
TRI-VALLEY TRANSPORTATION COUNCIL

Scott Perkins
TVTC Chair
Vice Mayor
San Ramon
(925) 973-2544

Monday, April 19, 2021
4:00 pm

Join Zoom Meeting
<https://cityofsanramon.zoom.us/j/95245986064>

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

Meeting ID: 952 4598 6064

One tap mobile

+16699006833,,95245986064# US (San Jose)

+12532158782,,95245986064# US (Tacoma)

Renee Morgan
Mayor
Town of Danville
(925) 918-3999

Pursuant to the Governor's Executive Order N-29-20 (dated March 17, 2020), members of the Board may participate via teleconference. Teleconference locations are not open to the public pursuant to California Governor Executive Order N-29-20. For this meeting, there will be no physical location from which members of the public may observe/comment.

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

There will be no physical location for members of the public to participate in the meeting. We encourage members of the public to shelter in place and access the meeting online using the web-video communication application, Zoom.

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

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.

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

If you are submitting a public comment via email, please do so by **12:00 p.m. on Monday, April 19, 2021** to lbobadilla@sanramon.ca.gov. Please include "Public Comment 04/19/2021" 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.

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

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

If you have any questions related to the Tri-Valley Transportation Council meeting agenda, please contact Lisa Bobadilla, TVTC Administrative staff at (925) 973-2651 or email at lbobadilla@sanramon.ca.gov

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 lbobadilla@sanramon.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 Tri-Valley Transportation Council (TVTC) Board Meeting Minutes January 25, 2021*
 - b. ADOPT the Tri-valley Transportation Development Fee Construction Cost Index Annual Adjustment (Action)*
 - c. APPROVE Resolution No.2021-05 Contract Extension for Kimley Horn & Associates to July 31, 2021*
5. Old Business
 - a. RECEIVE verbal update on Tri-Valley Transportation Council Nexus Study
6. New Business
 - a. APPROVE Resolution No. 2021-01 Contra Costa Transportation Authority Request to Amend TVTC Strategic Expenditure Plan (SEP) to fund TVTC Project B-10 – I-680 Southbound (SB) High Occupancy Vehicle (HOV) Lane Gap Closure Project*
 - b. APPROVE Resolution No. 2021-02 City of Pleasanton request to refund Tri-Valley Transportation Development Funds (TVTDF) to Northern California Carpenter’s ATF LLC*
 - c. APPROVE Resolution No. 2021-04 TVTC Fiscal Year (FY) 2021-2022 Operating Budget
7. Informational Items
8. Adjournment

* *Attachment(s)*

Upcoming Meetings:

TVTC TAC: Wednesday, May 5, 2021 – City of San Ramon – Zoom Teleconference

TVTC: Monday, July 19, 2021 4:00 p.m. – City of San Ramon – Zoom Teleconference

Item 4.a

DRAFT - MEETING MINUTES

TRI-VALLEY TRANSPORTATION COUNCIL

Zoom Teleconference Call

Monday, January 25, 2021

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

The Tri-Valley Transportation Council (TVTC) was called to order at 4:01 p.m. by Chair, Scott Perkins, City of San Ramon.

TVTC Members in Attendance:

Scott Perkins, Chair, Councilmember, San Ramon
Jean Josey, Vice Chair, Councilmember, Dublin
Renee Morgan, Mayor, Town of Danville
David Haubert, Supervisor District 1, Alameda County
Candace Andersen, Supervisor District 2, Contra Costa County
Brittni Kiick, Councilmember, City of Livermore
Karla Brown, Mayor, City of Pleasanton

TVTC Staff in Attendance:

Lisa Bobadilla, San Ramon
PJ Dhoot, San Ramon
Cedric Novenario, Pleasanton
Sai Midididdi, Dublin
Pratyush Bhatia, Dublin
Andy Dillard, Danville
Joanna Liu, Livermore
Robert Sarmiento, Contra Costa County

Others in Attendance:

Katy Perry, Cropper Accountancy
Frederic Venter, Kimley Horn & Associates
Elizabeth Chau, Kimley Horn & Associates
Steve Mattos, TVTC Legal Counsel

3. PUBLIC COMMENT

None

4. CONSENT CALENDAR

A. APPROVE TVTC Board Meeting Minutes October 19, 2020

Motion to Approve by Supervisor Andersen; Second by Vice Chair Josey
Approved (Ayes 5; Noes 0; Abstain 2)

B. ACCEPT Fiscal Year (FY) 2019-2020 AB1600 Mitigation Fee Act Report

Motion to Approve by Supervisor Andersen; Second by Vice Chair Josey
Approved (Ayes 7; Noes 0; Abstain 0)

5. **OLD BUSINESS**

A. RECEIVE Status Update on TVTC Nexus Study.

Mr. Frederic Venter, Kimley Horn & Associates, provided TVTC members with a brief update on status of Nexus Study. To date, 5 agencies have submitted updated land use data with 2 remaining agencies scheduled to submit data. Once all data received, Kimley Horn will implement next steps, including running the Travel Demand Model to determine performance measures of the roadway network. Status update will be provided at April TVTC meeting.

6. **NEW BUSINESS**

A. APPROVE TVTC FY 2019-2020 Audit

The TVTC Auditor, Katy Perry, Cropper Accountancy provided an overview of the TVTC audit for FY 2019-2020. Overall, the Audit was categorized as unmodified, in other words, there were no findings or issues with the FY 2019-20 financials of TVTC. Albeit revenues were down slightly for the last quarter of 2020, due to downturn in Economy.

Mayor Brown inquired as to why there were no TVTC project funds allocated in FY 2019-2020. Chair Perkins responded that funds are only spent upon formal request by TVTC member agencies for a specific TVTC project.

Supervisor Andersen replied that requests for project funding changes year over year with some years no request vs. other years multiple requests. Also, she stated that TVTC funds are generally not the sole source of project funding.

Motion to Approve by Vice Chair Josey; Second by Supervisor Andersen.
Approved (Ayes 7; Noes 0; Abstain 0)

7. **INFORMATIONAL ITEMS**

REVIEW TVTC 2021 Work Plan. Information only. No Action Required.

8. **ADJOURNMENT**

The meeting was adjourned by Chair Perkins at 4:25 p.m.

