

TRI-VALLEY TRANSPORTATION COUNCIL

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Marisol Rubio
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City of San Ramon
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If you have any questions related to the Tri-Valley Transportation Council meeting agenda. Please contact Allan Shields, TVTC Administrative staff at (925) 314-3374 or email at ashields@danville.ca.gov.

TVTC REGULAR MEETING AGENDA

Monday, February 9, 2026
4:00 p.m.

In-Person Meeting Locations:

1. Community Room, Danville Town Offices, 500 La Gonda Way, Danville, CA 94526

Remote Meeting Link:

Join Zoom Meeting Link
<https://us02web.zoom.us/j/87851120134>
Webinar ID: 878 5112 0134
Passcode: 008049

Or One tap mobile:

+16699006833, 85046150931# US (San Jose)
+16694449171, 85046150931# US

Members of the public who wish to participate in the meeting electronically have the option of giving public comments via Zoom 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, February 9, 2026**, to ashields@danville.ca.gov. Please include **“Public Comment “02/09/26”** 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.

This AGENDA is posted in accordance with Government Code Section 54954.2(a). If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) (ADA), and the federal rules and regulations adopted in implementation thereof. To make

TRI-VALLEY TRANSPORTATION COUNCIL

a request for disability-related modification or accommodation, please contact the Administrator at (925) 314-3374 or by email at ashields@danville.ca.gov at least 24 hours in advance of the meeting. Upon receiving a request, the TVTC will swiftly resolve requests for reasonable accommodation for individuals with disabilities, consistent with the federal ADA, and resolve any doubt in favor of accessibility.

Agenda materials that become available within 72 hours in advance of the meeting, and after publishing of the agenda, will be available at the Danville Town Offices, 500 La Gonda Way, Danville, and will be posted on the TVTC's website at <https://www.tvtc-jpa.com/Meetings/Upcoming-Meetings.aspx>

Once connected to the Zoom platform using the Zoom link information provided, the public speaker will be added to the Zoom webinar as an attendee and muted. The speaker will be able to observe the meeting from the Zoom platform. The speaker will be unmuted to give public testimony via Zoom.

TRI-VALLEY TRANSPORTATION COUNCIL

AGENDA

1. **Call to Order**
2. **Roll Call and Self Introductions**
3. **Public Comment**
4. **Consent Calendar**
 - a. APPROVE July 21, 2025, Minutes
 - b. APPROVE and ADOPT Resolution 2026-01 Updated TVTC Bylaws
 - c. APPROVE Annual AB1600 Report
5. **New Business**
 - a. APPROVE and ADOPT Resolution 2026-02 Allocating TVTDF Funds to Contra Costa Transportation Authority for Strategic Expenditure Plan Project C-10: Innovate 680
 - b. APPROVE and ADOPT Resolution 2026-03 Allocating TVTDF Funds to City of Livermore for Strategic Expenditure Plan Project B-4: Vasco Road Interchange Modification
 - c. APPROVE and ADOPT the FY 26 Budget Update, appropriating an additional \$10,000 for Professional Services for a Study to Analyze Impacts of AB 3177
 - d. APPROVE and ADOPT FY 27 Budget, with an increase in funding to update the NEXUS Fee Study for 2027
6. **Administrative Business**
 - a. Review Year End Financial Report*
 - b. Review monthly Revenue and Expense Statement, LAIF Report and Mechanics Bank Statement*
7. **Informational Items**
 - a. *Complete Form 700 for the Fair Political Practices Commission (FPPC) <https://form700.fppc.ca.gov/> - Due by April 1, 2026*
 - b. *Audit in progress and performed by Cropper Accountancy Corporation / Cropper Rowe, LLP*
 - c. *Teleconference Meeting Options and Information on SB707 – Brown Act*
 - d. *March 19, 2026, at 4:00 pm – TVTC Finance Subcommittee Meeting*
 - e. *April 20, 2026, at 4:00 pm – TVTC Board Meeting*
8. **Adjournment**

* Attachment(s)

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Item 4

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Item 4a - DRAFT - MEETING MINUTES

**TRI-VALLEY TRANSPORTATION COUNCIL
REGULAR BOARD MEETING**

Town of Danville, Community Meeting Room, 500 La Gonda Way, Danville, CA 94526
and Zoom Teleconference Call
Monday, July 21, 2025

1. CALL TO ORDER

The Tri-Valley Transportation Council (TVTC) was called to order at 4:01 p.m. by Chair Morgan.

2. ROLL CALL AND SELF-INTRODUCTIONS

TVTC Members in Attendance:

Renee Morgan, Chair, Mayor, Danville
David Haubert, Vice-Chair, Supervisor District 1, Alameda County
Candace Andersen, Supervisor District 2, Contra Costa County
Jean Josey, Councilmember, Dublin
Marisol Rubio, Councilmember, San Ramon (arrived at 4:05 p.m.)
Julie Testa, Councilmember, Pleasanton
Kristie Wang, Council Member, Livermore

TVTC Staff in Attendance:

Joanna Liu, Livermore
Sai Midididdi, Dublin
Cedric Novenario, Pleasanton
Robert Sarmiento, Contra Costa County
Allan Shields, Danville

Others in Attendance

Pratyush Bhatia, Dublin
Lindsay D'Andrea, General Counsel's Office
Marie Sunseri, Danville

3. PUBLIC COMMENT

None.

4. CONSENT CALENDAR

- a. APPROVE April 21, 2025, Minutes

- b. APPROVE & ADOPT Resolution 2025-06 Updating the TVTC Cash Balance Policy
- c. APPROVE and ADOPT Resolution 2025-07 Updated TVTC Bylaws

REMOVED FOR DISCUSSION

Motion to approve the Consent Calendar by Andersen; second by Josey; with the exception of Item C.

Approved (Ayes 6; Noes 0; Abstain 0; Absent 1), Councilmember Rubio Absent

Item C – APPROVE and ADOPT Resolution 2025-07 Updated TVTC Bylaws **REMOVED FOR DISCUSSION**

Chair Morgan discussed bringing the item to the October 20, 2025, TVTC Board meeting to give all members a chance to review the updated Bylaws. The item will be placed on the Consent Calendar for the October 20, 2021, Board Meeting.

5. NEW BUSINESS

Councilmember Rubio arrived at 4:05 p.m.

- a. APPROVE and ADOPT TVTC 2026 Meeting Dates

Councilmember Josey discussed moving the date of the January 26, 2026, TVTC Board Meeting due to a scheduling conflict.

The Board Members agreed to move the January 26, 2026, meeting to February 9, 2026.

Motion to approve and adopt the TVTC 2026 Meeting Dates by Andersen, second by Josey.

Approved (Ayes 7; Noes 0; Abstain 0; Absent 0)

6. ADMINISTRATIVE BUSINESS

- a. Review monthly Revenue and Expense statement, LAIF report, and Mechanics Bank Statement

TVTC Administrator Allan Shields provided an update to the Board about the Mechanics Bank account and answered Board Member questions.

7. INFORMATIONAL ITEMS

- a. TVTC Board Meeting, October 20, 2025, at 4 p.m., Danville Town Offices, Community Meeting Room, 500 La Gonda Way, Danville, CA 94526

8. ADJOURNMENT

The meeting was adjourned by Chair Morgan at 4:10 p.m.

DRAFT

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 4b

Renee Morgan
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To: Tri-Valley Transportation Council (TVTC)
From: TVTC Bylaws Working Group and TVTC Technical Advisory Committee (TAC)
Date: February 9, 2026
Subject: TVTC Bylaws Update

BACKGROUND

The Tri-Valley Transportation Council (TVTC) was established as a joint powers authority pursuant to the Joint Exercise of Powers Agreement (JEPA) dated October 17, 2013, among the County of Alameda, the County of Contra Costa, the City of Livermore, the City of Pleasanton, the City of San Ramon, the City of Dublin, and the Town of Danville. The TVTC Bylaws were originally adopted to govern the operations, administration, and procedures of the Council in alignment with the JEPA.

The Bylaws were last comprehensively reviewed and updated in 2021. Since that time, operational practices have evolved, and a review was initiated to ensure the Bylaws remain consistent with the JEPA, reflect current administrative realities, and incorporate best practices for governance, including formalizing certain processes and ensuring compliance with related documents such as the TVTC Records Retention Policy. This revision effort involved input from the TVTC Bylaws working group (Councilmember Jean Josey and Supervisor David Haubert), TVTC Technical Advisory Committee (TAC), and General Counsel to clean up language, clarify roles, and align with how functions are actually performed.

At the July 21, 2025 Board meeting, the Council decided to move the decision whether to adopt the new bylaws to the October 20th meeting to allow all board members time to review the staff report and updated bylaws.

DESCRIPTION

The proposed revisions to the TVTC Bylaws are primarily housekeeping in nature, aimed at ensuring alignment with the JEPA, clarifying administrative roles and processes, and reflecting actual operational practices without altering the fundamental structure or authority of the TVTC. Key changes are summarized below, grouped by category for clarity:

TRI-VALLEY TRANSPORTATION COUNCIL

Alignment with JEP A and General Cleanup: Minor edits throughout the document enhance clarity, correct formatting inconsistencies (e.g., updating section headings and bookmarks), and ensure language conforms to the JEP A. For example, references to duties and designations now explicitly tie back to JEP A sections where applicable, such as in the Treasurer's duties (Section 4.c of the JEP A). Grammatical corrections, such as changing "Profit & Loss Statements" to "Revenue & Expenditure Statements," reflect accurate financial terminology. Additionally, provisions related to decorum in meetings were refined to empower the Chair to issue warnings and order removals after due process, consistent with state law and the Brown Act.

Formalizing the Process for Rotating the Finance Subcommittee: The Finance Committee section was updated to specify membership composition as the TVTC Chair, Vice-Chair, and immediate past Chair, with a provision for appointing a replacement by majority vote if the past Chair is no longer a Board member. A new subsection was added to formalize the biennial rotation of Finance Committee members, effective July 1st of every other fiscal year, concurrent with the rotation of the Chair and Vice-Chair as outlined in the JEP A. This formalizes what has been informal practice, ensuring continuity and equitable participation.

TVTC Administrator Functions as Secretary: A new Secretary section was added, designating the TVTC Administrator as the default Secretary responsible for duties under JEP A Section 4(b), including recording votes, preparing and maintaining minutes, and managing official records. This allows for the appointment of a separate Secretary if needed, who would work under the Administrator's direction. This change reflects current practice where the Administrator handles these functions, streamlining administration without requiring additional staff.

Updates to Reflect Treasurer's Duties as Actually Performed: The Treasurer section was revised to better align with operational realities, where administrative tasks are shared among the Treasurer, Administrator, and contracted accounting firms. A new paragraph was added clarifying that the designated Treasurer retains ultimate oversight but can delegate administrative aspects of duties to the Administrator or an accounting firm—except for the non-delegable core duty to review, manage, and approve all deposits and disbursements of TVTD Fee Funds. This is explicitly listed as the first duty. Additional duties, such as maintaining monthly bookkeeping, preparing financial statements, and handling invoices, remain but are now framed to allow for this delegation.

TAC as an Administrative Committee Convened by the Administrator: The TAC designation and duties were revised to reflect its role as a committee convened by the Administrator rather than established by the Board. Language was updated to specify that it includes one staff representative from each member agency. Meetings are now described as occurring monthly or as needed. These changes formalize the TAC's advisory and supportive role in line with administrative practices.

TRI-VALLEY TRANSPORTATION COUNCIL

Consistency with Adopted Records Retention Policy Across Government Documents: Updates to the Minutes section ensure alignment with the TVTC Records Retention Policy and the California Public Records Act. Electronic recordings of meetings are now designated as official records, retained per the policy, and made available upon request. Public access provisions were revised to require maintenance of at least one copy of minutes and recordings for inspection, subject to applicable exemptions, replacing outdated two-year retention language. The current TVTC Records Retention Policy lists Meeting Minutes as permanent records.

These revisions do not introduce new powers, fees, or substantive policy changes but enhance operational efficiency, clarity, and compliance.

RECOMMENDATION

Staff recommends that the TVTC Board adopt Resolution No. 2025-07, approving the revised TVTC Bylaws as presented in the attached document.

ATTACHMENTS

- A. TVTC Resolution No. 2026-01
- B. Exhibit A – Amended TVTC Bylaws with deletions noted by strikethrough text and additions noted with underlined text.

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TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2026-01

A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL ADOPTING REVISED BYLAWS

WHEREAS, the Tri-Valley Transportation Council (TVTC) is a joint powers authority formed pursuant to the Joint Exercise of Powers Agreement (JEPA) dated October 17, 2013, among the County of Alameda, the County of Contra Costa, the City of Livermore, the City of Pleasanton, the City of San Ramon, the City of Dublin, and the Town of Danville; and

WHEREAS, the TVTC Bylaws were adopted to govern the Council's composition, administration, meetings, and procedures in alignment with the JEPA; and

WHEREAS, the Bylaws were last updated in 2021, and a review has been conducted to ensure they remain consistent with the JEPA, reflect current operational practices, and incorporate housekeeping changes for clarity and efficiency; and

WHEREAS, the revisions include formalizing the rotation process for the Finance Committee, designating the TVTC Administrator as the default Secretary, updating the Treasurer's duties to reflect delegation practices while maintaining oversight on key financial approvals, redefining the Technical Advisory Committee as convened by the Administrator, and ensuring consistency with the TVTC Records Retention Policy and the California Public Records Act; and

WHEREAS, these changes enhance governance without altering the TVTC's fundamental authority or introducing new policies; and

WHEREAS, the TVTC Technical Advisory Committee, Finance Committee, and staff have reviewed and support the proposed revisions.

NOW THEREFORE BE IT RESOLVED THAT:

- The revised TVTC Bylaws, attached hereto as Exhibit A and incorporated herein by reference, are hereby adopted.
- The TVTC Administrator is directed to implement the revised Bylaws effective immediately upon adoption and to distribute copies to all member agencies.
- This Resolution shall take effect immediately upon its passage.

