC Resolution No. 2022-14
- B. 2022 TVTC SEP Funding Plan
- C. 2022 TVTC SEP Project No. C.11A Fact Sheet

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2022-14

A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL TO ALLOCATE \$2,287,629 IN TRI-VALLEY TRANSPORTATION DEVELOPMENT FEE (TVTDF) FUNDS TO THE CITY OF SAN RAMON FOR STRATEGIC EXPENDITURE PLAN PROJECT C.11A IRON HORSE TRAIL BICYCLE-PEDESTRIAN OVERCROSSING AT BOLLINGER CANYON ROAD FOR FY 2022-2023

WHEREAS, in 1995, the Tri-Valley Transportation Council (TVTC) adopted the “Tri-Valley Transportation Plan/Action Plan (TVTP/AP) for Routes of Regional Significance; and

WHEREAS, in 1998, the TVTC, and the City of San Ramon entered into a Joint Exercise Powers of Agreement (JEPA) to provide authority to collect a Tri-Valley Transportation Development Fee (TVTDF) to collect impact fees for the traffic mitigation to be applied to TVTC priority projects; and

WHEREAS, on August 16, 2021 TVTC unanimously approved Resolution No. 2021-10 Adopting the Tri-Valley Transportation Council 2020 Nexus Fee Update Study; and

WHEREAS, on April 18, 2022, the TVTC unanimously approved Resolution No 2022-07 Adopting the Strategic Expenditure Plan (SEP) Update and SEP Funding Plan, which guides the expenditure of revenue collected from TVTDF; and

WHEREAS, the SEP identifies priorities, project sponsors, and funding for TVTDF projects; and

WHEREAS, the 2022 Strategic Expenditure Plan Update programmed \$2,287,629 in fiscal year 2022-23 for the Iron Horse Trail Bicycle Pedestrian Overcrossing at Bollinger Canyon Road (Project C-11A); and

WHEREAS, final design of the Project is underway and construction is anticipated to begin in the fall of 2022; and

WHEREAS, the City of San Ramon is the project sponsor and has requested project funding allocation.

TRI-VALLEY TRANSPORTATION COUNCIL

NOW THEREFORE, the Tri-Valley Transportation Council resolves as follows:

1. The TVTC authorizes the TVTC Administrator and Treasurer to transmit \$2,287,629 in funds from the TVTDF account to the City of San Ramon, the project sponsor for the Iron Horse Trail Bicycle Pedestrian Overcrossing at Bollinger Canyon Road Project (Project C.11A);
2. The TVTC approves the draft Funding Agreement between TVTC and the City of San Ramon substantially in the form attached hereto and incorporated herein as Exhibit A, subject to final review and minor modification by TVTC's General Counsel, and authorizes the Chair to execute the Funding Agreement;
3. The TVTC authorizes any related activities necessary to further the intent of this resolution.

PASSED, APPROVED AND ADOPTED at the meeting of July 18, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jean Josey, Chair
Tri-Valley Transportation Council

ATTEST:

Sai Midididdi, TVTC Administrative Staff

TRI-VALLEY TRANSPORTATION COUNCIL

EXHIBIT A

“Draft Funding Agreement”

FUNDING AGREEMENT BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL AND CITY OF SAN RAMON FOR THE ALLOCATION OF TVTDF FUNDS IN THE AMOUNT OF \$2,287,629 FOR THE IRON HORSE TRAIL BICYCLE PEDESTRIAN OVERCROSSING AT BOLLINGER CANYON ROAD PROJECT (Project C.11A)

This AGREEMENT is made and entered into as of _____ by and between the Tri-Valley Transportation Council and the City of San Ramon (SAN RAMON), collectively referred to herein as the “Parties.”