Item 4.b

TRI-VALLEY TRANSPORTATION COUNCIL

Scott Perkins
TVTC Chair
Vice Mayor
San Ramon
(925) 973-2544

To: Tri-Valley Transportation Council

From: TVTC Finance Committee
By: Technical Advisory Committee (TAC)

Date: April 19, 2021

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

Subject: ADOPT the Tri-Valley Transportation Development Fee Construction Cost Index Annual Adjustment

Renee Morgan
Mayor
Town of Danville
(925) 918-3999

BACKGROUND

The Joint Exercise of Powers Agreement (JEPA) for the Tri-Valley Transportation Development Fee (TVTDF) specifies that the TVTDF amounts are to be adjusted automatically as of July 1 of each year to reflect changes in regional construction costs. JEPA Section 3(D)(I) requires the TVTC adopt the adjustment by a simple majority.

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

DISCUSSION

The amount of the adjustment is based on the change in the "Construction Cost Index" (CCI) for the San Francisco Bay Area, as reported annually in the Engineering News Record (ENR). The December 2020 ENR CCI for the San Francisco Bay Area is **+3.2%**.

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

RECOMMENDATION

The TVTC Finance Committee recommends the TVTC adopt the Tri-Valley Transportation Development Fee Construction Cost Index Annual Adjustment and notify each TVTC member agency to collect the TVTDF rates as listed below starting **July 1, 2021**:

Brittini Klick
Councilmember
City of Livermore
(925) 960-4019

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

Single Family Residential	\$5,057.00/Dwelling Unit (DU)
Multi-Family Residential	\$3,484.00/DU
Office	\$8.59/sq. ft. Gross Floor Area
Retail	\$3.74/sq. ft. Gross Floor Area
Industrial	\$5.00/sq. ft. Gross Floor Area
Other	\$5,620.00/average am/pm peak hour trip
ADU/SDU	\$0
Affordable Housing	\$0

TRI-VALLEY TRANSPORTATION COUNCIL

TVTDF Historical Fee Rates

	2019	2020	2021
Single Family Residential (per DU)	\$4,650.56	\$4,901.00	\$5,057.00
Multi-Family Residential (per DU)	\$3,203.48	\$3,376.00	\$3,484.00
Office (per SF Gross Floor Area)	\$7.90	\$8.33	\$8.59
Retail (per SF Gross Floor Area)	\$3.41	\$3.63	\$3.74
Industrial (per SF Gross Floor Area)	\$4.60	\$4.85	\$5.00
Other (average am/pm peak hour trip)	\$5,167.00	\$5,446.00	\$5,620.00
Affordable Housing *	\$0.00	\$0.00	\$0.00
ADU/SDU**	\$0.00	\$0.00	\$0.00

*Pursuant to Resolution 2015-01 Adjusting the Tri-Valley Transportation Development Fee Schedule

**Pursuant to Resolution 2019-03 – Resetting the Accessory Dwelling Unit/Secondary Dwelling Unit Fee in the Tri-Valley Transportation Development Fee Program

Item 4.c

TRI-VALLEY TRANSPORTATION COUNCIL

Scott Perkins
TVTC Chair
Vice Mayor
San Ramon
(925) 973-2544

To: Tri-Valley Transportation Council (TVTC)

From: TVTC Technical Advisory Committee (TAC)

Date: April 19, 2021

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

Subject: Professional Services Agreement Extension between Tri-Valley Transportation Council and Kimley-Horn and Associates

Renee Morgan
Mayor
Town of Danville
(925) 918-3999

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

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

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

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

BACKGROUND

On April 20, 2020, the Tri-Valley Transportation Council (TVTC) approved Resolution 2020-03 authorizing \$172,930 for Kimley-Horn and Associates (KHA), consulting services to implement the TVTC Nexus Study with an expiration date of April 30, 2021.

DISCUSSION

Since inception, KHA has been instrumental in leading the TVTC Nexus Study, dividing the study into nine tasks. Of the nine tasks, to date, KHA has completed four, with one in progress and three not yet started. The tasks are summarized as follows:

1. Kick-off meeting and finalize scope: complete.
2. Refine growth forecast: complete.
3. Confirm project list: complete.
4. Refine project list: complete.
5. Refine non-fee funding forecast: in progress.
6. Fee revenue estimation: not yet started.
7. Nexus and burden analysis: not yet started.
8. Final TVTC nexus update: not yet started.
9. Project management: ongoing.

The TVTC TAC concurs that the existing contract requires an amendment to extend the Professional Services Agreement through July 31, 2021 in order to complete the remaining three tasks, prepare the final report and present final Nexus Study to TVTC July 19, 2021.

RECOMMENDATION

TVTC TAC recommends TVTC Board approve Resolution No. 2021-05 extending the Kimley Horn & Associates Professional Services contract through July 31, 2021. The contract extension is for the sole purpose to complete the Nexus Study. The extension has no fiscal impact, as the contract amount will not be increased.

TRI-VALLEY TRANSPORTATION COUNCIL

ATTACHMENTS

1. Resolution 2021-05.
2. KHA Updated Timeline.

**TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2021-05**

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL APPROVAL
TO EXTEND THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TRI-
VALLEY TRANSPORTATION COUNCIL AND KIMLEY-HORN AND ASSOCIATES
FOR THE TRI-VALLEY FEE NEXUS STUDY**

WHEREAS, on April 20, 2020 the Tri-Valley Transportation Council (TVTC) and Kimley-Horn and Associates (Consultant) entered into a Professional Services Agreement (Agreement), attached hereto and incorporated herein as Attachment 1, whereby Consultant agrees to provide professional services for the preparation of a new Tri-Valley Fee Nexus Study for TVTC; and

WHEREAS, to date the Consultant has completed four of the nine tasks including:

1. Kick-off meeting and finalize scope: complete.
2. Refine growth forecast: complete.
3. Confirm project list: complete.
4. Refine project list: complete.
5. Refine non-fee funding forecast: in progress.
6. Fee revenue estimation: not yet started.
7. Nexus and burden analysis: not yet started.
8. Final TVTC nexus update: not yet started.
9. Project management: ongoing; and

WHEREAS, the original Agreement expires April 30, 2021 and the need to extend the contract to July 31, 2021 will assure the remaining tasks are completed; and

WHEREAS, the contract extension through July 31, 2021 will have no financial implications to the original contract amount of \$172,930.

NOW THEREFORE BE IT RESOLVED THAT the Tri-Valley Transportation Council approves of extending the Professional Services Agreement attached hereto as Attachment 1 and authorizes the TVTC Chair to execute the Agreement on behalf of the TVTC, subject to review and approval as to form by the General Counsel.