TRI-VALLEY TRANSPORTATION COUNCIL

PASSED, APPROVED AND ADOPTED at the meeting of February 9, 2026, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Renee S. Morgan, Chair
Tri-Valley Transportation Council

ATTEST:

Allan Shields, TVTC Administrator

TRI-VALLEY TRANSPORTATION COUNCIL

BYLAWS

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TABLE OF CONTENTS

A. COMPOSITION	1
B. TVTC MEMBERS	1
1. Rotation of Officers	1
2. Duties of Officers.....	1
3. Stipends	2
C. TVTC ADMINISTRATION	2
1. Administrator.....	2
a. Designation.....	2
b. Duties	3
c. Payment for Services.....	3
2. General Counsel	3
a. Designation.....	3
b. Duties	3
c. Payment for Services.....	4
3. Treasurer	4
a. Designation.....	4
b. Duties	4
c. Payment for Services.....	5
4. Auditor	5
a. Designation.....	5
b. Duties	5
c. Payment for Services.....	5
5. Secretary.....	5
6. <u>TVTC Technical Advisory Committee (TAC)</u>	6
a. <u>Designation</u>	6
b. <u>Duties</u>	6
7. <u>TVTC Finance Committee</u>	6
a. <u>Designation</u>	6
b. <u>Duties</u>	6

D. MEETINGS	7
1. Regular Meetings	7
2. Special Meetings	7
3. Location of TVTC Meetings	7
4. Meetings to Be Public	7
5. Quorum; Special Quorum Requirements	8
6. Agenda	8
7. Additions to Agenda	8
8. Order of Business	8
9. Official Action of the TVTC	9
E. ADDRESSING THE TVTC	9
1. Right to Address TVTC	9
2. Time Limitation	9
F. RULES OF PARLIAMENTARY PROCEDURE AND DEBATE	9
1. Call to Order	10
2. Roll Call	10
3. Reading of the Minutes	10
4. Chair May Debate and Vote	10
5. Obtaining the Floor	10
6. Decorum	10
7. Interruptions	11
8. Points of Order	11
9. Personal Privilege	11
10. Call for the Question	11
11. Recognition of the TVTC Staff and Technical Advisory Committee	11
12. Failure to Vote	12
13. Change of Vote	12
14. Reconsideration of Prior Action	12
15. Failure to Observe Rules of Order	12
16. Robert's Rules of Order	12
G. MINUTES	12
1. Preparation of Minutes	12
2. Remarks of TVTC Members	13
3. Protest Against TVTC Action	13

4.	Synopsis of Debate	13
5.	Delivery of Minutes.....	13
6.	Electronic Recordings	13
7.	Public Access to Minutes and Recordings	13
8.	Storage of the Minutes	14
H.	MISCELLANEOUS PROVISIONS.....	14
1.	Annual Administrative Budget	14
2.	Project Expenditures	14
3.	Agency Expenditures	14
4.	Treasurer as Depository.....	15
5.	Administrator as Custodian	15
6.	Audit.....	15
7.	Conflict of Interest Code.....	15
8.	Insurance	15

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TRI-VALLEY TRANSPORTATION COUNCIL

BYLAWS

A. COMPOSITION

The Tri-Valley Transportation Council (“TVTC”) is a joint powers authority formed pursuant to the Joint Exercise of Powers Agreement establishing the Tri-Valley Transportation Council, dated October 17, 2013 (the “JEPA”), among the County of Alameda, the County of Contra Costa, the City of Livermore, the City of Pleasanton, the City of San Ramon, the City of Dublin, and the Town of Danville. There shall be seven voting members of the TVTC. Voting members must be elected officials, one each from the respective Boards of Supervisors, and one each from the respective city/town councils. Alternates may be selected by the respective Boards of Supervisors and city/town councils to serve as a voting member in the absence of the appointed member.

B. TVTC MEMBERS

1. Rotation of Officers

A Chair and a Vice Chair shall be rotated biennially starting on July 1 of every other Fiscal Year. The Chair and Vice Chair shall be rotated among the TVTC pursuant to Section 4 of the JEPA in the following order, continuing the rotation begun under prior joint powers agreements, and starting with the name of the TVTC’s first Chair: County of Alameda (7/1/12-6/30/14), County of Contra Costa, City of Livermore, City of Pleasanton, City of San Ramon, City of Dublin, and Town of Danville. The first Vice Chair is the County of Contra Costa (7/1/12-6/30/14), and shall rotate into the position of Chair at the end of the term as Vice Chair. Subsequent Vice Chairs shall rotate into the position consistent with the rotation for Chair.

2. Duties of Officers

The Chair, or in his/her absence the Vice Chair, shall be the presiding officer of the TVTC and shall assume his/her place and duties as such immediately following his/her election. If the Chair is absent or unable to act, the Vice Chair shall serve until the Chair returns or is able to act. During such periods, the Vice Chair has all of the powers and duties of the Chair. In the event the Vice Chair is absent, the Chair shall have the right to name any member of the TVTC to perform the duties of the Chair, but such substitution shall not extend beyond adjournment.

The Chair shall preserve strict order and decorum at all meetings of the TVTC and announce its decisions on all subjects and decide all questions of order. The Chair shall sign all resolutions adopted and contracts approved by the TVTC at meetings at which he/she is in attendance. In the event of his/her absence, the Vice Chair shall sign such documents as have been adopted during the meeting at which he/she presided.

The Chair shall serve as the liaison between the TVTC's Administrative staff and the TVTC. The Chair shall also serve as the spokesperson of the TVTC relative to all external communications regarding TVTC business.

3. Stipends

Each TVTC Member shall be compensated per meeting for attending TVTC Board and subcommittee meetings. An alternate member shall be compensated for attendance at meetings only if the regular member does not attend said meetings. The amount of compensation payable to TVTC Members may be modified by resolution of the TVTC Board.

C. TVTC ADMINISTRATION

The Governing Council shall have the power by resolution to appoint and employ such employees, consultants and independent contractors as may be necessary for the functions and purposes of this Agreement.

Any officer, employee, or agent of the Governing Council may also be an officer, employee, or agent of any of the Parties. All of the privileges and immunities from liability, exemption from laws, ordinances and rules, all pension, relief, disability, workers' compensation and other benefits that apply to the activities of officers, agents, or employees of a public agency when performing its functions shall apply to the officers, agents or employees of the TVTC to the same degree and extent while engaged in the performance of any of the functions and other duties of such officers, agents or employees under this Agreement. None of the officers, agents, or employees directly employed by the Governing Council shall be deemed, by reason of their employment by the Governing Council, to be employed by the Counties or the Cities or, by reason of their employment by the Governing Council, to be subject to any of the requirements of the Counties or the Cities.

1. Administrator

a. Designation.

The TVTC may employ or appoint an Administrator to implement the objectives of the TVTC. The Administrator employed or appointed by the TVTC shall serve at the pleasure of the TVTC and shall be responsible to the TVTC for the proper administration of all affairs of

the TVTC. The Administrator shall prepare the annual budget for review and approval by the Council. The Administrator may, consistent with the TVTC's annual budget and subject to TVTC approval, employ or appoint other staff members as necessary to accomplish the functions and purposes of the TVTC. The Administrator may be an employee of one of the parties to the JEPA, a contractor, consulting firm or an individual employed by the TVTC. If the Administrator is not an employee of a member agency, the Administrator shall designate who on its staff shall be the primary point of contact, subject to TVTC approval.

b. Duties

The Administrator is responsible for the organization, preparation, distribution, and posting of TVTC meeting agendas; the organization of TVTC meetings and recording all votes; preparation, and distribution, and maintenance of meeting minutes; preparation and distribution of staff reports; records filing, and organization, and maintenance of all documents related to the TVTC; facilitation and management of Treasurer Sservices; and facilitation and management of consultants as retained by the TVTC.

c. Payment for Services

The Administrator may be compensated for the services provided to the TVTC as defined by terms of employment, agreement or contract, and as authorized in the TVTC's annual budget.

2. General Counsel

a. Designation

The TVTC shall designate a General Counsel, which may consist of appropriate staff member of a TVTC Member jurisdiction, or a consultant retained by the TVTC.

b. Duties

The General Counsel is responsible for legal services to the TVTC. The General Counsel shall report to the Board, and shall take direction from the TVTC Administrator for the routine legal work of the TVTC. With approval, the General Counsel is authorized to verify pleadings and to sign affidavits and other documents in connection with legal proceedings in which the Board and its interests are involved. The General Counsel duties shall consist of all legal services related to the TVTC. Duties shall consist of:

- Provide advice and counsel to TVTC;
- Provide input on TVTC policies and procedures;
- Provide legal guidance in responding and resolving legal

issues.

c. Payment for Services

The General Counsel may be compensated for the services provided to the TVTC as defined by terms of employment, agreement or contract, and as authorized in the TVTC's annual budget.

3. Treasurer

a. Designation

The TVTC shall designate a Treasurer, which may consist of the treasurer of a TVTC Member jurisdiction, or a certified public accountant retained by the TVTC.

b. Duties

The Treasurer duties shall consist of all accounting related to the TVTC, and as described in Section 4.c of the JEPA. With the approval of the TVTC, the Treasurer may contract out accounting and auditing services through a competitive proposal process.

The designated Treasurer may delegate some of the administrative aspects of the following duties to the TVTC Administrator and/or an accounting firm subject to the designated Treasurer's ultimate oversight. The Treasurer may not delegate their duty to review, manage, and approve all deposits and disbursements of TVTD Fee Funds.

Duties shall consist of:

- Review, manage, and approve all deposits and disbursements of TVTD Fee Funds.
- Receive and receipt for all money of the TVTC and place it in the treasury of the treasurer so designated to the credit of the TVTC.
- Be responsible, upon his or her official bond, for the safekeeping and disbursement of all TVTC money so held by him or her.
- Pay, when due, out of money held for the TVTC, all sums payable on outstanding bonds and coupons of the TVTC.
- Pay any other sums due from the TVTC, or any portion thereof, only upon warrants of the public officer performing the functions of auditor or controller who has been designated by the

agreement.

- Verify and report in writing on the first day of July, October, January, and April of each year to the TVTC and to the TVTC Member jurisdictions the amount of money held for the TVTC, the amount of receipts since the last report, and the amount paid out since his or her last report.
- Maintain monthly bookkeeping;
- Prepare monthly Profit Revenue & Expenditure Loss Statements and Balance Sheets;
- Prepare the annual Financial Report; and
- Receive invoices from contractors and disburse payments, with appropriate signature authority.

c. Payment for Services

If the TVTC appoints the Treasurer of a public entity to serve as the TVTC Treasurer, the governing body of the same public entity as ~~the Treasurer selected by the TVTC pursuant to section C.1.c.i~~ above shall determine charges to be made against the TVTC for the services of the treasurer, as authorized in the TVTC's annual budget. If the TVTC hires a certified public accountant to serve as the Treasurer, the Treasurer shall be compensated for the services provided to the TVTC as defined by terms of employment, agreement or contract, and as authorized in the TVTC's annual budget

4. Auditor

a. Designation

The TVTC shall designate, or select, an Auditor pursuant to Government Section 6505.5.

b. Duties

As provided for in Sections 6505 and 6505.5, the Auditor shall make arrangements with a certified public accountant or firm of certified public accountants for the annual audit of accounts and records of the TVTC. The Auditor shall draw warrants to pay demands against the TVTC when the demands have been approved by any person authorized to do so approve in the JEPA.

c. Payment for Services

The governing body of the same public entity as the auditor specified pursuant to this section shall determine charges to be made against the TVTC for the services of the auditor.

5. Secretary

The TVTC Administrator will serve as the TVTC Secretary and shall perform the duties described in section 4(b) of the JEPA unless a separate Secretary is appointed by the Board. If a Secretary is appointed by the Board, the Secretary shall perform the duties described in section 4(b) of the JEPA. The appointed Secretary will work at the direction of the TVTC Administrator to record votes, prepare, distribute, and maintain minutes, and maintain the official records of the TVTC.

6. TVTC Technical Advisory Committee (TAC)

a. Designation

The TVTC ~~board shall establish~~ Administrator convenes a Technical Advisory Committee ("TAC"). The TAC ~~shall~~ includes one staff representative from each of the Member Agencies and may include an ex-officio member from the Contra Costa Transportation Authority staff and the Alameda County Transportation Commission staff. The TVTC TAC ~~shall~~ meets monthly or more frequently as needed.

b. Duties

The TAC ~~will provide oversight over the operation of the Agency by providing~~ input and feedback on Regional Transportation Planning/Policy Documents, such as Tri-Valley Transportation Council Action Plan, Contra Costa and Alameda County Regional Transportation Plans, and similar Documents. The TAC shall make recommendations to the TVTC Board through the TVTC Administrator and provides staff support to the TVTC Administrator for preparation of the annual TVTC operating budget, SEP updates, Planning Studies, and RFPs.

Each Member ~~shall have~~ has one vote on the TAC. ~~The TAC shall meet on a monthly basis as agreed upon by TAC members.~~ The TAC shall confer with the TVTC Administrator for Board meeting agendas.

7. TVTC Finance Committee

a. Designation

The TVTC shall designate a Finance Committee. The Finance Committee is a sub-committee of the TVTC Board and will consist of three Members of the Board, specifically the TVTC Chair, the TVTC Vice-Chair, and the immediate past TVTC Chair. In the event the immediate past TVTC Chair is no longer a member of the TVTC Board, the Board shall appoint a third member from among its current members by majority vote to serve until the next rotation. The Committee will meet

as needed.

b. Duties

The Finance Committee will provide oversight and guidance to the TVTC staff and Board through policy level direction and input on financial items, such as the operating budget, review of financial reporting documents, investments, contracts, ~~long-term~~long-term financing and/or other items requiring fiscal policy direction and input.

Recommendations made by the Finance Committee may be brought forward to the full Board for approval, if so directed by the Committee.

c. Rotation of Finance Committee Members

The Finance Committee membership shall rotate biennially, effective July 1st of every other fiscal year, concurrently with the rotation of the TVTC Chair and Vice-Chair as specified in Section B.1.