RECITALS

- A. WHEREAS, SAN RAMON, as one of the members of the Tri-Valley Transportation Council (“TVTC”), is a signatory to the Joint Exercise of Powers Agreement pertaining to the Tri-Valley Transportation Development Fee (“TVTDF”); and
- B. WHEREAS, the Iron Horse Trail Bicycle Pedestrian Overcrossing at Bollinger Canyon Road Project (“Project”) is identified on List C of the TVTC Strategic Expenditure Plan (“SEP”) and is programmed for funding in the SEP Funding Plan; and
- C. WHEREAS, SAN RAMON is the Project sponsor and requested a TVTDF funding allocation; and
- D. WHEREAS, pursuant to Resolution No. 2022-14, TVTC approved the allocation of \$2,287,629 of TVTDF funds to SAN RAMON for the Project; and
- E. WHEREAS, the Parties desire to enter into this Funding Agreement to outline the terms and obligations associated with the allocation of TVTDF funds;

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

SECTION I

TVTC AGREES:

- A. To allocate and transmit to SAN RAMON \$2,287,629 of TVTDF funds for the Project.

SAN RAMON AGREES:

- A. To utilize the TVTDF funds solely for the Project, in accordance with the SEP.

TRI-VALLEY TRANSPORTATION COUNCIL

- B. To keep and maintain accurate documentation consistent with Generally Accepted Accounting Principles (GAAP) related to the expenditure of the TVTDF funds allocated for the Project.
- C. To make any and all documentation related to the Project's use of TVTDF funds available to TVTC or its representatives upon request.
- D. To promptly notify TVTC of any unspent TVTDF funds after Project completion and promptly return said funds to TVTC.

SECTION II

IT IS MUTUALLY AGREED:

- A. Any notice given under this Funding Agreement shall be in writing and shall be deemed given if delivered personally or mailed by registered or certified mail or commercial overnight courier, return receipt or confirmation of delivery requested, or by facsimile transmission with voice confirmation of receipt, the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

If to SAN RAMON:
[INSERT CONTACT/ADDRESS]

If to TVTC:
[INSERT CONTACT/ADDRESS]
Attention: TVTC Administrator

CITY OF SAN RAMON

ATTEST:

City Clerk

Approved as to form:

City Attorney

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL

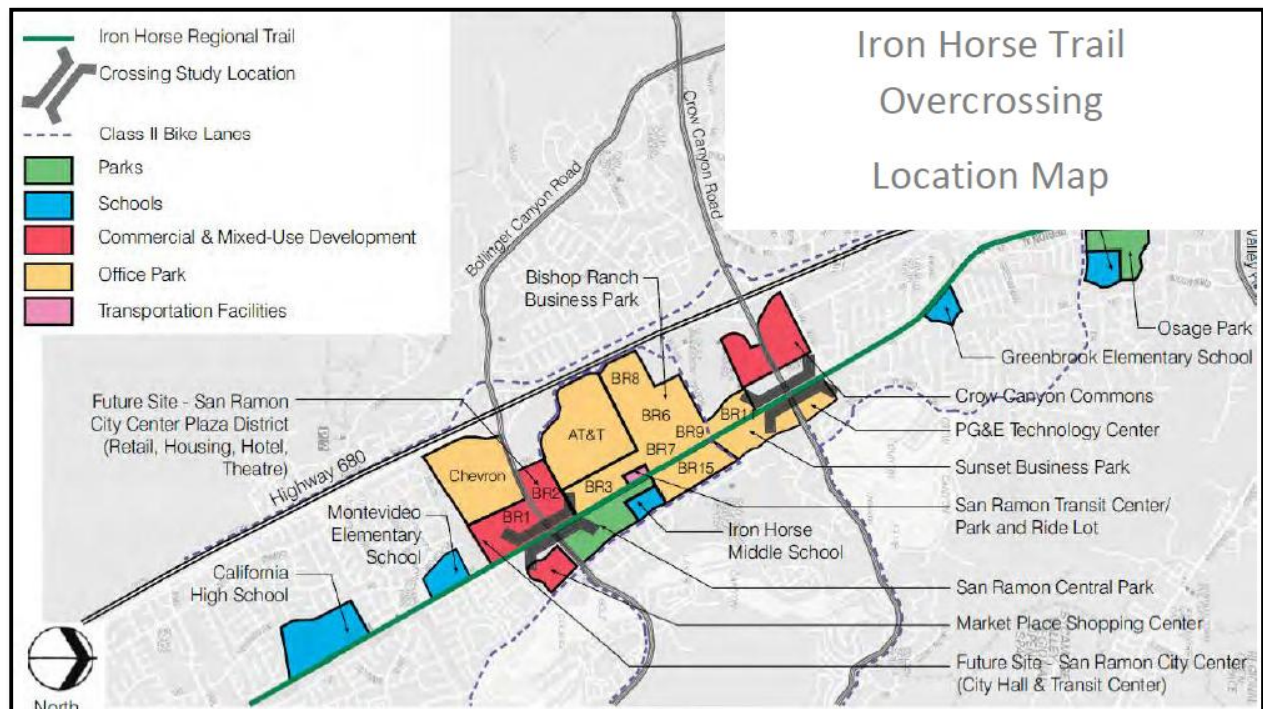
Jean Josey, Chair

ATTEST:

TVTC Administrator

Steven Mattas, TVTC Counsel

C-11A. IRON HORSE TRAIL BICYCLE PEDESTRIAN OVERCROSSING – BOLLINGER CANYON ROAD



TVTC PROJECT SPONSORS

City of San Ramon, Contra Costa County

LEAD AGENCY

CCTA, City of San Ramon, Contra Costa County

PROJECT DESCRIPTION (UPDATED SUMMER 2021)

The Iron Horse Trail (IHT) is an 18-mile regional non-motorized trail that runs north/south through the San Ramon Valley providing critical access to adjacent land uses. The construction of overcrossings at key locations will develop attractive travel alternatives for congestion relief for commute trips as well as better facilities for school, shopping, and recreations trips. Project C-11a will construct an overcrossing at Bollinger Canyon Road. At this location, the overcrossing will provide substantial benefits including:

1. Improve safety by eliminating conflicts between pedestrians, bicyclists and motorists;
2. Improve motor vehicle circulation by removing the at-grade crossings;
3. Reduce and eliminate unsafe crossing maneuvers by pedestrians and bicyclists;
4. Enhance safety by providing an environment that encourages walking and bicycling along the Iron Horse Regional Trail; and
5. Increase trail usage by improving the connectivity at the Bollinger Canyon Road and Crow Canyon Road crossings.

STATUS

Currently in PA&ED phase.

PHASING AND SCHEDULE

The CEQA phase has been completed and the PA &ED has begun.

COST AND FUNDING SOURCES

| | |
|--|----------------|
| Cost (Millions) | \$22.88 |
| Funding (Millions) | |
| OBAG2 | \$4.80 |
| Measure J (Transportation for Livable Communities) | \$2.51 |
| Measure J (TLC future year pre-commitment) | \$4.98 |
| San Ramon General Fund | \$2.00 |
| TVTDF | \$2.29 |
| Total Funding (Millions) | \$16.58 |
| Total Funding Shortfall (Millions) | \$6.30 |

TRI-VALLEY TRANSPORTATION COUNCIL

Item 4.C

Jean Josey
TVTC Chair
Councilmember
Dublin
(925) 833-2530

To: Tri-Valley Transportation Council (TVTC)
From: TVTC Technical Advisory Committee (TAC)
Date: July 18, 2022

Newell Arnerich
TVTC Vice-Chair
Mayor
Town of Danville
(510) 366-0716

Subject: City of Pleasanton—Request to Allocate Tri-Valley Transportation Development Fee Funds in the amount of \$2,650,000 to the Sunol Blvd and I-680 Interchange Widening Project: Strategic Expenditure Plan Project C.6

David Haubert
Supervisor District 1
Alameda County
(925) 551-6995

BACKGROUND

The Tri-Valley Transportation Council (TVTC) adopted the Tri-Valley Transportation Plan/Action Plan (TVTP/AP) for Routes of Regional Significance in 1995. The TVTP/AP was later updated in 2000, 2009, and 2014. The Plan outlines the mutual understanding and agreement on Tri-Valley transportation concerns and recommendations for improvements.

Candance Andersen
Supervisor District 2
Contra Costa
(925) 957-8860

In 1998, through a Joint Exercise Powers Agreement (JEPA), the seven-member agencies that comprise the TVTC originally approved the Tri-Valley Transportation Development Fee (TVTDF) program. The TVTDF is intended to allocate fair share costs for the regional projects identified in the TVTP/AP.