PASSED, APPROVED, AND ADOPTED at the meeting of April 19, 2021 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

Scott Perkins, Chair
Tri-Valley Transportation Council

ATTEST:





Lisa Bobadilla, TVTC Administrative Staff

Kimley Horn and Associates

Nexus Study Schedule

Task	Kimley-Horn	Agency	Completion Date	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1. Kick-off Meeting and Finalize Scope - Completed	Submittal Date	End Review Date	May 20, 2020															
2. Refine Growth Forecast - Completed			January 8, 2021															
a) Refine & Analyze growth assumptions	June 12, 2020	July 14, 2020																
b) Verify growth assumption																		
c) Aggregate growth assumption	October 2, 2020	January 7, 2021																
d) Technical Memorandum 1.0 (Draft)	January 8, 2021																	
e) Technical Memorandum 1.0 (Final)			February 12, 2021															
3. Confirm Project List - Completed																		
a) Refine Project List																		
b) Congestion analysis																		
b) Technical Memorandum 2.0 (Draft)	January 22, 2021	February 5, 2021																
d) Technical Memorandum 2.0 (Final)	February 12, 2021		April 9, 2021															
4. Refine Project List - Completed																		
a) Refine Project List	February 12, 2021	February 26, 2021																
b) Project Matrix	February 12, 2021	February 26, 2021																
c) Technical Memorandum 3.0 (Draft)	April 9, 2021	March 26, 2021																
d) Technical Memorandum 3.0 (Final)			May 14, 2021															
5. Refine Non-Fee Funding Forecast - In Progress																		
a) Investigate alternative funding source	April 23, 2021	May 7, 2021																
b) Technical Memorandum 4.0 (Draft)	May 14, 2021		May 28, 2021															
c) Technical Memorandum 4.0 (Final)																		
6. Fee Revenue Estimation - Not Yet Started																		
a) Fee revenue Estimation																		
b) Feasibility of Levying Regional Impact Fee	April 30, 2021	April 30, 2021																
c) Technical Memorandum 5.0 (Draft)	May 14, 2021	May 14, 2021																
d) Technical Memorandum 5.0 (Final)	May 28, 2021		June 18, 2021															
7. Nexus and Burden Analysis - Not Yet Started																		
a) Nexus & Burden Analysis																		
b) Preliminary Fee schedule																		
c) Fee Schedule Evaluation	May 28, 2021	May 21, 2021																
d) Technical Memorandum 6.0 (Draft)	June 18, 2021	June 4, 2021																
e) Technical Memorandum 6.0 (Final)			July 18, 2021															
8. Final TVIC Nexus Update - Not Yet Started																		
a) Nexus Study Update Report	June 25, 2021	July 9, 2021																
b) Draft Nexus Study Update Report	July 16, 2021																	
c) Final Nexus Study Update Report			July 31, 2021															
9. Project Management - Ongoing																		

Legend

-  Kimley-Horn Effort
-  Agency Review
-  Kimley-Horn Deliverable
-  TAC Meeting

Item 5

Verbal Update

Item 6.a

TRI-VALLEY TRANSPORTATION COUNCIL

Scott Perkins
TVTC Chair
Vice Mayor
San Ramon
(925) 973-2544

To: Tri-Valley Transportation Council (TVTC)
From: TVTC Finance Committee
By: Technical Advisory Committee (TAC)

Date: April 19, 2021

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

Subject: Contra Costa Transportation Authority – Request to advance Tri-Valley Transportation Development Fee Funds in the amount of \$6.49 M to the I-680 Southbound (SB) High Occupancy Vehicle (HOV) Lane Gap Closure Project

Renee Morgan
Mayor
Town of Danville
(925) 918-3999

BACKGROUND

On April 15, 2019, the Tri-Valley Transportation Council (TVTC) adopted Resolution No. 2019-02 (attached). The Resolution authorizes an appropriation of \$6.49M from the Tri-Valley Transportation Development Fund (TVTDF) account for the I-680 Southbound (SB) High Occupancy Vehicle (HOV) Lane Gap Closure Project (Project) for Fiscal Year (FY) 2023-24 and 2024-25 or sooner if funds are available. The Project is one of the “B List” Projects in the 2017 Strategic Expenditure Plan (Project B-10), adopted unanimously by the TVTC on January 23, 2017.

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

In June 2019, the Contra Costa Transportation Authority (Authority), the City of San Ramon and Tri Valley Transportation Council entered into Funding Agreement allowing the advancement of Tri-Valley Transportation Development (TVTDF) funds with Measure J. Because TVTDF were not expected to be available until FY 2023-24 and FY 2024-25, rather than delay the construction of the project, the Agreement allowed the Authority to utilize \$6.49 million in Measure J funds for later reimbursement by the City of San Ramon when TVTDF become available in FY 2023-24 and FY 2024-25.

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

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

The construction phase for the I-680 SB HOV Lane Completion project from North Main Street to Rudgear Road was completed ahead of schedule. Due to COVID-19 impacts on Measure J revenues and early completion of the project, the Authority is requesting consideration of early reimbursement of advanced Measure J funds. Staff worked the TVTC Technical Advisory Committee (TAC) to review project schedules in the TVTC Strategic Expenditure Plan and determined that there is sufficient capacity to advance the reimbursement of the \$6.49 million in FY 2020-21. Several project sponsors reported schedule delays or completion using other fund sources freeing up at least \$6.49 million in TVTDF this year.

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

Given that San Ramon is a member of the TVTC and signatory to the Joint Exercise of Powers Agreement pertaining to the TVTDF for traffic mitigation, San Ramon is the Project Sponsor. In this capacity, the \$6.4M funds will be transmitted to San Ramon and in return, San Ramon will forward the funds to the CCTA.

With respect to the TVTC 2017 Strategic Expenditure Plan, \$9.14M programmed for Projects A-9a and A-9b Crow Canyon Road Phase 1 and Phase 2 and Project A-10a and A-10b Vasco Road Safety Improvements Phase 1 and Phase 2, all in Alameda County can be deferred to FY's 2023-24, 2024-25 and 2025-26.

TRI-VALLEY TRANSPORTATION COUNCIL

Consequently, an allocation of \$6.49M for the I-680 SB HOV Lane Gap Closure Project can be funded in FY 2020-21.

TVTC Finance Committee met March 2021 and support the Contra Costa Transportation Authority's request to advance TVTDF funds in the amount of \$6.49M.

RECOMMENDATION

TVTC Finance Committee and TAC recommends TVTC Board approve Resolution No. 2021-01.