D. MEETINGS

1. Regular Meetings

The TVTC shall hold meetings every third month on the third Monday of the month, which shall begin at 4:00 p.m. The TVTC may adopt an alternate meeting schedule or reschedule a meeting that falls on a legal holiday, or as needed.

2. Special Meetings

Special meetings may be called at any time by the Chair or a majority of the TVTC members by doing all of the following: (1) delivering personally, by e-mail or by mail, written notice to each TVTC member, and (2) by posting the written notice personally or by mail to each local newspaper of general circulation, radio station and television station which has made written request for such notice. Such notice must be delivered and posted at least twenty-four (24) hours before the time of such meeting as specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with, as to any TVTC member who, at or prior to the time the meeting convenes, files with the Administrative staff a written waiver of notice.

3. Location of TVTC Meetings

All regular and special meetings of the TVTC shall be held at the administrative offices of the Chair's jurisdiction or at such other location within the jurisdiction of the TVTC as the Chair or TVTC shall designate.

4. Meetings to Be Public

All regular, adjourned, and special meetings of the TVTC shall be open and public, provided, however, the TVTC may hold closed sessions from which the public may be excluded for the consideration of those matters permitted by state law pursuant to the Ralph M. Brown Public Meeting Act (the “Brown Act”) (Government Code section 54950 et seq.).

No member of the TVTC, TVTC staff, or any other person present during a closed session of the TVTC shall disclose to any person the content or substance of any discussion that took place during said closed session without prior authorization by a majority vote of the TVTC. A TVTC member who is found by the TVTC to have made disclosure in violation of the foregoing provisions shall be subject to either or both (i) motion of censure or (ii) removal from any one or more of the offices which he or she holds by reason of election or appointment by the TVTC, such as Chair, Vice Chair, representative of the TVTC on an outside TVTC or commission, or membership on a TVTC committee.

5. Quorum; Special Quorum Requirements

A quorum means the presence of the TVTC members representing five or more of the Members. Actions of the TVTC require a quorum present and, except as provided below, a majority vote of the members present. Where there is no quorum, the TVTC may proceed to hear informational items, following which the Chair, Vice Chair, or any TVTC member shall adjourn such meeting, or, if no TVTC member is present, the TVTC Administrator shall adjourn the meeting.

For certain actions specified in the JEPA, the TVTC will use a simple majority, supermajority of five, or supermajority of six voting procedure as described in Section 3.d of the JEPA.

6. Agenda

An agenda shall be prepared for each regular meeting that lists the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by any TVTC member, Administrative staff, or the General Counsel. All reports, ordinances, resolutions, contract documents, and other matters to be submitted to the TVTC at a regular meeting shall be delivered to the Administrator no later than 5:00 p.m., five (5) business days prior to the meeting. The Administrator shall prepare the agenda of all such matters according to the order of business, numbering each item consecutively. A complete copy of the agenda shall be sent to each TVTC member in time to reach the recipient not later than 5:00 p.m. three (3) business days prior to each regular TVTC meeting. The Administrator shall exclude from public dissemination any reports or information related to closed session matters.

7. Additions to Agenda

No matters shall be finally acted upon by the TVTC unless they are included on the posted agenda; provided, however, items of business not appearing on the posted agenda may be considered pursuant to applicable Brown Act provisions.

8. Order of Business

The business of the TVTC at each regular meeting shall be taken up for consideration and disposition in the following order:

1. Call to Order
2. Roll Call
3. Public Comment
4. Approval of Meeting Minutes
5. Oral Communication
6. Old Business
7. New Business
8. Other Business/Announcements
9. Adjournment

The Chair, in the absence of any objection by the TVTC members, or a majority vote of the TVTC, may change the order of business at any time during the meeting; furthermore, the TVTC may set hearings for a specific time and such hearing shall begin at the stated time, or as soon thereafter as possible.

9. Official Action of the TVTC

The TVTC shall take official action by ordinance, resolution or minute order.

E. ADDRESSING THE TVTC

1. Right to Address TVTC

Any person has the right to address the TVTC during consideration of any item on the TVTC's agenda or during the time for public comment if the subject matter is not on the agenda but pertains to that within the jurisdiction of the TVTC.

2. Time Limitation

The Chair or a majority of the TVTC may limit the time speakers may have to make oral presentations or offer public comment to the TVTC. In the event that more than one person makes such a request on any one item of business, the Chair may forthwith designate a reasonable time limit for it. When any group of persons wishes to address the TVTC on the same subject matter, it shall be proper for the Chair or TVTC to inquire whether or not the group has a spokesperson, and if so, to direct that the

spokesperson be heard first, with the subsequent speakers in the group limited to information not already presented by the spokesperson.

F. RULES OF PARLIAMENTARY PROCEDURE AND DEBATE

1. Call to Order

The Chair, or in his/her absence, the Vice Chair, shall take the chair at the appointed hour for the meeting, and shall call the TVTC to order. In the absence of the Chair and the Vice Chair, and the failure of the Chair to appoint a temporary Chair, the Administrator shall call the TVTC to order, whereupon a temporary Chair will be elected by the members present. If the Chair or Vice Chair should arrive after the meeting is called to order, the temporary Chair shall serve until the disposal of the item then under consideration after which the Chair or Vice Chair shall assume the chair. In no event shall the temporary Chair serve beyond adjournment.

2. Roll Call

Before proceeding with the business of the TVTC, the Administrator shall call the roll of the TVTC members, and the names of those present, absent or excused shall be entered in the minutes.

3. Reading of the Minutes

Unless the reading of the minutes of a TVTC meeting is requested by a majority of the TVTC, such minutes may be approved without reading as part of the consent calendar if the Administrator has previously furnished each TVTC member with a copy.

4. Chair May Debate and Vote

The Chair may move, second and debate from the Chair, subject only to such limitations of debate as are, by these rules, imposed on all TVTC members and shall not be deprived of any of the rights or privileges of TVTC members by reason of his/her acting as Chair.

5. Obtaining the Floor

Any TVTC member desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine him/herself to the question under debate.

6. Decorum

While the TVTC is in session, the TVTC members and members of the public must preserve and observe order and decorum, and no person shall,

by conversation or otherwise, delay or interrupt the proceedings or the orderly conduct of the meeting, nor disturb any TVTC member while speaking, or refuse to obey the orders of the TVTC or of the Chair, except as otherwise herein provided. When necessary to enforce decorum, the Chair, after issuing a warning, may order ~~or the TVTC itself may order~~ aa person removed from the public meeting, or the public meeting may be recessed or closed pursuant to state law.

7. Interruptions

A TVTC member, once recognized, shall not be interrupted when speaking unless (a) called to order by the Chair, (b) a point of order or personal privilege is raised by another TVTC member, or (c) the speaker chooses to yield to a question by another TVTC member. If a TVTC member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined and, if determined to be in order, he/she may proceed.

8. Points of Order

Only a TVTC member, the Administrator or the legal counsel may raise a point of order. Points of order shall be limited to cases where the discussion or debate on the floor does not pertain to the item of business before the TVTC at the time or is in violation of any of the provisions of these rules of parliamentary procedure and debate.

9. Personal Privilege

The right of a TVTC member to address the TVTC on a question of personal privilege shall be limited to cases in which his/her integrity, character or motives are questioned or where the comfort or welfare of the TVTC, staff and audience are concerned. A TVTC member raising a point of personal privilege may interrupt another TVTC member who has the floor, subject only to the power of the Chair to call him/her out of order.

10. Call for the Question

A call for the question is a motion to halt debate on a motion before the TVTC. A TVTC member calling for the question must receive a second to his/her motion. A properly moved and seconded call for the question must be voted on immediately and is not debatable. If the motion calling for the question passes by a two-thirds vote, then the motion before the TVTC on which the question was called must be voted on immediately without further debate.

11. Recognition of the TVTC Staff and Technical Advisory Committee

Members of the TVTC staff and TAC, after recognition by the Chair, shall hold the floor until completion of their remarks or until recognition is

withdrawn by the Chair.

12. Failure to Vote

A TVTC member who fails to vote without stating his/her abstention or without being disqualified shall be deemed to have cast a “yes” vote.

13. Change of Vote

A TVTC member may change his/her vote only if he/she makes a timely request during the TVTC meeting at which the vote was taken and provided said change does not affect the outcome of the vote.

14. Reconsideration of Prior Action

A motion to reconsider a vote on an action shall be in order at the same meeting or the next following meeting from which said action was taken. Any final action taken on a quasi-judicial or administrative matter shall not be subject to a motion for reconsideration. Such motion may be made only by a TVTC member who has previously voted with the majority on the matter. Tie votes shall be lost motions and the underlying matter may be reconsidered.

15. Failure to Observe Rules of Order

Rules adopted to expedite the transaction of the business of the TVTC in an orderly fashion are deemed to be procedural only, and the failure to strictly observe such rules shall not affect the jurisdiction of the TVTC or invalidate any action taken at a meeting that is otherwise held in conformity with law.

16. Robert's Rules of Order

As to the determination of a procedural issue not specifically addressed by these Rules, the TVTC will be guided by Robert's Rules of Order.

G. MINUTES

1. Preparation of Minutes

The minutes of the TVTC meetings shall be prepared by the Secretary. The Secretary shall be required to make a record only of such business as was actually passed upon a vote of the TVTC, and shall not be required to make a verbatim transcript of the proceedings. The minutes shall include a record of the names and cities of residence of the persons addressing the TVTC (should speakers choose to provide such information), the subject matter to which their remarks related, and, if relevant, whether they spoke in support of or in opposition to such matter.

2. Remarks of TVTC Members

A TVTC member may request, through the Chair, the privilege of having an abstract of his/her statement of any subject under consideration by the TVTC entered into the minutes. If the TVTC consents thereto, such statement shall be included in the minutes.

3. Protest Against TVTC Action

Any TVTC member shall have the right to have the reasons of his/her dissent from or his/her protest against any action of the TVTC entered in the minutes.

4. Synopsis of Debate

The Secretary may be directed by the Chair, with the consent of the TVTC, to enter in the minutes a synopsis of the discussion on any question coming regularly before the TVTC.

5. Delivery of Minutes

As soon as possible after each TVTC meeting, but no later than 72 hours before the next TVTC meeting, barring any emergency situation, the Secretary shall cause a copy of the minutes thereof to be forwarded to the TVTC members, the legal counsel, and such other staff members, agencies or persons as may be designated by the TVTC or that may have specifically requested such in writing.

6. Electronic Recordings

The Secretary may electronically record all TVTC meetings, when feasible, except closed sessions, to aid in preparing the minutes. These recording files shall be considered official TVTC records and shall be available to the public upon request.
~~Secretary may electronically record all TVTC meetings, when possible, except closed sessions, to assist the Secretary in preparation of the minutes, and will retain the recordings for at least two (2) years. Said recording files shall not be an official TVTC record, but shall be available to the public upon request.~~

7. Public Access to Minutes and Recordings

At least one copy of the minutes of each TVTC meeting and, if one exists, at least one copy of the electronic recording of each TVTC meeting shall be maintained by the Secretary in accordance with the TVTC Records Retention Policy. The Secretary shall ensure all such records are readily accessible for public inspection as required by the California Public Records Act, subject to applicable exemptions. ~~for said two-year period, in such a manner as to be readily available for inspection by the residents of the jurisdiction of the TVTC or their authorized representatives., subject~~

only to whatever reasonable conditions the Secretary may require to avoid excessive interferences with the TVTC business or misuse and destruction of TVTC property.

8. Storage of the Minutes

The official copy of the TVTC minutes and electronic recording shall be stored in the administrative offices of the TVTC, or such other depository as may be designated by the TVTC.

H. MISCELLANEOUS PROVISIONS

1. Annual Administrative Budget

The TVTC shall adopt a budget for administrative costs annually prior to July 1 of each year. The TVTC may revise the budget from time to time within a fiscal year. The TVTC may not approve a deficit spending administrative budget in any fiscal year nor may the TVTC make any unbudgeted expenditures. The adoption of an annual administrative budget, or any revisions, shall require a vote of a supermajority of five.

2. Project Expenditures

The TVTC may approve the expenditure of funds for projects in the Strategic Expenditure Plan ("SEP") at any time during the year. Only projects that are in the current approved SEP may receive funds. Approval of funds for projects on the current SEP shall require a majority vote.

3. Agency Expenditures

All expenditures of funds shall be set forth through the adoption of an annual TVTC Administrative Budget. Expenditures consistent with the annual administrative budget will require the following signature authority:

- a. Up to \$10,000 may be authorized by the Administrator;
- b. From \$10,001 and up to \$25,000 may be authorized by the joint signature of the TVTC Chair and Vice Chair;
- c. Over \$25,000 must be approved by Resolution of the TVTC.

Prior to expending funds, or entering into contracts, in excess of \$5,000, the TVTC shall utilize a Request for Qualification and/or Proposal solicitation process.

4. Treasurer as Depository

The Treasurer is the custodian of the TVTC's funds.

5. Administrator as Custodian

The TVTC Administrator is designated as property custodian of the TVTC.

6. Audit

At the close of each fiscal year, an audit of the accounts and records of the TVTC shall be made in accordance with Section 6505 of the Act. Any costs of the audit, including contracts with, or employment of, certified public accountants, shall be borne by the TVTC and shall be a charge against any unencumbered funds of the TVTC.

7. Conflict of Interest Code

The TVTC shall adopt a Conflict of Interest Code in compliance with the Political Reform Act (Cal. Government Code Section 81000 et seq.).