Brittini Kiick
Councilmember
Livermore
(925) 960-4019

In 1999, the TVTC adopted a Strategic Expenditure Plan (SEP) which identified priorities, project sponsors, and funding for TVTDF projects. The TVTC updated the SEP in 2004, 2011, 2017, and 2022. The SEP originally established a funding plan for eleven regional transportation projects (List A). The TVTC then expanded this list to add 11 new projects (List B).

Karla Brown
Mayor
Pleasanton
(510) 931-5001

Scott Perkins
Councilmember
San Ramon
(925) 973-2544

In August 2021, the TVTC unanimously approved the 2020 TVTC Nexus Fee Update Study. Subsequently, on April 18, 2022, the TVTC unanimously adopted the 2022 Strategic Expenditure Plan (SEP) Update and SEP Funding Plan. The SEP Funding Plan includes Project C.6 Sunol/I-680 Widening. The SEP authorizes an appropriation of \$2,650,000 from the Tri-Valley Transportation Development Fund (TVTDF).

TRI-VALLEY TRANSPORTATION COUNCIL

DISCUSSION

The TVTDF is intended to provide partial funding for the prioritized projects that are ready to compete for federal funding and/or provide additional funding during the design or construction phase.

The Sunol Blvd and I-680 Interchange will be modified to improve safety, operations, improve congestion and upgrade bicycle facilities. These improvements include:

- Add an additional southbound multiple purpose on ramp lane
- Add a southbound high occupancy vehicle on ramp lane
- Signalize the northbound and southbound on/off ramps
- Add a Class IV bike lane on Sunol Blvd between Arlington Dr and Castlewood Dr
- Transform the intersection of Arlington Dr/Sunol Blvd into a protected intersection

The City of Pleasanton is the project lead with Caltrans providing project oversight. The City is required to follow the Caltrans project development process. The City completed a Project Study Report-Project Development Study in 2020 and is nearing completion of the Project Analysis & Environmental Document phase. The Strategic Expenditure Plan recommends \$2,650,000 in TVTDF funds to the City of Pleasanton, which will be used toward project design.

The TVTC Technical Advisory Committee (TAC) has determined that there is sufficient funding to cover the \$2,650,000 allocations in the TVTDF this fiscal year 2022-23.

RECOMMENDATION

1. TVTC TAC recommends TVTC Board approve Resolution No. 2022-15 to allocate \$2,650,000 of TVTDF funds to fund the Sunol/I-680 Widening (Project C.6)

ATTACHMENTS

- A. TVTC Resolution No. 2022-15
- B. 2022 TVTC SEP Funding Plan

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2022-15

A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL TO ALLOCATE \$2,650,000 IN TRI-VALLEY TRANSPORTATION DEVELOPMENT FEE (TVTDF) FUNDS TO THE CITY OF PLEASANTON FOR STRATEGIC EXPENDITURE PLAN PROJECT C.6 THE SUNOL BLVD AND I-680 INTERCHANGE WIDENING FOR FY 2022-2023

WHEREAS, in 1995, the Tri-Valley Transportation Council (TVTC) adopted the “Tri-Valley Transportation Plan/Action Plan (TVTP/AP) for Routes of Regional Significance; and

WHEREAS, in 1998, the TVTC, and the City of Pleasanton entered into a Joint Exercise Powers of Agreement (JEPA) to provide authority to collect a Tri-Valley Transportation Development Fee (TVTDF) to collect impact fees for the traffic mitigation to be applied to TVTC priority projects; and

WHEREAS, on August 16, 2021, TVTC unanimously approved Resolution No. 2021-10 Adopting the Tri-Valley Transportation Council 2020 Nexus Fee Update Study; and

WHEREAS, on April 18, 2022, the TVTC unanimously approved Resolution No 2022-07 Adopting the Strategic Expenditure Plan (SEP) Update and SEP Funding Plan, which guides the expenditure of revenue collected from TVTDF; and

WHEREAS, the SEP identifies priorities, project sponsors, and funding for TVTDF projects; and

WHEREAS, the 2022 Update of the SEP programmed \$2,650,000 in fiscal year 22/23 to Sunol/I-680 Widening (Project C-6); and