ATTACHMENTS

- A. TVTC Resolution No. 2021-01
- B. Contra Costa Transportation Authority Funding Agreement 04-15-19 between CCTA, City of San Ramon and TVTC
- C. TVTC Resolution No. 2019-02
- D. 2017 TVTC Strategic Expenditure Plan

**TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2021-01**

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL
TO ADVANCE \$6,490,000 IN TRI-VALLEY TRANSPORTATION
DEVELOPMENT FEE (TVTDF) FUNDS FOR THE PURPOSES OF
REIMBURSEMENT OF
CONTRA COSTA MEASURE J SALES TAX FUNDS ADVANCED BY THE CONTRA
COSTA TRANSPORTATION AUTHORITY FOR THE CONSTRUCTION OF THE
INTERSTATE 680 (I-680) SOUTHBOUND (SB)
HIGH OCCUPANCY VEHICLE (HOV) LANE GAP CLOSURE PROJECT AND
AMEND THE STRATEGIC EXPENDITURE PLAN TO AUTHORIZE FUNDING IN FY
2020-21 AND DEFER ALLOCATION OF FUNDING FOR PROJECTS A-9a, A-9b, A-10a
AND A-10b FOR A TOTAL OF \$9.14M TO
FY 2023-24, FY 2024-25 AND FY 2025-26**

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, the TVTP/AP identified 11 specific transportation improvements to be given high priority for funding; and

WHEREAS, in 1998, the TVTC, and the City of San Ramon (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 the 11 high priority projects; and

WHEREAS, in 1999, the TVTC prepared and approved a Strategic Expenditure Plan (SEP), which guides the expenditure of revenue collected from TVTDF; and

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

WHEREAS, in 2004, the TVTC adopted an update to the SEP that reflected an update to the regional and sub-regional transportation outlook for the Tri-Valley; and

WHEREAS, in 2011, the TVTC prepared and approved the 2011 TVTDF Funding Plan that provides guidance for expenditure of the TVTDF on 22 projects (List A and List B) including I-680 SB HOV Gap Closure (Project B-10); and

WHEREAS, the 2017 Strategic Expenditure Plan Update programmed \$3.00 million in fiscal year 2023-24 and \$3.49 million in fiscal year 2024-25 for a total of \$6.49 million to the I-680 SB HOV Gap Closure (Project B-10); and

WHEREAS, the 2020 Strategic Expenditure Plan Update will re-program \$6.49M in fiscal year 2020-21 to the I-680 SB HOV Gap Closure (Project B-10); \$0.5M in fiscal year 2023-24 and \$2.82M in fiscal year 2024-25 to Vasco Road Safety Improvements (Project A-10a); \$1.55M in fiscal year 2024-25 to Crow Canyon Road Improvement (Project A-9a); \$1.69M in fiscal year 2025-26 to Crow Canyon Road Improvement (Project A-9-b); and \$2.58M in fiscal year 2025-26 to Vasco Road Safety Improvement (Project A-10b); and

WHEREAS, the City of San Ramon (City) , the Contra Costa Transportation Authority (Authority), and the TVTC entered into a funding agreement for purposes of reimbursing the Authority for advancing Measure J funds for the construction of the I-680 SB HOV Gap Closure (Project B-10); and

WHEREAS, construction of the I-680 SB HOV Gap Closure (Project B-10) began in 2018 and was completed in 2020 and the Authority has requested project reimbursement.

NOW THEREFORE, BE IT RESOLVED as follows:

- 1) The TVTC authorizes the TVTC Treasurer to transmit \$6,490,000, in funds in the TVTDF account to the CITY, the project sponsor for the I-680 SB HOV Gap Closure Project (Project B-10).
- 2) The City will transmit \$6,490,000, in funds to the Authority, the party responsible for the management and construction of the I-680 SB HOV Gap Closure (Project B-10).
- 3) The TVTC authorizes the update to the Strategic Expenditure Plan as follows: re-program \$6.49M in fiscal year 2020-21 to the I-680 SB HOV Gap Closure (Project B-10); \$0.5M in fiscal year 2023-24 and \$2.82M in fiscal year 2024-25 to Vasco Road Safety Improvements (Project A-10a); \$1.55M in fiscal year 2024-25 to Crow Canyon Road Improvement (Project A-9a); \$1.69M in fiscal year 2025-26 to Crow Canyon Road Improvement (Project A-9-b); and \$2.58M in fiscal year 2025-26 to Vasco Road Safety Improvement (Project A-10b)

PASSED, APPROVED AND ADOPTED at the meeting of April 19, 2021, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Perkins, Chair
Tri-Valley Transportation Council

ATTEST:

Lisa Bobadilla, TVTC Administrative Staff

ORIGINAL
Agreement No. 525

FUNDING AGREEMENT 04.15.19
BETWEEN
THE CONTRA COSTA TRANSPORTATION AUTHORITY,
THE CITY OF SAN RAMON, AND
THE TRI-VALLEY TRANSPORTATION COUNCIL

CONTRACT NO.: C 2019-044

DATE: 07.30.2019

FOR THE REIMBURSEMENT OF MEASURE J FUNDS ADVANCED FOR THE CONSTRUCTION OF
THE INTERSTATE 680 (I-680) SOUTHBOUND (SB)
HIGH OCCUPANCY VEHICLE (HOV) LANE GAP CLOSURE PROJECT

This AGREEMENT is made and entered into as of July 30, 2019 by and between the Contra Costa Transportation Authority (AUTHORITY), the City of San Ramon (SAN RAMON), and the Tri-Valley Transportation Council (TVTC).

RECITALS

- A. WHEREAS, SAN RAMON, as one of the members of the TVTC, is a signatory to the Joint Exercise of Powers Agreement Pertaining to the Tri-Valley Transportation Development Fee (TVTDF) for Traffic Mitigation; and
- B. WHEREAS, SAN RAMON has cooperatively participated in the development and adoption of the Tri-Valley Transportation Plan/Action Plan for Routes of Regional Significance (TVTP); and
- C. WHEREAS, the I-680 SB HOV Lane Gap Closure project from North Main Street to Rudgear Road (Project) is one of the projects in the TVTP; and
- D. WHEREAS, the Project is one of the "B List" projects in the 2017 Strategic Expenditure Plan Update - Project B-10, adopted unanimously by the TVTC on January 23, 2017; and
- E. WHEREAS, the 2017 Strategic Expenditure Plan Update programs \$6.49 million over the course of FY 2023/24 through FY 2024/25 for the Project or sooner if funds are available; and
- F. WHEREAS, SAN RAMON serves as the TVTC Project Sponsor of the Project identified in the 2017 Strategic Expenditure Plan Update; and
- G. WHEREAS, the AUTHORITY sponsored and obtained environmental clearance for the Project in July 2014; and
- H. WHEREAS, construction of the Project is estimated at \$81.69 million, to be funded by \$30.4 million in Measure J funds, \$14.1 million in Regional Measure 2 (RM2) funds, \$15.6 million in State Transportation Improvement Program (STIP) funds, \$15.1 million in Bay Area Infrastructure Financing Authority (BAIFA) funds, leaving a Project shortfall in funding of \$6.49 million; and