8. Insurance

The TVTC shall procure and maintain, for the duration of the agency, insurance against claims for injuries to persons or damage to property which may arise from, or in connection with the Council's operations or performance under the terms of the JEPA. The cost of such insurance shall be borne by the TVTC. The TVTC shall adopt an insurance policy and update it annually.

a. Minimum Scope of Insurance: Coverage shall be at least as broad as:

- i. Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
- ii. Insurance Services Office form number CA 0001 covering Automobile Liability, code 1 (any auto).
- iii. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
- iv. Directors and Officers Liability Insurance

b. Minimum Limits of Insurance: TVTC shall maintain limits no less than:

- i. General Liability, including operations, products and completed operations, as applicable:

\$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

ii. Automobile Liability:

\$1,000,000 per accident for bodily injury and property damage.

iii. Employer's Liability:

\$1,000,000 per accident for bodily injury or disease.

iv. Directors and Officers Liability:

\$1,000,000 per claim.

c. Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the TVTC.

d. Other Insurance Provisions: The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

- i. The Tri-Valley Transportation Council, each member agency and their respective boards of supervisors, city councils, officers, officials, employees and designated volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the TVTC; or automobiles owned, leased, hired or borrowed by the TVTC. The coverage shall contain no special limitations on the scope of protection afforded to the Tri-Valley Transportation Council, including each member agency and their respective officers, officials, employees and designated volunteers.

- ii. For any claims related to the TVTC. The TVTC insurance coverage shall be primary insurance with respect to the TVTC, including each member agency and their respective officers, officials, employees and designated volunteers. Any insurance or self-insurance maintained by any of the member agencies and their respective officers, officials, employees and designated volunteers shall be excess of the TVTC's insurance and shall not contribute with it.
 - iii. Any failure to comply with reporting or other provisions of the policy including breaches of warranties shall not affect coverage provided to the Tri-Valley Transportation Council, including each member agency and their respective officers, officials, employees and designated volunteers.
 - iv. The TVTC's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
 - v. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after 30 days' prior written notice by certified mail, return receipt requested, has been given to the TVTC.
- e. Verification of Coverage: TVTC shall furnish to each member agency certificates of insurance and endorsement(s) effecting coverage to TVTC. The endorsements shall be on forms acceptable to the TVTC. The TVTC shall provide complete, certified copies of all insurance policies required by this section to each member agency upon request.

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 4c

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Councilmember
City of Pleasanton
(925) 931-5001

Marisol Rubio
Vice Mayor
City of San Ramon
(925) 964-5946
Council meeting agenda.

To: TVTC Board

From: TVTC Technical Advisory Committee (TAC)

Date: February 9, 2025

Subject: Annual Report of Tri-Valley Transportation Development Fee Pursuant to Government Code Sections 66002, 66006 and 66008 (AB1600)

BACKGROUND

State law requires public agencies to review and report on an annual basis on the status of development impact fees collected to finance public improvements. This report pertains to Fiscal Year 2024-25.

DISCUSSION

Public agencies are authorized under the Mitigation Fee Act to adopt and impose development impact fees on development projects to contribute toward the cost of off-site public improvements, which are needed to mitigate the impact of new development. The law requires the agencies to review, on an annual basis, the status of development fees collected, and to provide a report 180 days from the end of the fiscal year. TVTC posted the AB 1600 annual report and findings on November 25, 2025, and the TVTC Board will review the report and findings at its regularly scheduled meeting on February 9, 2026.

RECOMMENDATION

TVTC Staff recommends that the Board review and accept the AB1600 FY 2024-25 annual report.

ATTACHMENTS

A- AB1600 Annual Report

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TRI-VALLEY TRANSPORTATION COUNCIL

Attachment A

Tri Valley Transportation Council Annual AB1600 Report for Fiscal Year 2024-2025

		The fee provides for the construction of transportation improvement projects necessary to accommodate new development within the Tri-Valley Development area.																								
1A	Description of the Type of Fee:	Projects are identified in the Strategic Expenditure Plan.																								
1B	Amount of Fee:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Single Family Dwelling</td> <td style="width: 10%; text-align: right;">\$</td> <td style="width: 10%; text-align: right;">7,196.07</td> <td style="width: 20%;">per unit</td> </tr> <tr> <td>MultiFamily Dwelling</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">4,242.76</td> <td>per unit</td> </tr> <tr> <td>Retail</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">6.13</td> <td>per KSF</td> </tr> <tr> <td>Office</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">9.61</td> <td>per KSF</td> </tr> <tr> <td>Industrial</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">5.42</td> <td>per KSF</td> </tr> <tr> <td>Other</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">6,655.28</td> <td>average am/pm peak hour trip</td> </tr> </table>	Single Family Dwelling	\$	7,196.07	per unit	MultiFamily Dwelling	\$	4,242.76	per unit	Retail	\$	6.13	per KSF	Office	\$	9.61	per KSF	Industrial	\$	5.42	per KSF	Other	\$	6,655.28	average am/pm peak hour trip
Single Family Dwelling	\$	7,196.07	per unit																							
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Office	\$	9.61	per KSF																							
Industrial	\$	5.42	per KSF																							
Other	\$	6,655.28	average am/pm peak hour trip																							
1C	Beginning and End Balance of Account																									
	Beginning Balance:	\$ 19,173,587																								
	End Balance:	\$ 10,144,395																								
1D	Amount collected and interest earned:	\$ 8,846,542 (see details below)																								
1E	Public Improvement(s) funded	(17,875,733) (see details below)																								
	Project Name:	See below																								
	Amount:	See below																								
	% of the cost funded by TVTC:	See below																								
1F	Construction start date:	See below																								
1G	Interfund Transfer or loan from account:	None																								
1H																										

1D Amount Collected and Interest Earned Revenue and other Sources	7/24-6/25 Fees/Interest
Alameda Co	\$ 24,070.18
Dublin	\$ 1,805,891.61
Livermore	\$ 4,622,257.13
Pleasanton	\$ 1,311,453.79
CC County	\$ 76,038.30
Danville	\$ 177,692.67
San Ramon	\$ -
LAIF Interest	\$ 829,138.36
	\$ 8,846,542.04

1E, 1F Public Improvements Funded	7/24-6/25 Disbursements	1E. % of cost funded by TVTC	1F. Construction Start Date
Project C-3 Parkway Extension	(11,227,600.00)	8%	
Project TI -Vasco Rd/I-580	(5,139,000.00)	4%	Jan-25
Project B-8 Tassajara Widen	(1,450,000.00)	3%	N/A
Administrative Staff Support	(20,000.00)	100%	N/A
Accounting Fees	(12,802.00)	100%	N/A
Audit Fees	(5,000.00)	100%	N/A
Bank Fees	(110.00)	100%	N/A
Insurance	(4,729.34)	100%	N/A
Legal fees	(11,000.00)	100%	N/A
Board Meeting Stipends	(2,700.00)	100%	N/A
Treasurer Oversight Services	(1,200.00)	100%	N/A
Website Development & Maintenance	(1,549.00)	100%	N/A
Postage, Mailing Services	(42.89)	100%	N/A
Total Resources (Uses)	(17,875,733.23)		

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Item 5

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 5a

Renee Morgan
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Marisol Rubio
Vice Mayor
City of San Ramon
(925) 964-5946

To: Tri-Valley Transportation Council (TVTC)

From: TVTC Technical Advisory Committee (TAC)

Date: February 9, 2026

Subject: APPROVE Town of Danville Request to Allocate Tri-Valley Transportation Development Fee Funds in the amount of \$2,288,292 to the Innovate 680: Coordinated Adaptive Ramp Metering (CARM) of the Tri-Valley Transportation Council Strategic Expenditure Plan Project C-10 and associated funding agreement.

BACKGROUND

The Town of Danville (Town) is one of the Tri-Valley Transportation Council sponsors of Innovate 680, the Contra Costa Transportation Authority (Authority) is the implementation agency. The Authority, in conjunction with the California Department of Transportation (Caltrans), has embarked on the implementation of adaptive ramp metering along northbound I-680 between Alcosta Boulevard and Olympic Boulevard. With additional federal funding awarded in late 2024, the northern limits of CARM will be extended to Willow Pass Road in Concord. In addition, Caltrans is also installing metering at other ramps along I-680 between I-580 in Alameda County and I-80 in Solano County.

The Coordinated Adaptive Ramp Metering (CARM) project will supplement the Caltrans ramp metering project within the aforementioned limits, by adding system functionality and infrastructure improvements to:

- Proactively manage both recurrent and non-recurrent congestion in a coordinated, real-time manner to improve productivity and reliability of the I-680 corridor.
- Balance freeway performance objectives and ramp queues.
- Improve the detection of traffic incidents to support real-time corridor adaptive ramp metering and other traffic operations strategies.
- Encourage collaboration with local agencies for further implementation of intelligent transportation systems (ITS) and integrated real-time traffic operations strategies that address regional and local objectives.

TRI-VALLEY TRANSPORTATION COUNCIL

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-10, Innovate 680. The CARM project is one of the major elements of Innovate 680. The SEP Funding Plan authorizes an appropriation of \$2,288,292 from the Tri-Valley Transportation Development Fund (TVTDF) in FY 2025-26.

DESCRIPTION

The TVTC Technical Advisory Committee (TVTC TAC) has determined that there is sufficient funding to allocate the \$2,288,292 in TVTDF for FY 2025-26. The Town of Danville is a member of TVTC and signatory to the Joint Exercise of Powers Agreement and is the TVTC Project Sponsor Agency responsible for administering the initiation of the allocation funding request to the TVTC. As the Authority is the lead agency for the management and implementation of the Project, the disbursement of \$2,288,292 in funds is requested to be transmitted from TVTC directly to the Authority.

RECOMMENDATION

1. The Town of Danville and Contra Costa Transportation Authority request that the TVTC Board Approve Resolution No. 2026-02, authorizing an allocation of \$2,288,292 in TVTDF funds to the Innovate 680: Coordinated Adaptive Ramp Metering Project (C-10).

ATTACHMENTS

- A. TVTC Resolution No. 2026-02
- B. TVTC Funding Agreement
- C. Select Sections of 2022 TVTC SEP Funding Plan Amended January 29, 2024
- D. 2022 TVTC SEP Project No. C-10 Fact Sheet

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2026-02

A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL TO ALLOCATE \$2,288,292 IN TRI-VALLEY TRANSPORTATION DEVELOPMENT FEE (TVTDF) FUNDS TO THE TOWN OF DANVILLE FOR STRATEGIC EXPENDITURE PLAN PROJECT C-10 INNOVATE 680: COORDINATED ADAPTIVE RAMP METERING (CARM) – FOR FY 2024-2025

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 Town of Danville 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 \$2,288,292 in fiscal year 2024-25 for the Innovate 680: Coordinated Adaptive Ramp Metering (CARM) Project (Project C-10); and

WHEREAS, the Town of Danville (Town), the Contra Costa Transportation Authority (Authority), and TVTC desire to enter into a funding agreement for purposes of allocating TVTDF funds for the implementation of Innovate 680: Coordinated Adaptive Ramp Metering (CARM) project; and

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

1. The TVTC authorizes the TVTC Administrator and Treasurer to transmit \$2,288,292 in funds from the TVTDF account to the AUTHORITY, the party responsible for the implementation of Innovate 680: Coordinated Adaptive Ramp metering (CARM) Project (Project C-10);
2. The TVTC approves the Funding Agreement, in substantially the same form as attached hereto and incorporated herein as Exhibit A subject to review by the TVTC General Counsel, between the TVTC, the TOWN, and the AUTHORITY for

TRI-VALLEY TRANSPORTATION COUNCIL

allocation of TVTDF funds for the implementation of the Innovate 680 project, 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 February 9, 2026, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Renee S. Morgan, Chair
Tri-Valley Transportation Council

ATTEST:

Allan Shields, TVTC Administrative Staff

TRI-VALLEY TRANSPORTATION COUNCIL

FUNDING AGREEMENT BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL, THE TOWN OF DANVILLE AND THE CONTRA COSTA COUNTY TRANSPORTATION AUTHORITY FOR THE ALLOCATION OF TVTDF FUNDS IN THE AMOUNT OF \$2,288,292 FOR THE INNOVATE 680: COORDINATED ADVANCED RAMP METERING PROJECT (PROJECT C-10)

This AGREEMENT is made and entered into as of FEBRUARY 9, 2026. by and between the Tri-Valley Transportation Council (TVTC), The Town of Danville (DANVILLE), and the Contra Costa County Transportation Authority (AUTHORITY), collectively referred to herein as the “Parties.”

RECITALS

- A. **WHEREAS**, Danville, 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
- C. **WHEREAS**, the Innovate 680: Coordinated Adaptive Ramp Metering Project (“Project”) is identified on List C of the 2022 TVTC Strategic Expenditure Plan (“SEP”) and is programmed for \$2,288,292 in FY 2024/2025 ; and
- D. **WHEREAS**, DANVILLE is one of the Project sponsors of the PROJECT identified in the 2022 Strategic Expenditure Plan; and
- E. **WHEREAS**, the AUTHORITY is the lead agency responsible for the implementation of the PROJECT; and
- F. **WHEREAS**, the AUTHORITY is requesting an allocation of \$2,288,292 of TVTDF Funds for FY2024-2025; and
- D. **WHEREAS**, pursuant to Resolution No. 2026-02 TVTC approved the allocation of \$2,288,292of TVTDF funds to AUTHORITY 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

DANVILLE AGREES:

- A. To initiate a request to the TVTC for the allocation and disbursement of TVTDF funds directly to the AUTHORITY for \$2,288,292 for the PROJECT.

TVTC AGREES:

TRI-VALLEY TRANSPORTATION COUNCIL

- B. To allocate and transmit to the AUTHORITY \$2,288,292 of TVTDF funds for the PROJECT.

AUTHORITY AGREES:

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

Town of Danville
500 La Gonda Way
Danville, CA 94526
Allan Shields, Transportation Manager

If to AUTHORITY:

Contra Costa County Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597
Attention: Hisham Noeimi, Director, Programming

If to TVTC:

Allan Shields
Attention: TVTC Administrator
Town of Danville
500 La Gonda Way
Danville, CA 94526

TRI-VALLEY TRANSPORTATION COUNCIL

SIGNATURES ON THE NEXT PAGE

TOWN OF DANVILLE

Newell Arnerich, Mayor

APPROVED AS TO FORM:

Rob Ewing, City Attorney

ATTEST:

Marie Sunseri, City Clerk

Town Council Resolution No.