WHEREAS, the City of Pleasanton is the project sponsor and has requested project funding allocation for The Sunol Blvd and I-680 Interchange Widening (Project C.6) and

TRI-VALLEY TRANSPORTATION COUNCIL

NOW THEREFORE, the Tri-Valley Transportation Council resolves as follows:

1. The Tri-Valley Transportation Council authorizes an appropriation and transmission from the Tri-Valley Transportation Development Fee Account to the City of Pleasanton for the Sunol Blvd and I-680 Interchange Widening project (Project C-6) of \$2,650,000 as programmed in the SEP and SEP Funding Plan for fiscal years 2022/23.
2. The Tri-Valley Transportation Council approves the draft Funding Agreement between TVTC and the City of Pleasanton substantially in the form attached hereto and incorporated herein as Exhibit A, subject to final review and minor modification by TVTC's General Counsel and authorizes the Chair to execute the Funding Agreement.
3. The Tri-Valley Transportation Council authorizes any related activities necessary to further the intent of this resolution.

PASSED, APPROVED, AND ADOPTED at the meeting of July 18, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jean Josey, Chair
Tri-Valley Transportation Council

ATTEST:

Sai Midididdi, TVTC Administrative Staff

TRI-VALLEY TRANSPORTATION COUNCIL

EXHIBIT A

“Draft Funding Agreement”

FUNDING AGREEMENT BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL AND CITY OF PLEASANTON FOR THE ALLOCATION OF TVTDF FUNDS IN THE AMOUNT OF \$2,650,000 FOR THE SUNOL BLVD AND I-680 INTERCHANGE WIDENING PROJECT (Project C-6)

This AGREEMENT is made and entered into as of _____ by and between the Tri-Valley Transportation Council and the City of Pleasanton (PLEASANTON), collectively referred to herein as the “Parties.”

RECITALS

- F. WHEREAS, PLEASANTON, as one of the members of the Tri-Valley Transportation Council (“TVTC”) is a signatory to the Joint Exercise of Powers Agreement pertaining to the Tri-Valley Transportation Development Fee (“TVTDF”); and
- G. WHEREAS, the Sunol/I-680 Widening Project (“Project”) is identified on List C of the TVTC Strategic Expenditure Plan (“SEP”) and is programmed for funding in the SEP Funding Plan for fiscal years 2022/23; and
- H. WHEREAS, PLEASANTON is the Project sponsor and requested a TVTDF funding allocation; and
- I. WHEREAS, pursuant to Resolution No. 2022-15, TVTC approved the allocation of \$2,650,000 of TVTDF funds to PLEASANTON for the Project; and
- J. WHEREAS, the Parties desire to enter into this Funding Agreement to outline the terms and obligations associated with the allocation of TVTDF funds;

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

SECTION I

TVTC AGREES:

- B. To allocate and transmit to PLEASANTON \$2,650,000 of TVTDF funds for the Project.

PLEASANTON AGREES:

- E. To utilize the TVTDF funds solely for the Project, in accordance with the SEP.
- F. To keep and maintain accurate documentation consistent with Generally Accepted Accounting Principles (GAAP) related to the expenditure of the TVTDF funds allocated to the Project.

TRI-VALLEY TRANSPORTATION COUNCIL

- G. To make any and all documentation related to the Project's use of TVTDF funds available to TVTC or its representatives upon request.
- H. To promptly notify TVTC of any unspent TVTDF funds after Project completion and promptly return said funds to TVTC.

SECTION II

IT IS MUTUALLY AGREED:

- B. Any notice given under this Funding Agreement shall be in writing and shall be deemed given if delivered personally or mailed by registered or certified mail or commercial overnight courier, return receipt or confirmation of delivery requested, or by facsimile transmission with voice confirmation of receipt, the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

If to PLEASANTON:
[INSERT ADDRESS]

If to TVTC:
[INSERT ADDRESS]
Attention: TVTC Administrator

CITY OF PLEASANTON

ATTEST:

City Clerk

Approved as to form:

City Attorney

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL

Jean Josey, Chair

ATTEST:

TVTC Administrator

Steven Mattas, TVTC Counsel

5148053.1