- I. WHEREAS, the AUTHORITY is willing to advance the Project shortfall of \$6.49 million using Measure J funds until the TVTDF funds are available in order of project priority listed in the 2017 Strategic Expenditure Plan Update; and
- J. WHEREAS, the AUTHORITY has managed the preparation of Plans, Specifications and Estimates (PS&Es) and is sponsoring and managing the Project; and
- K. WHEREAS, the AUTHORITY has retained a contractor and will manage and administer the construction of the Project; and
- L. WHEREAS, using TVTDF funds, SAN RAMON wishes to reimburse the AUTHORITY for the \$6.49 million in Measure J funds advanced to cover the funding shortfall in accordance with the terms and conditions set forth herein; and
- M. WHEREAS, as a member of the TVTC, SAN RAMON intends to ensure that funds set aside for Project in the TVTDF Funding Plan are appropriated as expeditiously as feasible for the Project;

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

SECTION I

AUTHORITY AGREES:

- A. To commit \$36.89 million in Measure J funds to construction of Project, which includes the \$6.49 million advance to cover the shortfall until TVTDF funds are available.
- B. To administer and construct the Project, in accordance with Authority policy.
- C. In order to be reimbursed for the \$6.49 million of Measure J funds advanced for the Project, to provide appropriate paperwork to SAN RAMON for reimbursement from TVTDF funds, , which are scheduled to become available for the Project in FY 2023/24.
- D. To submit an invoice to the TVTC (care of SAN RAMON) for TVTDF funds in the amount of \$6.49 million for the purpose of obtaining reimbursement of Measure J funds advanced for construction of the PROJECT. AUTHORITY shall deliver or mail the invoice to TVTC as follows:

San Ramon
Attn: Lisa Bobadilla, Division Manager
Transportation Division
2401 Crow Canyon Road
San Ramon, CA 94583

SECTION II

SAN RAMON AGREES:

- A. To be responsible for taking all action necessary to obtain the disbursement of TVTDF funds from TVTC directly to the AUTHORITY in the amount of \$6.49 million in accordance with the TVTDF funding plan in order to reimburse the Authority for Measure J funds advanced and expended on the PROJECT for construction.

TVTC AGREES:

- A. Upon receipt of invoice from the AUTHORITY, to remit payment of \$6.49 million in TVTDF funds directly to the AUTHORITY for the reimbursement of Measure J funds advanced for construction of PROJECT.

SECTION III

IT IS MUTUALLY AGREED:

- A. This AGREEMENT constitutes the entire agreement between the parties regarding the subject matter hereof and any oral discussions or written or oral agreements with respect thereto preceding the effective date of this AGREEMENT are superseded hereby. No amendment, alteration or variation of the terms of this AGREEMENT shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
- B. AUTHORITY, TVTC, and SAN RAMON each render their services under this AGREEMENT as independent agencies. None of the agents or employees of each of the parties shall be deemed agents or employees of the other parties.
- C. Any notice given under this 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:

Lisa Bobadilla
Transportation Manager
2401 Crow Canyon Road
San Ramon, CA 94583

If the Authority:

Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597
Attention: Susan Miller, Director, Projects

If to TVTC:

Tri-Valley Transportation Council
200 Old Bernal Ave
P.O. Box 520
Pleasanton, CA 94566
Attention: Cedric Novenario, TVTC Administrator

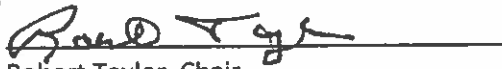
This AGREEMENT is made as of the date first set forth above.

CITY OF SAN RAMON

CONTRA COSTA
TRANSPORTATION AUTHORITY

 7/19/19

Bill Clarkson, Mayor

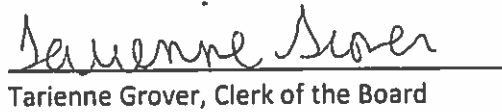


Robert Taylor, Chair

ATTEST:


ATTEST:

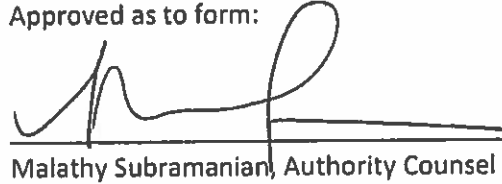

Christina Franco, City Clerk


Tarienne Grover, Clerk of the Board

Approved as to form:

Approved as to form:


for Martin Lysons, City Attorney


Malathy Subramanian, Authority Counsel

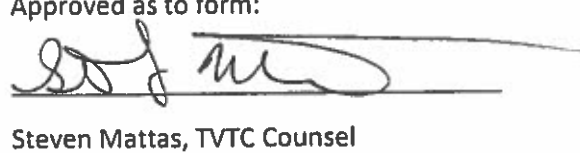
TRI-VALLEY TRANSPORTATION COUNCIL


Kathy Narum, Chair

ATTEST:

Approved as to form:


Cedric Novenario, TVTC Administrator


Steven Mattas, TVTC Counsel

TRI-VALLEY TRANSPORTATION COUNCIL

RESOLUTION NO. 2019-02

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL
APPROPRIATING \$6,490,000 IN TRI-VALLEY TRANSPORTATION
DEVELOPMENT FEE (TVTDF) FUNDS FOR THE PURPOSES OF REIMBURSEMENT OF
CONTRA COSTA MEASURE J SALES TAX FUNDS ADVANCED BY THE CONTRA
COSTA TRANSPORTATION AUTHORITY FOR THE CONSTRUCTION OF THE
INTERSTATE 680 (I-680) SOUTHBOUND (SB)
HIGH OCCUPANCY VEHICLE (HOV) LANE GAP CLOSURE PROJECT AND APPROVING THE
ASSOCIATED FUNDING AGREEMENT**

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, the TVTP/AP identified 11 specific transportation improvements to be given high priority for funding; and

WHEREAS, in 1998, the TVTC, and the City of San Ramon (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 the 11 high priority projects; and

WHEREAS, in 1999, the TVTC prepared and approved a Strategic Expenditure Plan (SEP), which guides the expenditure of revenue collected from TVTDF; and

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

WHEREAS, in 2004, the TVTC adopted an update to the SEP that reflected an update to the regional and sub-regional transportation outlook for the Tri-Valley; and