CONTRA COSTA COUNTY TRANSPORTATION AUTHORITY

Darlene Gee, CCTA Board of Directors, Chair

APPROVED AS TO FORM:

Fennemore, LLP, Authority Counsel

ATTEST:

Tarienne Glover, Clerk of the Board

TRI-VALLEY TRANSPORTATION COUNCIL

Renee S. Morgan, Chair

APPROVED AS TO FORM:

Tri-Valley Transportation Council

TRI-VALLEY TRANSPORTATION COUNCIL

Lindsay D'Andrea, TVTC Counsel

ATTEST:

Allan Shields, TVTC Administrator

Table 8: 2022 TVTDF Funding Plan

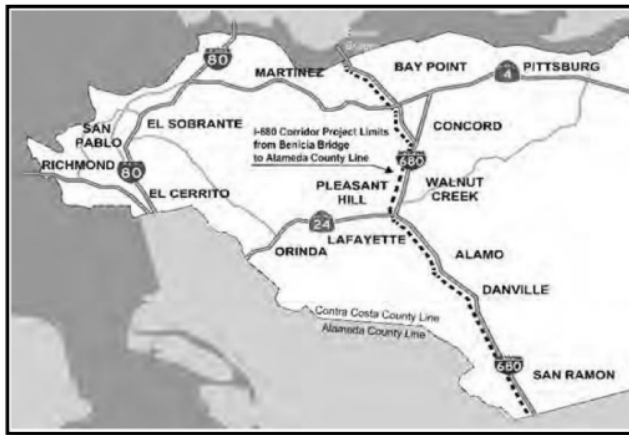
ID	Project	July 1st FY Balance (\$)										Total
		\$17,000,000	\$22,469,002	\$13,981,855	\$6,057,276	\$2,042,094	\$5,064,310	\$973,440	\$6,628,993	\$7,024,183	\$21,944,751	
		Revenue Forecast (\$)										
		\$14,577,263	\$16,331,555	\$14,584,716	\$13,862,627	\$14,130,377	\$12,945,760	\$15,598,510	\$12,953,043	\$33,769,769	\$13,979,792	\$162,733,410
		Return to Local Source - 20% (\$)										
		\$2,915,453	\$3,266,311	\$2,916,943	\$2,772,525	\$2,826,075	\$2,589,152	\$3,119,702	\$2,590,609	\$6,753,954	\$2,795,958	\$32,546,682
		Admin Fee - 0.8% (\$)										
		\$116,618	\$130,652	\$116,678	\$110,901	\$113,043	\$103,566	\$124,788	\$103,624	\$270,158	\$111,838	\$1,301,867
		Revenue for TVTDF Allocation (\$)										
		\$28,545,192	\$35,403,594	\$25,532,950	\$17,036,476	\$13,233,353	\$15,317,352	\$13,327,460	\$16,887,802	\$33,769,840	\$33,016,746	\$128,884,861
		Projected Disbursement - 2022 SEP Update										
		22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	22-32 Total
Disbursed		\$6,076,190	\$21,421,738	\$19,475,674	\$14,994,382	\$8,169,043	\$14,343,912	\$6,698,467	\$9,863,619	\$11,825,089	\$10,419,955	\$123,288,069
Remainder		\$22,469,002	\$13,981,855	\$6,057,276	\$2,042,094	\$5,064,310	\$973,440	\$6,628,993	\$7,024,183	\$21,944,751	\$22,596,791	\$22,596,791
A-2b	SR 84 / I-580 Interchange - Phase 2								\$2,000,000	\$1,500,000	\$1,650,000	\$5,150,000
A-9a	Crow Canyon Improvements Phase 1			\$1,550,000								\$1,550,000
A-9b	Crow Canyon Improvements Phase 2				\$1,690,000							\$1,690,000
A-10a	Vasco Road Safety Improvements Phase 1		\$500,000	\$2,820,000								\$3,320,000
A-10b	Vasco Road Safety Improvements Phase 2				\$2,580,000							\$2,580,000
A-11	Express Bus/Bus Rapid Transit (BRT) - Phase 2					\$800,000						\$800,000
B-1	I-580/I-680 Interchange (Westbound to Southbound)					\$500,000	\$500,000					\$1,000,000
B-4	I-580/Vasco Road Interchange Modification			\$5,139,000	\$3,426,000							\$8,565,000
B-5	I-580/Greenville Rd Interchange Modification								\$5,160,000	\$3,440,000		\$8,600,000
B-8a	Camino Tassajara/Tassajara Rd Widening Project (Contra Costa County Segment)			\$4,380,000	\$2,000,000							\$6,380,000
B-8b	Camino Tassajara/Tassajara Rd Widening Project (Dublin Segment)		\$1,450,000									\$1,450,000
C-2	Norris Canyon Road Safety Improvement - Segment 1	\$538,561										\$538,561
C-3	Dublin Boulevard - North Canyons Parkway Extension		\$16,039,300									\$16,039,300
C-6	Suno/680 Widening	\$2,650,000										\$2,650,000
C-7b	I-680 Express Lanes - Hwy 84 to Alcosta (Northbound)			\$3,298,382	\$5,298,382	\$5,298,382	\$7,298,382					\$21,193,529
C-8	Santa Rita/I-580 Interchange							\$1,033,378				\$1,033,378
C-10	Innovate 680		\$3,432,438	\$2,288,292								\$5,720,730
C-11a	Iron Horse Trail Bicycle-Pedestrian Overcrossing – Bollinger Canyon Road	\$2,287,629										\$2,287,629
C-11c	Iron Horse Trail – Dublin	\$600,000										\$600,000
C-11d	Iron Horse Trail – Livermore							\$2,698,530				\$2,698,530
C-11e	Iron Horse Trail to Shadow Cliffs									\$164,866		\$164,866
C-13	Fallon/EI Chano Interchange					\$2,070,661	\$1,380,440					\$3,451,101
C-14	Valley Link Rail (Phase 1)						\$5,165,089	\$5,165,089	\$5,165,089	\$5,165,089	\$5,165,089	\$25,825,445

Note: Only Projects receiving funding within SEP 10-year horizon are shown.

TRI-VALLEY TRANSPORTATION COUNCIL

Attachment D

C-10. INNOVATE 680



TVTC PROJECT SPONSORS

Town of Danville, City of San Ramon,
Contra Costa County

LEAD AGENCY

CCTA, Town of Danville, City of San
Ramon, Contra Costa County, CCTA

PROJECT DESCRIPTION (UPDATED SUMMER 2021)

Innovate 680 will implement the following strategies in the I-680 corridor:

Strategy No. 1: Complete HOV/Express Lanes

Eliminate the gap in existing carpool lanes in the NB direction and convert to an express lane to increase efficiency.

Strategy No. 2: Cool Corridor "Hot Spots"

Improve congestion "hot spots" caused by high-volume weaving areas around N. Main Street, Lawrence Way, Treat Blvd, and other locations south of SR 24 (Livorna Road, etc.). This strategy will be completed with Strategy 1 since they are interdependent.

Strategy No. 3: Increase Efficiency of Bus Service

Increase bus service efficiency by improving express bus service, implementing bus operations on shoulder (BOS), and increasing technology-based intermodal transit centers/managed park and ride lots.

Strategy No. 4: Enhance TDM Strategies

Provide enhanced 511 mobile app providing options to make informed decisions about mode choice, travel time, and cost per trip.

Strategy No. 5: Provide First Mile/Last Mile Connections

Implement Shared Autonomous Vehicles (SAVs) to improve transit connectivity and to shift travelers from Single Occupant Vehicles (SOVs).

Strategy No. 6: Innovative Operational Strategies

Deploy a suite of technology-based solutions to maximize the efficiency of the roadway system integrating adaptive ramp metering, integrated corridor management, incident management, and decision support systems.

Strategy No. 7: Prepare Corridor for the Future

Prepare corridor to accommodate the evolution of CV applications and AV technologies for improved traffic flow by building new and upgraded vehicle-to-infrastructure and vehicle-to-vehicle communications.

TVTDF would go towards Advance Technology portions of the project.

TRI-VALLEY TRANSPORTATION COUNCIL

STATUS

Currently in planning and project approval & environmental documents (PA&ED) phase.

PHASING AND SCHEDULE

It is anticipated that by 2024, Advance technology portion of the project will finalize and adopt a concept of operations document and begin implementation, conduct environmental studies, and begin the design phase.

COST AND FUNDING SOURCES

Advance Technologies:

Cost (Millions)	\$57.21
Funding (Millions)	
Measure J	\$0.55
STMP	\$2.00
TVTDF	\$5.72
Total Funding (Millions)	\$8.27
Total Funding Shortfall (Millions)	\$48.94

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 5b

Renee Morgan
TVTC Chair
Councilmember
Town of Danville
(925) 918-3999

David Haubert
TVTC Vice Chair
Supervisor District 1
Alameda County
(510) 272-6691

Jean Josey
Vice Mayor
City of Dublin
(925) 833-2530

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

Kristie Wang
Vice Mayor
City of Livermore
(925) 960-4019

Julie Testa
Councilmember
City of Pleasanton
(925) 931-5001

Marisol Rubio
Vice Mayor
City of San Ramon
(925) 964-5946

To: Tri-Valley Transportation Council (TVTC)

From: TVTC Technical Advisory Committee (TAC)

Date: February 9, 2026

Subject: APPROVE City of Livermore Request to Allocate Tri-Valley Transportation Development Fee Funds in the amount of \$3,426,000 to the I-580/Vasco Road Interchange Modification (Project B-4) of the Tri-Valley Transportation Council Strategic Expenditure Plan and associated funding agreement.

BACKGROUND

The City of Livermore (City) is the project sponsor for the I-580/Vasco Road Interchange Modification, with Caltrans as the lead agency for certain aspects of the project. This project modifies the existing I-580/Vasco Road interchange in Livermore by widening the overcrossing to eight lanes and reconstructing the ramps to achieve a modified partial cloverleaf interchange design. These improvements will enhance operations, safety, traffic capacity, and mitigate congestion while accommodating future regional needs, including the Valley Link transit system.

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 B-4, I-580/Vasco Road Interchange Modification, and authorizes appropriations from the Tri-Valley Transportation Development Fund (TVTDF), including funding in FY 2025-26.

This request represents the second round of funding allocation for the project, supporting ongoing right-of-way acquisition, environmental clearance (projected completion mid-2026), and advancing toward design and construction phases (design expected complete March 2028; construction start January 2029).

TRI-VALLEY TRANSPORTATION COUNCIL

DESCRIPTION

The TVTC Technical Advisory Committee (TVTC TAC) has determined that there is sufficient funding to allocate the \$3,426,000 in TVTDF for FY 2025-26. The City of Livermore is a member of TVTC and signatory to the Joint Exercise of Powers Agreement and is the TVTC Project Sponsor Agency responsible for administering the initiation of the allocation funding request to the TVTC. As Caltrans is the lead agency for certain elements, with the City managing overall project delivery, the disbursement of \$3,426,000 in funds is requested to be transmitted from TVTC directly to the City of Livermore.

RECOMMENDATION

The City of Livermore requests that the TVTC Board Approve Resolution No. 2026-03, authorizing an allocation of \$3,426,000 in TVTDF funds to the I-580/Vasco Road Interchange Modification Project (B-4).

ATTACHMENTS

- A. TVTC Resolution No. 2026-03
- B. TVTC Funding Agreement
- C. 2022 TVTC SEP Funding Plan Amended January 29, 2024
- D. 2022 TVTC SEP Project No. B-4 Fact Sheet

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2026-03

A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL TO ALLOCATE \$3,426,000 IN TRI-VALLEY TRANSPORTATION DEVELOPMENT FEE (TVTDF) FUNDS TO THE CITY OF LIVERMORE FOR STRATEGIC EXPENDITURE PLAN PROJECT B-4 I-580/VASCO ROAD INTERCHANGE MODIFICATION – FOR FY 2025-2026

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 Town of Danville 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 \$3,426,000 in fiscal year 2025-26 for the I-580/Vasco Road Interchange Modification Project (Project B-4); and

WHEREAS, the City of Livermore (City), and TVTC desire to enter into a funding agreement for purposes of allocating TVTDF funds for the implementation of the I-580/Vasco Road Interchange Modification Project; and

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

1. The TVTC authorizes the TVTC Administrator and Treasurer to transmit \$3,426,000 in funds from the TVTDF account to the City of Livermore, the party responsible for the implementation of the I-580/Vasco Road Interchange Modification Project (Project B-4);
2. The TVTC approves the Funding Agreement, in substantially the same form as attached hereto and incorporated herein as Exhibit A subject to review by the TVTC General Counsel, between the TVTC, the City of Livermore, and any other relevant parties for allocation of TVTDF funds for the implementation of the Project, and authorizes the Chair to execute the funding agreement.

TRI-VALLEY TRANSPORTATION COUNCIL

3. The TVTC authorizes any related activities necessary to further the intent of this resolution.

PASSED, APPROVED AND ADOPTED at the meeting of February 9, 2026, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Renee S. Morgan, Chair
Tri-Valley Transportation Council

ATTEST:

Allan Shields, TVTC Administrative Staff

TRI-VALLEY TRANSPORTATION COUNCIL

FUNDING AGREEMENT BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL AND THE CITY OF LIVERMORE FOR THE ALLOCATION OF TVTDF FUNDS IN THE AMOUNT OF \$3,426,000 FOR THE I-580/VASCO ROAD INTERCHANGE MODIFICATION PROJECT (PROJECT B-4)

This AGREEMENT is made and entered into as of FEBRUARY 9, 2026, by and between the Tri-Valley Transportation Council (TVTC) and the City of Livermore (LIVERMORE), collectively referred to herein as the "Parties."

RECITALS

- A. **WHEREAS**, LIVERMORE, 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
- C. **WHEREAS**, the I-580/Vasco Road Interchange Modification Project ("PROJECT") is identified in the 2022 TVTC Strategic Expenditure Plan ("SEP") and is programmed for \$3,426,000 in FY 2025-2026; and
- D. **WHEREAS**, LIVERMORE is one of the Project sponsors of the PROJECT identified in the 2022 Strategic Expenditure Plan; and
- E. **WHEREAS**, LIVERMORE is the lead agency responsible for the implementation of the PROJECT; and
- F. **WHEREAS**, LIVERMORE is requesting an allocation of \$3,426,000 of TVTDF Funds for FY 2025-2026; and
- D. **WHEREAS**, pursuant to Resolution No. 2026-03 TVTC approved the allocation of \$3,426,000 of TVTDF funds to LIVERMORE 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:

TVTC AGREES:

To allocate and transmit to LIVERMORE \$3,426,000 of TVTDF funds for the Project.

LIVERMORE AGREES:

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

TRI-VALLEY TRANSPORTATION COUNCIL

- 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 LIVERMORE:

City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550
Xiaojia (Joanna) Liu, Senior Transportation Engineer

If to TVTC:

Allan Shields
Attention: TVTC Administrator
Town of Danville
500 La Gonda Way
Danville, CA 94526

SIGNATURES ON THE NEXT PAGE

CITY OF LIVERMORE

TRI-VALLEY TRANSPORTATION COUNCIL

John Marchand, Mayor

APPROVED AS TO FORM:

Kimberly D. Cilley, City Attorney

ATTEST:

Debbie Elam, City Clerk

Town Council Resolution No.

TRI-VALLEY TRANSPORTATION COUNCIL

Renee S. Morgan, Chair

APPROVED AS TO FORM:

Lindsay D'Andrea, TVTC Counsel

ATTEST:

Allan Shields, TVTC Administrator

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Table 8: 2022 TVTDF Funding Plan

ID	Project	July 1st FY Balance (\$)										Total
		\$17,000,000	\$22,469,002	\$13,981,855	\$6,057,276	\$2,042,094	\$5,064,310	\$973,440	\$6,628,993	\$7,024,183	\$21,944,751	
		Revenue Forecast (\$)										
		\$14,577,263	\$16,331,555	\$14,584,716	\$13,862,627	\$14,130,377	\$12,945,760	\$15,598,510	\$12,953,043	\$33,769,769	\$13,979,792	\$162,733,410
		Return to Local Source - 20% (\$)										
		\$2,915,453	\$3,266,311	\$2,916,943	\$2,772,525	\$2,826,075	\$2,589,152	\$3,119,702	\$2,590,609	\$6,753,954	\$2,795,958	\$32,546,682
		Admin Fee -0.8% (\$)										
		\$116,618	\$130,652	\$116,678	\$110,901	\$113,043	\$103,566	\$124,788	\$103,624	\$270,158	\$111,838	\$1,301,867
		Revenue for TVTDF Allocation (\$)										
		\$28,545,192	\$35,403,594	\$25,532,950	\$17,036,476	\$13,233,353	\$15,317,352	\$13,327,460	\$16,887,802	\$33,769,840	\$33,016,746	\$128,884,861
		Projected Disbursement - 2022 SEP Update										
		22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	22-32 Total
Disbursed		\$6,076,190	\$21,421,738	\$19,475,674	\$14,994,382	\$8,169,043	\$14,343,912	\$6,698,467	\$9,863,619	\$11,825,089	\$10,419,955	\$123,288,069
Remainder		\$22,469,002	\$13,981,855	\$6,057,276	\$2,042,094	\$5,064,310	\$973,440	\$6,628,993	\$7,024,183	\$21,944,751	\$22,596,791	\$22,596,791
A-2b	SR 84 / I-580 Interchange - Phase 2								\$2,000,000	\$1,500,000	\$1,650,000	\$5,150,000
A-9a	Crow Canyon Improvements Phase 1			\$1,550,000								\$1,550,000
A-9b	Crow Canyon Improvements Phase 2				\$1,690,000							\$1,690,000
A-10a	Vasco Road Safety Improvements Phase 1		\$500,000	\$2,820,000								\$3,320,000
A-10b	Vasco Road Safety Improvements Phase 2				\$2,580,000							\$2,580,000
A-11	Express Bus/Bus Rapid Transit (BRT) - Phase 2					\$800,000						\$800,000
B-1	I-580/I-680 Interchange (Westbound to Southbound)					\$500,000	\$500,000					\$1,000,000
B-4	I-580/Vasco Road Interchange Modification			\$5,139,000	\$3,426,000							\$8,565,000
B-5	I-580/Greenville Rd Interchange Modification									\$5,160,000	\$3,440,000	\$8,600,000
B-8a	Camino Tassajara/Tassajara Rd Widening Project (Contra Costa County Segment)			\$4,380,000	\$2,000,000							\$6,380,000
B-8b	Camino Tassajara/Tassajara Rd Widening Project (Dublin Segment)		\$1,450,000									\$1,450,000
C-2	Norris Canyon Road Safety Improvement - Segment 1	\$538,561										\$538,561
C-3	Dublin Boulevard - North Canyons Parkway Extension		\$16,039,300									\$16,039,300
C-6	Sunol/680 Widening	\$2,650,000										\$2,650,000
C-7b	I-680 Express Lanes - Hwy 84 to Alcosta (Northbound)			\$3,298,382	\$5,298,382	\$5,298,382	\$7,298,382					\$21,193,529
C-8	Santa Rita/I-580 Interchange							\$1,033,378				\$1,033,378
C-10	Innovate 680		\$3,432,438	\$2,288,292								\$5,720,730
C-11a	Iron Horse Trail Bicycle-Pedestrian Overcrossing - Bollinger Canyon Road	\$2,287,629										\$2,287,629
C-11c	Iron Horse Trail - Dublin	\$600,000										\$600,000
C-11d	Iron Horse Trail - Livermore							\$2,698,530				\$2,698,530
C-11e	Iron Horse Trail to Shadow Cliffs									\$164,866		\$164,866
C-13	Fallon/EI Charro Interchange					\$2,070,661	\$1,380,440					\$3,451,101
C-14	ValleyLink Rail (Phase 1)						\$5,165,089	\$5,165,089	\$5,165,089	\$5,165,089	\$5,165,089	\$25,825,445

Note: Only Projects receiving funding within SEP 10-year horizon are shown.

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TRI-VALLEY TRANSPORTATION COUNCIL

Attachment D

B-4. I-580/VASCO ROAD INTERCHANGE MODIFICATION



TVTC PROJECT SPONSOR

City of Livermore

LEAD AGENCY

Caltrans

PROJECT DESCRIPTION (UPDATED SUMMER 2021)

Project B-4 is located at the I-580/Vasco Road interchange in Livermore. The project would modify the interchange by widening the

overcrossing to eight lanes and reconstructing the ramps to achieve a modified partial cloverleaf interchange design.

STATUS:

A PSR and programmatic environmental impact report (EIR) for right-of-way protection has been completed. Right-of-way acquisition is underway.

PHASING AND SCHEDULE:

A PSR and programmatic environmental impact report (EIR) for right-of-way protection has been completed. Right-of-way acquisition is underway.

COST ESTIMATE AND FUNDING SOURCES:

Cost (Millions)	\$85.65
Funding (Millions)	
Livermore TIF	\$67.66
Measure BB	\$1.38
TVTDF	\$8.57
Total Funding (Millions)	\$77.61
Total Funding Shortfall (Millions)	\$8.07

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 5c

Renee Morgan
TVTC Chair
Councilmember
Town of Danville
(925) 918-3999

David Haubert
TVTC Vice Chair
Supervisor District 1
Alameda County
(510) 272-6691

Jean Josey
Vice Mayor
City of Dublin
(925) 833-2530

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

Kristie Wang
Vice Mayor
City of Livermore
(925) 960-4019

Julie Testa
Councilmember
City of Pleasanton
(925) 931-5001

Marisol Rubio
Vice Mayor
City of San Ramon
(925) 964-5946

To: TVTC Finance Subcommittee

From: Technical Advisory Committee (TAC)

Date: February 9, 2026

Subject: Review and Recommend Board Approve Proposed Adjustment appropriating an additional \$10,000 to the FY26 Budget for Professional Services for a Study to Analyze Impacts of AB 3177

BACKGROUND

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

TVTC's Bylaws require TVTC to adopt an annual budget prior to July 1st each year for administrative costs. The annual budget includes costs for stipends, administration, legal counsel, accounting, treasurer, auditor, and insurance. The Bylaws also state TVTC may revise the budget from time to time within a fiscal year to account for additional costs. The adoption of the annual administrative budget, or any revisions requires 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 expenditure 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

TRI-VALLEY TRANSPORTATION COUNCIL

administrative expenses on an annual basis, as necessary to carry out the purpose for which the fee was collected.

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 TVTC Technical Advisory Committee (TAC) recommends an additional \$10,000 appropriation to the FY26 budget for professional services to conduct a compliance study analyzing the impacts of AB 3177 (effective January 1, 2025), which amends the Mitigation Fee Act to require lower vehicular traffic mitigation fees for qualifying housing developments located within transit priority areas (TPAs) near major transit stops. This study will evaluate necessary adjustments to the Tri-Valley Transportation Development Fee (TVTDF) schedule, including the likely addition of two new categories, Single Family Residential in TPA and Multi-Family Residential in TPA, with corresponding fee reductions to reflect lower automobile trip generation rates consistent with state law. The requested funds will enable expert analysis to ensure the TVTDF program remains legally compliant, defensible, and aligned with regional housing and transportation goals without affecting other budgeted line items.

RECOMMENDATION

The TVTC TAC recommends that the TVTC Finance Committee recommend the Board adopt the proposed \$10,000 increase to the FY26 budget to pay for professional services to analyze the impacts of AB3177 and recommend adjustments required by law to the TVTDF schedule.

ATTACHMENTS:

- A- Resolution 2026-04: A Resolution Adopting the Tri-Valley Transportation Council Proposed increase to the FY26 Operating Budget
- B- Proposed FY26 Operating Budget
- C- AB3177 Fee Reduction Evaluation Professional Services Agreement Letter from Kimley Horn

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2026-04

A RESOLUTION ADOPTING AN INCREASE TO THE TRI-VALLEY TRANSPORTATION COUNCIL FY26 ADMINISTRATIVE OPERATING 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 implementation of transportation improvements; and 4) facilitation of cooperative regional planning efforts through adoption and implementation of regional transportation action 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, the annual budget includes costs for ongoing administrative functions, including administrative staff support, accounting services, audit services, legal services, treasurer oversight, insurance, website services, and banking services; and

WHEREAS, on January 27, 2025, TVTC Board approved the FY26 budget of \$85,700; and

WHEREAS, TVTC TAC recommended an addition of \$10,000 in professional services to the FY26 budget to appropriate for a study to bring the TVTDF into compliance with the fee reduction required by AB3177 for housing developments in “Transit Priority Areas”; and

WHEREAS, the TVTC Finance Subcommittee reviewed and recommended approval of the proposed increase to the FY26 budget;

NOW THEREFORE BE IT RESOLVED THAT: the TVTC adopts the FY276 budget increase of \$10,000 for professional services, attached hereto and incorporated herein as Exhibit A.

TRI-VALLEY TRANSPORTATION COUNCIL

PASSED, APPROVED AND ADOPTED at the meeting of February 9, 2026 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Renee S. Morgan, Chair
Tri-Valley Transportation Council

ATTEST:

Allan Shields,
TVTC Administrator

Tri-Valley Transportation Council

Attachment A

TVTC's FY26 Mid-Year Budget Request + FY27 Proposed Budget

Date: 2/9/2026

Expenses / Description	PREVIOUS YEAR		CURRENT YEAR				NEXT YEAR
	FY25 Budget	FY25 Actual Budget (used) provided by Krisch	FY26 Approved Budget-As of January 27, 2025	FY26 Remaining Budget	Mid-year budget request for FY25	Revised FY25 budget	FY26 Projected Budget
TVTC Administrator (a)	\$20,000.00	\$20,000.00	\$20,000.00			\$20,000.00	\$20,000.00
Accounting Services (b)	\$20,000.00	\$12,694.58	\$20,000.00			\$20,000.00	\$20,000.00
Audit Services (c)	\$10,000.00	\$5,000.00	\$10,000.00			\$10,000.00	\$10,000.00
Legal Services (d)	\$20,000.00	\$12,445.00	\$20,000.00			\$20,000.00	\$20,000.00
Treasurer Oversight (e)	\$1,200.00		\$1,200.00			\$1,200.00	\$1,200.00
Insurance (f)	\$6,000.00	\$4,729.34	\$6,000.00			\$6,000.00	\$6,000.00
Banking/Service Charges (g)	\$500.00	\$110.00	\$500.00			\$500.00	\$500.00
Website Monthly/Annual Maintenance (h)	\$3,000.00	\$1,424.00	\$3,000.00			\$3,000.00	\$3,000.00
Board Member Stipends (i)	\$5,000.00	\$2,700.00	\$5,000.00			\$5,000.00	\$5,000.00
Professional Services (j)	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$10,000.00
Operating Budget Expenses Subtotal	\$85,700.00	\$59,102.92	\$85,700.00	\$0.00	\$10,000.00	\$95,700.00	\$95,700.00
Special Studies and Efforts (Non-Project Specific Admin Expenses)							
Development Fee Manual + Amendment to SEP (k)							
GRAND TOTAL EXPENSES	85,700.00	59,102.92	85,700.00	0.00	10,000.00	95,700.00	95,700.00

Notes:

- (a) TVTC Administration Annual Stipend
- (b) Franklin Management + Transition Service
- (c) Annual Audit/Cropper Rowe LLP - budget includes \$6,000 approved on April 18,2023 + rollover unbilled approved amount from 2021/22 of \$2,500
- (d) General Counsel/Meyers Nave
- (e) Treasurer
- (f) General Liability+Crime Insurance/Alliant
- (g) Mechanics Bank
- (h) Tech Support,annual domain renewal&Security Certificate - \$1,999/year/contract
- (i) Board member stipends for board and sub-committee meetings
- (k) Wrapping up Development Fee Manual + SEP 2022 Amendment

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TRI-VALLEY TRANSPORTATION COUNCIL

Attachment C



December 3, 2025

Allan Shields
TVTC Administrator
500 La Gonda Way
Danville, CA 94526

Re: Letter Agreement for Professional Services for
AB 3177 Fee Reduction Evaluation

Dear Mr. Shields:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is pleased to submit this Letter Agreement ("Agreement") to Tri-Valley Transportation Council (TVTC) ("Client") for providing preliminary analysis to determine Tri-Valley Transportation Development Fee (TVTDF) reduction for transit priority areas (TPA).