WHEREAS, in 2011, the TVTC prepared and approved the 2011 TVTDF Funding Plan that provides guidance for expenditure of the TVTDF on 22 projects (List A and List B) including I-680 SB HOV Gap Closure (Project B-10); and

WHEREAS, the 2017 Strategic Expenditure Plan Update programmed \$3.00 million in fiscal year 2023/24 and \$3.49 million in fiscal year 2024/25 for a total of \$6.49 million to the I-680 SB HOV Gap Closure (Project B-10); and

WHEREAS, the City of San Ramon (City) , the Contra Costa Transportation Authority (AUTHORITY), and the TVTC desire to enter into a funding agreement for purposes of reimbursing the AUTHORITY for advancing Measure J funds for the construction of the I-680 SB HOV Gap Closure (Project B-10); and

WHEREAS, construction of the I-680 SB HOV Gap Closure (Project B-10) began in 2018 and is anticipated to be complete by 2021; and

WHEREAS, Authority will request project reimbursement beginning in fiscal years 2023/24 and 2024/25 or sooner if available.

NOW THEREFORE, BE IT RESOLVED as follows:

1) The TVTC authorizes an appropriation from the TVTDF account for the I-680 SB HOV Gap Closure (Project B-10) of \$6,490,000, as programmed in the Strategic Expenditure Plan and the TVTDF Funding Plan for fiscal years 2023/24 and 24/25 or sooner if funds are available.

2) The TVTC authorizes the TVTC Treasurer to transmit \$6,490,000, in funds in the TVTDF account to the CITY, the project sponsor for the I-680 SB HOV Gap Closure Project (Project B-10).

3) The City will transmit \$6,490,000, in funds to the Authority, the party responsible for the management and construction of the I-680 SB HOV Gap Closure (Project B-10).

4) The Tri-Valley Transportation Council approves the Funding Agreement, in substantially the same form as attached hereto and incorporated herein as Exhibit 1 subject to review and approval of the TVTC General Counsel, between the Contra Costa Transportation Authority, City of San Ramon and the Tri-Valley Transportation Council for reimbursement of Measure J Funds Advanced for the Construction of the I-680 SB HOV Lane Gap Closure Project and authorizes the Tri-Valley Transportation Council Chair to execute the Funding Agreement.

5) The Tri-Valley Transportation Council authorizes any related action to further the intent of this Resolution.

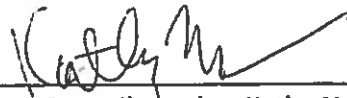
PASSED, APPROVED AND ADOPTED at the meeting of April 15, 2019, by the following votes:

AYES: Narum, Munro, Josey, Stepper, Haggerty, Andersen

NOES: None

ABSENT: Perkins

ABSTAIN: None



Councilmember Kathy Narum, Chair
Tri-Valley Transportation Council

ATTEST:



Cedric Novenario, TVTC Administrative Staff

Item 6.b

TRI-VALLEY TRANSPORTATION COUNCIL

Scott Perkins
TVTC Chair
Vice Mayor
San Ramon
(925) 973-2544

To: Tri-Valley Transportation Council
From: TVTC Finance Committee
By: Technical Advisory Committee (TAC)

Date: April 19, 2021

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

Subject: City of Pleasanton Request to Refund of Tri-Valley Transportation Development Fee to Northern California Carpenter's ATF LLC

Renee Morgan
Mayor
Town of Danville
(925) 918-3999

BACKGROUND

The City of Pleasanton issued a building permit to the Northern California Carpenter's ATF LLC located at 22350 Santa Rita Road on February 27, 2019. The permit was for a new training center for carpenter apprentices. The total amount paid at permit issuance was \$2,119,101.38. In addition to paying fees to the City of Pleasanton, Northern California Carpenter's ATF LLC was required to pay Tri-Valley Transportation Development Fee (TVTDF) of \$659,096.16.

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

The original agreement between the City and Northern California Carpenter's ATF LLC required the applicant to pay all the fees upfront to construct the new building, and did not include credits for demolition of the existing building. Demolition was completed in January 2021, and the applicant has requested a refund of \$512,522.02.

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

Below is a breakdown of the entire fee and refund for reference:

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

Development Fee	Rate	New Area	Fee Paid	Demo Area	Credit	Net Increase	Net Fee
Public Facilities	\$0.98	86,952	\$85,212.96	67,619	\$66,266.62	19,333	\$18,946.34
Lower Income Housing Fee	\$3.15	86,952	\$273,898.80	67,619	\$212,999.85	19,333	\$60,898.95
Traffic Development Fee	\$6.90	86,952	\$599,968.80	67,619	\$466,571.10	19,333	\$133,397.70
TVTC	\$7.58	86,952	\$659,096.16	67,619	\$512,552.02	19,333	\$146,544.14
Sewer Fee, City	\$0.11	86,952	\$9,869.05	67,619	\$7,438.09	19,333	\$2,430.96
Sewer Fee, DSRSD	\$3.52	86,952	\$306,297.55	67,619	\$238,018.88	19,333	\$68,278.67
Grand Total			\$1,934,343.32		\$1,503,846.56		\$430,496.76

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

DISCUSSION

The Joint Executive Powers Agreement ("JEPA") does not address the refund of the TVTC Fee. Section 6 of the JEPA discusses the application of the fee, but not reimbursement. However, the JEPA acknowledges, consistent with the requirements of the Mitigation Fee Act, that the TVTC Fee is intended to mitigate the effects of new development.

The City of Pleasanton's Resolution 98-90, adopting the TVTC Fee (which is consistent with other member jurisdictions' fee resolutions and/or fee ordinances), specifically identifies certain categories of redevelopment projects that are exempt from the fee. Specifically, Section 4 of the Resolution provides that: (1) alterations or additions to residential structures are exempt from the Fee unless they add new units, (2) any replacement or

TRI-VALLEY TRANSPORTATION COUNCIL

reconstruction of an existing residential structure is exempt, unless the new structure increases the square footage of the structure by fifty percent or more; and (3) any replacement or reconstruction of an existing Nonresidential structure is exempt unless the new structure would increase the destroyed or demolished building's trips.

In this instance, Northern California Carpenter's ATF LLC demolished an existing building, and constructed a larger building to replace it. As the new building increased the square footage, the method for calculating the TVTC Fee assumes that new trips are generated by the additional square footage. Consequently, Northern California Carpenter's ATF LLC is obligated to pay the TVTC Fee for the delta between the size of the demolished building and the size of the new building. Note that the demolished building was constructed prior to the existence of the TVTC Fee program and thus, was not subject to the fee.