Project Understanding

California Assembly Bill (AB) 3177 was adopted September 2024. This bill amends the Mitigation Fee Act to requires agencies with traffic impact fees to include a lower rate for qualified residential developments within "transit priority area" (TPA), areas within ½ mile of major transit stop. The Client has asked Kimley-Horn to assist with a preliminary evaluation to determine the lower rate for TPA residential developments and its impact on revenue.

Assumptions

Kimley-Horn's scope and fee are based on the following assumptions:

- This evaluation will be based on existing transit facilities and schedules.
- No amendment to the Nexus study or Strategic Expenditure Plan (SEP) will be complete as part of this task.
- Kimley-Horn has assumed no attendance at TVTC board public hearings. If requested, Kimley-Horn can prepare and present at these meetings as an additional service. It is assumed that all other coordination will occur either by phone, email, or video conference.

If any of these assumptions are not correct, then the scope and fee will change.

Scope of Services

Kimley-Horn will provide the services specifically set forth below.

Task 1 – AB 3177 Fee Reduction Evaluation

Kimley-Horn will estimate trip generation estimate for residential development located within and out of a TPA. The fee reduction will be determined based on average reduction in trips between these two trip generations. Kimley-Horn will also estimate the reduction in fee revenue based on the reduced TPA fee, based on a GIS-based review of transit facilities and schedules, average coverage of the TAZ, and

kimley-horn.com

4637 Chabot Drive, Suite 300, Pleasanton CA 94588

925 398 4840

TRI-VALLEY TRANSPORTATION COUNCIL



model growth. Kimley-Horn will summarize findings in a technical memorandum. Kimley-Horn will attend one (1) TVTC technical advisory committee meeting (TAC) to explain the results of the evaluation.

Deliverables:

- One (1) electronic copy of the AB 3177 Fee Reduction Technical Memorandum.

Additional Services

Any services not specifically provided for in the above scope will be billed as additional services and performed at Kimley-Horn's then-current hourly rates. Additional services Kimley-Horn can provide include, but are not limited to, the following:

- Amendment to current nexus study or SEP plan
- Meetings not listed in scope

Schedule

Kimley-Horn will perform the services as expeditiously as practicable with the goal of meeting a mutually agreed upon schedule.

Fee and Expenses

Kimley-Horn will perform the services in **Task 1** for the total lump sum fee below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client. Should the Client request Kimley-Horn to advance any such project fees on the Client's behalf, a separate invoice for such fees, with a 15% markup, will be immediately issued to and paid by the Client.

Task Number & Name		Fee	Type
1	AB 3177 Fee Reduction Evaluation	\$5,000	Lump Sum
Total		\$5,000	

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 30 days of your receipt of the invoice.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the attached Standard Provisions, which are incorporated by reference. As used in the Standard Provisions, "Kimley-Horn" shall refer to Kimley-Horn and Associates, Inc., and "Client" shall refer to Tri-Valley Transportation Council.

TRI-VALLEY TRANSPORTATION COUNCIL



Kimley-Horn, in an effort to expedite invoices and reduce paper waste, submits invoices via email in a PDF. We can also provide a paper copy via regular mail if requested. Please include the invoice number and Kimley-Horn project number with all payments. Please provide the following information:

____ Please email all invoices to _____

____ Please copy _____

To proceed with the services, please have an authorized person sign this Agreement below and return to us. We will commence services only after we have received a fully-executed agreement. Fees and times stated in this Agreement are valid for sixty (60) days after the date of this letter.

To ensure proper set up of your projects so that we can get started, please complete and return with the signed copy of this Agreement the attached Request for Information. Failure to supply this information could result in delay in starting work on this project.

We appreciate the opportunity to provide these services. Please contact me if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Elizabeth Chau, P.E.
Project Manager
CA PE #C86622

Michael C. Mowery, P.E.
Principal
CA PE #C66353

TRI-VALLEY TRANSPORTATION COUNCIL



Tri-Valley Transportation Council

SIGNED: _____

PRINTED NAME: _____

TITLE: _____

DATE: _____

Client's Federal Tax ID: _____

Client's Business License No.: _____

Client's Street Address: _____

Attachment – Request for Information
Attachment – Standard Provisions

TRI-VALLEY TRANSPORTATION COUNCIL



Request for Information

Please return this information with your signed contract; failure to provide this information could result in delay in starting your project

Client Identification

Full, Legal Name of Client						
Mailing Address for Invoices						
Contact for Billing Inquiries						
Contact's Phone and e-mail						
Client is (check one)	Owner		Agent for Owner		Unrelated to Owner	

Property Identification

	Parcel 1	Parcel 2	Parcel 3	Parcel 4
Street Address				
County in which Property is Located				
Tax Assessor's Number(s)				

Property Owner Identification

	Owner 1	Owner 2	Owner 3	Owner 4
Owner(s) Name				
Owner(s) Mailing Address				
Owner's Phone No.				
Owner of Which Parcel #?				

Project Funding Identification – List Funding Sources for the Project

Attach additional sheets if there are more than 4 parcels or more than 4 owners

TRI-VALLEY TRANSPORTATION COUNCIL

KIMLEY-HORN AND ASSOCIATES, INC. STANDARD PROVISIONS

- 1) **Kimley-Horn's Scope of Services and Additional Services.** Kimley-Horn will perform only the services specifically described in this Agreement ("Services"). Any services that are not set forth in the scope of Services described herein will constitute additional services ("Additional Services"). If requested by the Client and agreed to by Kimley-Horn, Kimley-Horn will perform Additional Services, which shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay Kimley-Horn for any Additional Services an amount based upon Kimley-Horn's then-current hourly rates plus an amount to cover certain direct expenses including telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Other direct expenses will be billed at 1.15 times cost.
- 2) **Client's Responsibilities.** In addition to other responsibilities herein or imposed by law, the Client shall:
 - a. Designate in writing a person to act as its representative, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
 - b. Provide all information and criteria as to the Client's requirements, objectives, and expectations for the project and all standards of development, design, or construction.
 - c. Provide Kimley-Horn all available studies, plans, or other documents pertaining to the project, such as surveys, engineering data, environmental information, etc., all of which Kimley-Horn may rely upon.
 - d. Arrange for access to the site and other property as required for Kimley-Horn to provide its services.
 - e. Review all documents or reports presented by Kimley-Horn and communicate decisions pertaining thereto within a reasonable time so as not to delay Kimley-Horn.
 - f. Furnish approvals and permits from governmental authorities having jurisdiction over the project and approvals and consents from other parties as may be necessary.
 - g. Obtain any independent accounting, legal, insurance, cost estimating, and feasibility services required by Client.
 - h. Give prompt written notice to Kimley-Horn whenever the Client becomes aware of any development that affects Kimley-Horn's services or any defect or noncompliance in any aspect of the project.
- 3) **Period of Services.** Unless otherwise stated herein, Kimley-Horn will begin work after receipt of a properly executed copy of this Agreement. This Agreement assumes conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that Kimley-Horn does not control. If such delay or suspension extends for more than six months, Kimley-Horn's compensation shall be renegotiated.
- 4) **Method of Payment.** Client shall pay Kimley-Horn as follows:
 - a. Invoices will be submitted periodically for services performed and expenses incurred. Invoices are due and payable upon presentation. Client shall pay Kimley-Horn a time price differential of one and one-half percent (1.5%) of the outstanding amount of each invoice that is overdue for more than 30 days. The Client shall also pay any applicable sales tax. All retainers will be held by Kimley-Horn and applied against the final invoice. If the Client fails to make any payment due under this or any other agreement within 30 days after presentation, Kimley-Horn may, after giving notice to the Client, suspend services and withhold deliverables until all amounts due are paid, and may commence legal proceedings including filing liens to secure payment.
 - b. The Client will remit all payments electronically to:
 - Account Name: KIMLEY-HORN AND ASSOCIATES, INC.
 - Bank Name and Address: WELLS FARGO BANK, N.A., SAN FRANCISCO, CA 94104
 - Account Number: 2073089159554
 - ABA#: 121000248
 - c. The Client will send the project number, invoice number, and other remittance information by e-mail to payments@kimley-horn.com at the time of payment.
 - d. If the Client relies on payment or proceeds from a third party to pay Kimley-Horn and Client does not pay Kimley-Horn's invoice within 60 days of receipt, Kimley-Horn may communicate directly with such third party to secure payment.
 - e. If the Client objects to an invoice, it must advise Kimley-Horn in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections will be waived, and the invoice shall conclusively be deemed due and owing. If the Client objects to only a portion of the invoice, payment for all other portions remains due.
 - f. If Kimley-Horn initiates legal proceedings to collect payment, it shall recover, in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings.

Rev 01/2025

TRI-VALLEY TRANSPORTATION COUNCIL

Such expenses shall include the cost, at Kimley-Horn's normal hourly billing rates, of the time devoted to such proceedings by its employees.

- g. The Client agrees that the payment to Kimley-Horn is not subject to any contingency or condition. Kimley-Horn may negotiate payment of any check tendered by the Client, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing any right of Kimley-Horn to collect additional amounts from the Client.
- 5) **Use of Deliverables.** All documents, data, and other deliverables prepared by Kimley-Horn are related exclusively to the services described in this Agreement and may be used only if the Client has satisfied all of its obligations under this Agreement. They are not intended or represented to be suitable for use or reuse by the Client or others on extensions of this project or on any other project. Any modifications by the Client to any of Kimley-Horn's deliverables, or any reuse of the deliverables without written authorization by Kimley-Horn will be at the Client's sole risk and without liability to Kimley-Horn, and the Client shall indemnify, defend and hold Kimley-Horn harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. Kimley-Horn's electronic files and source code remain the property of Kimley-Horn and shall be provided to the Client only if expressly provided for in this Agreement. Any electronic files not containing an electronic seal are provided only for the convenience of the Client and use of them is at the Client's sole risk. In the case of any defects in the electronic files or any discrepancies between them and the hardcopy of the deliverables prepared by Kimley-Horn, the hardcopy shall govern.
- 6) **Intellectual Property.** Kimley-Horn may use or develop its proprietary software, patents, copyrights, trademarks, trade secrets, and other intellectual property owned by Kimley-Horn or its affiliates ("Intellectual Property") in the performance of this Agreement. Intellectual Property, for purposes of this section, does not include deliverables specifically created for Client pursuant to the Agreement and use of such deliverables is governed by section 5 of this Agreement. Unless explicitly agreed to in writing by both parties to the contrary, Kimley-Horn maintains all interest in and ownership of its Intellectual Property and conveys no interest, ownership, license to use, or any other rights in the Intellectual Property to Client. Any enhancements of Intellectual Property made during the performance of this Agreement are solely owned by Kimley-Horn and its affiliates. If Kimley-Horn's services include providing Client with access to or a license for Kimley-Horn's (or its affiliates') proprietary software or technology, Client agrees to the terms of the Software License Agreement set forth at <https://www.kimley-horn.com/khts-software-license-agreement> ("the License Agreement") which terms are incorporated herein by reference.
- 7) **Opinions of Cost.** Because Kimley-Horn does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to the costs of construction and materials, are made solely based on its judgment as a professional familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Kimley-Horn's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
- 8) **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof, or upon thirty days' written notice for the convenience of the terminating party. Kimley-Horn shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by Kimley-Horn as a result of such termination.
- 9) **Standard of Care.** The standard of care applicable to Kimley-Horn's services will be the degree of care and skill ordinarily exercised by consultants performing the same or similar services in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by Kimley-Horn's performance of services, and it is agreed that Kimley-Horn is not a fiduciary with respect to the Client.
- 10) **LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to the Client and Kimley-Horn, the risks are allocated such that, to the fullest extent allowed by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of Kimley-Horn and Kimley-Horn's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims,

TRI-VALLEY TRANSPORTATION COUNCIL

losses, costs, attorneys' fees, or damages whatsoever arising out of or in any way related to the services under this Agreement from any causes, including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of Kimley-Horn or Kimley-Horn's officers, directors, employees, agents, and subconsultants, shall not exceed twice the total compensation received by Kimley-Horn under this Agreement or \$50,000, whichever is greater. Higher limits of liability may be negotiated for additional fee. This Section is intended solely to limit the remedies available to the Client or those claiming by or through the Client, and nothing in this Section shall require the Client to indemnify Kimley-Horn.