Past practice has been to reimburse the developer for the 80% fees and recommend the local agency reimburse the 20% fees. TVTC and the City of Pleasanton will retain the portion of the TVTC Fee (\$146,544.14) attributable to the increased square footage for the new building.

The TVTC Finance Committee met April 2021 and support the City of Pleasanton's request to Refund of Tri-Valley Transportation Development Fee to Northern California Carpenter's ATF LLC.

RECOMMENDATION

TVTC Finance Committee and TAC recommend TVTC Adopt Resolution 2021-02 authorizing the TVTC Treasurer to refund the \$410,017.62 collected as the 80% fee and the City of Pleasanton to refund the remaining \$102,504.40 from their local TVTC Fee account.

ATTACHMENTS

- A. TVTC Resolution 2021-02

**TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2021-02**

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL
REFUNDING \$512,522.02 TO NORTHERN CALIFORNIA CARPENTER'S ATF LLC**

WHEREAS, the Tri-Valley jurisdictions joined together to form the Tri-Valley Transportation Council (TVTC) and entered into a Joint Exercise Powers of Agreement ("JEPA") in 2013; and

WHEREAS, the TVTC adopted the Tri-Valley Transportation Development Fee (TVTDF) to fund all or part of the necessary transportation improvements identified in the Strategic Expenditure Plan; and

WHEREAS, the JEPA requires each local agency to levy the TVTDF on all applicable new development projects; and

WHEREAS, the Northern California Carpenter's ATF LLC sought development approvals from the City of Pleasanton to demolish an existing building and to construct a new larger building to replace it; and

WHEREAS, the City of Pleasanton's resolution adopting the TVTDF (which is consistent with other member jurisdictions' fee enabling legislation) exempts certain categories of redevelopment projects, including any replacement or reconstruction of an existing non-residential building where the new building does not increase the demolished building's trips; and

WHEREAS, the method for calculating the TVTDF assumes that new trips are generated by additional square footage and thus, a new larger building is assessed the TVTDF based on the delta between the size of the demolished building and the size of the new building; and

WHEREAS, the City of Pleasanton collected the TVTDF on the Northern California Carpenter's ATF LLC development project in the amount of \$659,096.16 which assessed the TVTDF on the square footage of the new building and did not discount the square footage of the building that would be demolished; and

WHEREAS, Northern California Carpenter's ATF LLC has demolished the existing building and constructed the new larger building and now seeks a refund of the TVTDF assessed on the demolished building's square footage, which amounts to \$512,522.02.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Tri-Valley Transportation Council authorizes a refund to Northern California Carpenter's ATF LLC in the amount of \$512,522.02. These funds are held in two separate accounts, \$410,017.62 held by the TVTC Treasurer and \$102,504.40 held by City of Pleasanton in the local TVTDF account.
2. The Tri-Valley Transportation Council authorizes the TVTC Treasurer to transfer \$410,017.62 in TVTDF funds to the City of Pleasanton
3. The City of Pleasanton will refund the full amount of \$512,522.02 to Northern California Carpenter's ATF LLC, using the \$410,017.62 from the TVTC Treasurer and the \$102,504.40 held by City of Pleasanton in the local TVTDF account.

PASSED, APPROVED AND ADOPTED at the meeting of April 19, 2021 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Perkins, Chair
Tri-Valley Transportation Council

ATTEST:

Lisa Bobadilla, TVTC Administrative Staff

Item 6.c

TRI-VALLEY TRANSPORTATION COUNCIL

Scott Perkins
TVTC Chair
Vice Mayor
San Ramon
(925) 973-2530

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

Renee Morgan
Mayor
Town of Danville
(925) 918-3999

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

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

Brittini Kllick
Councilmember
City of Livermore
(925) 960-4019

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

To: Tri-Valley Transportation Council (TVTC)
From: TVTC Finance Subcommittee
By: TVTC Technical Advisory Committee (TAC)
Date: April 19, 2021
Subject: Tri-Valley Transportation Council Fiscal Year (FY) 2021/2022 Annual Administrative Budget

BACKGROUND

The TVTC Joint Exercise of Powers Agreement (JEPA) requires the TVTC prepare and adopt an operating budget (Section 5.b.iii.). The TVTC Administrator shall prepare the budget with input from the Treasurer and the TVTC Finance Subcommittee for review and approval by the Council.

The 2015 Bylaws delineates the TVTC's right to adopt an annual budget for administrative costs, authorizes the budget to include costs for stipends, administration, general counsel, treasurer, auditor, and insurance, and approves other administrative expenses with specific signature authority. The Bylaws also state that the TVTC shall adopt a budget for administrative costs annually prior to July 1 of each year and that the TVTC may revise the budget from time to time within a fiscal year. Additionally, the Bylaws preclude a deficit administrative budget and does not allow the TVTC to make any unbudgeted expenditures. The adoption of an annual administrative budget, or any revisions, shall require a vote of a supermajority of five.

In January 2018, the TVTC adopted an Administrative Expenses policy to ensure sufficient annual funding for administrative and non-project specific expenses. Pursuant to this policy, the TVTC shall:

1. Create and adopt an annual administrative budget per the TVTC Bylaws based on anticipated need, not based on a specific percentage of anticipated or actual Tri-Valley Transportation Development Fee (TVTDF) revenue.
2. The annual administrative budget shall identify the percentage of anticipated TVTDF funds allocated to administrative expenses.
3. The annual administrative budget shall report the final dollar amount of administrative expenditures budgeted and spent in the prior fiscal year.
4. The annual administrative budget shall include expenses for special studies and efforts. This allows the TVTC to allocate funds to non-project specific administrative expenses on an annual basis, as necessary to carry out the purpose for which the fee was collected.

TRI-VALLEY TRANSPORTATION COUNCIL

5. Subsequent Strategic Expenditure Plans and Nexus Studies shall calculate and set-aside an average 1% of anticipated impact fee revenue as a relative guide to reserve funds for administrative expenses. The administrative budget is not required to be at or less than the 1% set-aside.

DISCUSSION

The proposed the TVTC FY 2021/2022 Administrative Budget is \$159,010 (Exhibit A). The proposed Administrative Budget includes the following expenses:

Administrative Expenses (\$59,010)

1. TVTC Administrator
2. Accounting Services
3. Audit Services
4. Legal Services
5. Treasurer Oversight
6. Insurance
7. Basecamp
8. Banking/Service Charges
9. Website Hosting and Maintenance
10. Board Member Stipends

Special Studies and Efforts- Non-Project Specific Administrative Expenses (\$100,000)

1. Implement Strategic Expenditure Plan Update.

The TVTC Finance Subcommittee convened and reviewed the proposed FY 2021/2022 Administrative Budget on March 12, 2021. The Finance Subcommittee recommends the TVTC Board approve the FY 2021-2022 Administrative Budget. All expenses will be reviewed and can be adjusted, if necessary, throughout the year.

RECOMMENDATION

The TVTC Finance Subcommittee recommends the TVTC adopt Resolution 2021-04 and approve the TVTC Fiscal Year 2021/2022 Administrative Budget.

ATTACHMENTS:

1. Resolution 2021-04
2. Exhibit A: TVTC Fiscal Year 2021-2022 Administrative Budget

**TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2021-04**

**A RESOLUTION ADOPTING THE TRI-VALLEY TRANSPORTATION COUNCIL
FISCAL YEAR 2021/2022 ADMINISTRATIVE BUDGET**

WHEREAS, on October 18, 2013, the Tri-Valley Transportation Council (TVTC), consisting of the County of Alameda, the County of Contra Costa, the Town of Danville, the City of Dublin, the City of Livermore, the City of Pleasanton, and the City of San Ramon, entered into a Joint Exercise of Powers Agreement (JEPA) effectively establishing TVTC as a separate public entity duly organized and existing under the Constitution and other laws of the State of California; and

WHEREAS, the JEPA establishes: 1) a framework for TVTC to enact a development fee necessary for implementation of transportation improvements; 2) funding goals for transportation improvements; 3) mechanisms for collecting, managing and disbursing development fees for implantation of transportation improvements; and 4) facilitation of cooperative regional planning efforts through adoption and implementation of regional transportation plans, the Strategic Expenditure Plan and fee program; and

WHEREAS, the JEPA under section 5(b) (iii) authorizes TVTC to prepare and adopt a budget for TVTC's administrative functions; and

WHEREAS, in 2015 the TVTC adopted Bylaws (Bylaws) that delineate the TVTC's right to adopt an annual budget for administrative costs, authorizes the budget to include costs for stipends, administration, general counsel, treasurer, auditor, and insurance, and approves other administrative expenses with specific signature authority; and

WHEREAS, the Bylaws do not specify a percentage or dollar amount for administrative costs, but state that the TVTC may not approve a deficit spending administrative budget nor make any unbudgeted expenditures; and

WHEREAS, the Bylaws state that the TVTC shall adopt a budget for administrative costs annually prior to July 1 of each year and that the TVTC may revise the budget from time to time within a fiscal year; and

WHEREAS, the Bylaws state that the adoption of an annual administrative budget, or any revisions, shall require a vote of a supermajority of five; and

WHEREAS, in January 2018, the TVTC adopted an Administrative Expenses policy to ensure sufficient annual funding for administrative and non-project specific expenses, in order to effectively carry out the purpose for which the fee is collected; and

WHEREAS, the Administrative Expenses Policy allows the TVTC to create and adopt an annual administrative budget per the TVTC Bylaws based on anticipated need, not based on a

specific percentage of anticipated or actual Tri-Valley Transportation Development Fee (TVTDF) revenue; and

WHEREAS, the Fiscal Year 2021/2022 administrative budget will be reviewed and adjusted, if necessary, prior to adoption of the next fiscal year budget; and

WHEREAS, TVTC annually reviews and approves the Treasurer's Financial Status Report showing cumulative revenues and disbursements.

NOW THEREFORE BE IT RESOLVED THAT:

1. The TVTC adopts the Fiscal Year 2021/2022 administrative budget as recommended by the TVTC Financial Subcommittee, attached hereto and incorporated herein as Exhibit A.

PASSED, APPROVED AND ADOPTED at the meeting of April 19, 2021 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Perkins, Chair
Tri-Valley Transportation Council

ATTEST:

Lisa Bobadilla, TVTC Administrative Staff

EXHIBIT A
Tri-Valley Transportation Council Fiscal Year 2021/2022 Administrative Budget

	FY 2020/21 Budget	FY 2020/21 Remaining To Date	FY 2021/22 Budget	Difference from FY20/21 to 21/22
Expenses**				
TVTC Administrator (a)	\$20,000	\$0	\$20,000	\$ -
Accounting Services (b)	\$5,000	\$1,730	\$5,000	\$ -
Audit Services (c)	\$4,000	\$0	\$4,000	\$ -
Legal Services (d)	\$16,000	\$12,287	\$16,000	\$ -
Treasurer Oversight (San Ramon) (e)	\$1,200	\$1,200	\$1,200	\$ -
Insurance (f)	\$6,000	\$3,454	\$6,000	\$ -
Basecamp (San Ramon) (g)	\$300	\$156	\$300	\$ -
Banking/Service Charges (h)	\$500	\$470	\$500	\$ -
Website Annual Maintenance (i)	\$3,010	\$2,086	\$3,010	\$ -
Board Member Stipends	\$3,000	\$1,300	\$3,000	\$ -
Expenses Subtotal	\$59,010	\$22,683	\$59,010	\$ -
Special Studies and Efforts (Non-Project Specific Admin Expenses)				
Development Fee Manual(k)	\$7,000	\$0.00	\$0	\$ (7,000)
Nexus Study (j)	\$172,930.00	\$113,177.00	\$0	\$ (172,930)
Nexus Study Legal Services (l)	\$17,500	\$17,500.00	\$	\$ (17,500)
Strategic Expenditure Plan Update			\$100,000	\$100,000
Special Studies and Efforts Subtotal	\$ 197,430	\$ 130,677	\$ 100,000	\$
GRAND TOTAL EXPENSES	\$256,440		\$159,010	(\$97,430)
Notes:				
(a) TVTC Administration Annual Stipend				
(b) Franklin Management				
(c) Annual Audit/Cropper Accountancy				
(d) General Counsel/Meyers Nave				
(e) Treasurer/Dublin staff				
(f) General Liability+Crime Insurance/Alliant				
(g) TVTC's webbased project management collaboration tool				
(h) Mechanics Bank				
(i) Tech Support and annual domain renewal/Planeteria Media, includes a one-time \$1,200 fee for website modifications				
(j) This cost is to complete the Nexus Study only.				
(k) Full cost of effort approximately \$250,000 to be allocated over multiple fiscal years)				
(l) Remaining \$7,000 is expected to complete the Development Fee Manual				
(m) A Not to Exceed amount for legal review of the Nexus Study				
**Presented to TVTC Finance Committee 03.12.21				