- 11) **Mutual Waiver of Consequential Damages.** In no event shall either party be liable to the other for any consequential, incidental, punitive, or indirect damages including but not limited to loss of income or loss of profits.
- 12) **Professional Liability Insurance.** Kimley-Horn will maintain a professional liability insurance policy for the services provided by Kimley-Horn during the course of this Agreement.
- 13) **Construction Costs.** Under no circumstances shall Kimley-Horn be liable for extra costs or other consequences due to changed or unknown conditions or related to the failure of contractors to perform work in accordance with the plans and specifications. Kimley-Horn shall have no liability whatsoever for any costs arising out of the Client's decision to obtain bids or proceed with construction before Kimley-Horn has issued final, fully approved plans and specifications. The Client acknowledges that all preliminary plans are subject to substantial revision until plans are fully approved and all permits obtained.
- 14) **Certifications.** All requests for Kimley-Horn to execute certificates, lender consents, or other third-party reliance letters must be submitted to Kimley-Horn at least 14 days prior to the requested date of execution. Kimley-Horn shall not be required to execute certificates, consents, or third-party reliance letters that are inaccurate, that relate to facts of which Kimley-Horn does not have actual knowledge, or that would cause Kimley-Horn to violate applicable rules of professional responsibility.
- 15) **Dispute Resolution.** All claims arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the American Arbitration Association as a condition precedent to litigation. Any mediation or civil action by Client must be commenced within one year of the accrual of the cause of action asserted but in no event later than allowed by applicable statutes.
- 16) **Hazardous Substances and Conditions.** Kimley-Horn shall not be a custodian, transporter, handler, arranger, contractor, or remediator with respect to hazardous substances and conditions. Kimley-Horn's services will be limited to analysis, recommendations, and reporting, including, when agreed to, plans and specifications for isolation, removal, or remediation. Kimley-Horn will notify the Client of unanticipated hazardous substances or conditions of which Kimley-Horn actually becomes aware. Kimley-Horn may stop affected portions of its services until the hazardous substance or condition is eliminated.
- 17) **Construction Phase Services.**
 - a. If Kimley-Horn prepares construction documents and Kimley-Horn is not retained to make periodic site visits, the Client assumes all responsibility for interpretation of the documents and for construction observation, and the Client waives any claims against Kimley-Horn in any way connected thereto.
 - b. Kimley-Horn shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, equipment maintenance and inspection, sequence, schedule, safety programs, or safety practices, nor shall Kimley-Horn have any authority or responsibility to stop or direct the work of any contractor. Kimley-Horn's visits will be for the purpose of observing construction and reporting to the Client whether the contractors' work generally conforms to the construction documents prepared by Kimley-Horn. Kimley-Horn neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.
 - c. Kimley-Horn is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement. The Client agrees that each contract with any contractor shall state that the contractor shall be solely responsible for job site safety and its means and methods; that the contractor shall indemnify the Client and Kimley-Horn for all claims and liability arising out of job site accidents; and that the Client and Kimley-Horn shall be made additional insureds under the contractor's general liability insurance policy.

TRI-VALLEY TRANSPORTATION COUNCIL

- 18) **No Third-Party Beneficiaries; Assignment and Subcontracting.** This Agreement gives no rights or benefits to anyone other than the Client and Kimley-Horn, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and Kimley-Horn. The Client shall not assign or transfer any rights under or interest in this Agreement, or any claim arising out of the performance of services by Kimley-Horn, without the written consent of Kimley-Horn. Kimley-Horn reserves the right to augment its staff with subconsultants as it deems appropriate due to project logistics, schedules, or market conditions. If Kimley-Horn exercises this right, Kimley-Horn will maintain the agreed-upon billing rates for services identified in the contract, regardless of whether the services are provided by in-house employees, contract employees, or independent subconsultants.
- 19) **Confidentiality.** The Client consents to the use and dissemination by Kimley-Horn of photographs of the project and to the use by Kimley-Horn of facts, data and information obtained by Kimley-Horn in the performance of its services. If, however, any facts, data or information are specifically identified in writing by the Client as confidential, Kimley-Horn shall use reasonable care to maintain the confidentiality of that material.
- 20) **Miscellaneous Provisions.** This Agreement is to be governed by the law of the State of California. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by Kimley-Horn. If Client requires Kimley-Horn to register with or use an online vendor portal for payment or any other purpose, any terms included in the registration or use of the online vendor portal that are inconsistent or in addition to these terms shall be void and shall have no effect on Kimley-Horn or this Agreement. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 5c

Renee Morgan
TVTC Chair
Councilmember
Town of Danville
(925) 918-3999

David Haubert
TVTC Vice Chair
Supervisor District 1
Alameda County
(510) 272-6691

Jean Josey
Vice Mayor
City of Dublin
(925) 833-2530

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

Kristie Wang
Vice Mayor
City of Livermore
(925) 960-4019

Julie Testa
Councilmember
City of Pleasanton
(925) 931-5001

Marisol Rubio
Vice Mayor
City of San Ramon
(925) 964-5946

To: TVTC Finance Subcommittee

From: Technical Advisory Committee (TAC)

Date: February 9, 2026

Subject: Adopt Proposed FY27 Budget

BACKGROUND

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

TVTC's Bylaws require TVTC to adopt an annual budget prior to July 1st each year for administrative costs. The annual budget includes costs for stipends, administration, legal counsel, accounting, treasurer, auditor, and insurance. The Bylaws also state TVTC may revise the budget from time to time within a fiscal year to account for additional costs. The adoption of the annual administrative budget, or any revisions requires 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 expenditure 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

FY27 Administrative Expenses (\$95,700)

The proposed TVTC FY27 Administrative Budget is \$95,700 (Exhibit A). The proposed Administrative Budget includes the following expenses:

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

All recommended budget line items remain unchanged from the approved FY26 budget with the exception of the addition of one line item - Professional Services.

The TAC recommends the addition of one budget line for FY27, for Professional Services in the amount of \$10,000. The additional \$10,000 appropriation for discretionary professional services will provide flexibility to engage in planning or consulting expertise as needed to evaluate implications of legislative changes, such as AB 3177, on the Tri-Valley Transportation Development Fee program including potential impacts on fee rates, nexus assumptions, housing related exemptions, and complicated requirements.

This funding will not be committed to any specific contract and will only be utilized if the TVTC TAC determines such analysis is warranted and within the TVTC administrator's approval authority to ensure the fee program remains legally defensible and aligned with evolving state law.

RECOMMENDATION

The TVTC TAC recommends the Board adopt Resolution 2026-05, approving the proposed FY27 budget.

ATTACHMENTS:

- a. Resolution 2026-04: A Resolution Adopting the Tri-Valley Transportation Council Proposed FY27 Administrative Operating Budget

TRI-VALLEY TRANSPORTATION COUNCIL

TRI-VALLEY TRANSPORTATION COUNCIL RESOLUTION NO. 2026-05

A RESOLUTION ADOPTING THE TRI-VALLEY TRANSPORTATION COUNCIL PROPOSED FY27 ADMINISTRATIVE OPERATING 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 (“JEP A”) 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 JEP A 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 implementation of transportation improvements; and 4) facilitation of cooperative regional planning efforts through adoption and implementation of regional transportation action plans, the Strategic Expenditure Plan and fee program; and

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

WHEREAS, the annual budget includes costs for ongoing administrative functions, including administrative staff support, accounting services, audit services, legal services, treasurer oversight, insurance, website services, and banking services; and

WHEREAS, staff prepared the FY27 budget (Exhibit A), which totals \$95,700 for administrative costs; and

WHEREAS, all line items in the Fiscal Year 2027 Budget remain unchanged from the previously approved Fiscal Year 2026 Budget with the exception of one additional line for Professional Services; and

WHEREAS, the proposed FY27 Budget includes an additional \$10,000 appropriation for discretionary Professional Services to provide flexibility for engaging legal, planning, or consulting expertise as may be needed to evaluate recent and evolving legislative changes and their potential implications for the Tri-Valley Transportation Development Fee program, fee rates, nexus assumptions, housing-related exemptions, and ongoing compliance requirements; and

WHEREAS, the TVTC Finance Subcommittee reviewed and recommended approval of the proposed FY27 budget;

TRI-VALLEY TRANSPORTATION COUNCIL

NOW THEREFORE BE IT RESOLVED THAT: the TVTC adopts the FY27 budget, attached hereto and incorporated herein as Exhibit A.

PASSED, APPROVED AND ADOPTED at the meeting of February 9, 2026, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Renee S. Morgan, Chair
Tri-Valley Transportation Council

ATTEST:

Allan Shields,
TVTC Administrator

Tri-Valley Transportation Council

Attachment A

TVTC's FY26 Mid-Year Budget Request + FY27 Proposed Budget

Date: 2/9/2026

Expenses / Description	PREVIOUS YEAR		CURRENT YEAR				NEXT YEAR
	FY25 Budget	FY25 Actual Budget (used) provided by Krisch	FY26 Approved Budget-As of January 27, 2025	FY26 Remaining Budget	Mid-year budget request for FY25	Revised FY25 budget	FY26 Projected Budget
TVTC Administrator (a)	\$20,000.00	\$20,000.00	\$20,000.00			\$20,000.00	\$20,000.00
Accounting Services (b)	\$20,000.00	\$12,694.58	\$20,000.00			\$20,000.00	\$20,000.00
Audit Services (c)	\$10,000.00	\$5,000.00	\$10,000.00			\$10,000.00	\$10,000.00
Legal Services (d)	\$20,000.00	\$12,445.00	\$20,000.00			\$20,000.00	\$20,000.00
Treasurer Oversight (e)	\$1,200.00		\$1,200.00			\$1,200.00	\$1,200.00
Insurance (f)	\$6,000.00	\$4,729.34	\$6,000.00			\$6,000.00	\$6,000.00
Banking/Service Charges (g)	\$500.00	\$110.00	\$500.00			\$500.00	\$500.00
Website Monthly/Annual Maintenance (h)	\$3,000.00	\$1,424.00	\$3,000.00			\$3,000.00	\$3,000.00
Board Member Stipends (i)	\$5,000.00	\$2,700.00	\$5,000.00			\$5,000.00	\$5,000.00
Professional Services (j)	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$10,000.00
Operating Budget Expenses Subtotal	\$85,700.00	\$59,102.92	\$85,700.00	\$0.00	\$10,000.00	\$95,700.00	\$95,700.00
Special Studies and Efforts (Non-Project Specific Admin Expenses)							
Development Fee Manual + Amendment to SEP (k)							
GRAND TOTAL EXPENSES	85,700.00	59,102.92	85,700.00	0.00	10,000.00	95,700.00	95,700.00

Notes:

- (a) TVTC Administration Annual Stipend
- (b) Franklin Management + Transition Service
- (c) Annual Audit/Cropper Rowe LLP - budget includes \$6,000 approved on April 18,2023 + rollover unbilled approved amount from 2021/22 of \$2,500
- (d) General Counsel/Meyers Nave
- (e) Treasurer
- (f) General Liability+Crime Insurance/Alliant
- (g) Mechanics Bank
- (h) Tech Support,annual domain renewal&Security Certificate - \$1,999/year/contract
- (i) Board member stipends for board and sub-committee meetings
- (k) Wrapping up Development Fee Manual + SEP 2022 Amendment

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Item 6

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TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED JUNE 30, 2025
WITH
INDEPENDENT AUDITORS' REPORT THEREON

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TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
JUNE 30, 2025

TABLE OF CONTENTS

<u>Financial Section</u>	<u>Page</u>
Independent Auditors' Report	1
Management's Discussion and Analysis	3
Financial Statements:	
Statement of Net Position	6
Statement of Revenues, Expenses, and Changes in Net Position	7
Statement of Cash Flow	8
Notes to the Financial Statements	9
<u>Other Report</u>	
Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	15

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TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Management’s Discussion and Analysis
For the Year Ended June 30, 2025

THE PURPOSE OF THE TRI-VALLEY TRANSPORTATION COUNCIL:

In 1991, the seven jurisdictions of Alameda County, Contra Costa County, Dublin, Pleasanton, Livermore, Danville, and San Ramon signed a Joint Powers Agreement (JPA) that established the Tri-Valley Transportation Council (the “Council”). The purpose of the JPA was the joint preparation of a Tri-Valley Transportation Plan/Action Plan (TVTP/AP) for Routes of Regional Significance (RRS) and cost sharing of recommended improvements.

The Council adopted the TVTP/AP in 1995. The TVTP/AP was later updated in 2000, 2009, and 2014. The most recent update occurred in January 2023 and recommended that the Contra Costa Transportation Authority incorporate the TVTP/AP into the 2023 Countywide Transportation Plan. The purpose of the TVTP/AP is for TVTC member agencies to participate in the multijurisdictional, cooperative planning process envisioned in the Contra Costa Measure J Program to address regional transportation issues that span jurisdictional boundaries. The TVTP/AP establish overall goals, identify RRS, create a set of performance measures (referred to as “regional transportation objectives” or RTOs), and establish a set of actions that will support achievement of the RTOs.

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

In 1999, the Council adopted a Strategic Expenditure Plan (SEP) which identified priorities, project sponsors, and funding plan for 11 regional transportation projects (List A). The Council then expanded this list to add 11 new projects (List B).

In 2008, the Council adopted a TVTC Fee Nexus Study (Nexus Study). The Council completed a Validation Review of the Nexus Study in 2017. The Nexus Study summarizes the status of the 22 projects, estimates revenues from the TVTDF over a 10-year horizon, and provides a funding plan for the remaining projects. In 2021, with half of the projects on the list A and B no longer being eligible for funding as a result of projects being completed or changes to the program, TVTC reviewed and selected additional projects to be considered for funding from the TVTDF. This selection process resulted in a new list of projects to mitigate the impacts of new development based on feasibility and stakeholder support. From this process, 16 projects (“List C”) were identified to be considered for TVTDF funding.

The 2021 TVTC Nexus Fee Update Study evaluated the remaining projects from List A and List B, as well as the addition of 16 projects from List C. The analysis found that these projects would reduce the congestion created by new development. The Nexus Study update also determined the new maximum fee needed to fund the improvement projects. The study was adopted on August 16, 2021.

In 2022, the Council adopted a 2022 Strategic Expenditure Plan update which estimated revenues from the TVTDF over a 10-year horizon and provides a funding plan for the priority projects identified from List A, B and C.

In 2024, the Council approved an amendment to the 2022 Strategic Expenditure Plan to include Project B-1 to the Strategic Expenditure Plan as an Administrative Change.

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Management’s Discussion and Analysis
For the Year Ended June 30, 2025

THE BASIC FINANCIAL STATEMENTS

The Basic Financial Statements comprise the *Statement of Net Position*, *Statement of Revenues, Expenses, and Changes in Net Position*, and *Statement of Cash Flows*. These statements present all assets and liabilities using the full accrual basis of accounting similar to the accounting model used by private sector firms.

Statement of Net Position

The *Statement of Net Position* (Basic Financial Statements, page 6) is a snapshot of the Council’s financial position at the end of the Fiscal Year (FY) 2025. The Council’s assets are all current assets, i.e. cash and receivables. The Council has no capital assets. For the year ended June 30, 2025, net position totaled \$10,629,020.

Table 1. Statement of Net Position as of June 30:

	<u>2025</u>	<u>2024</u>	<u>\$ Change</u>	<u>% Change</u>
Assets				
Cash and equivalents	\$19,995,410	\$18,787,478	\$ 1,207,932	6.4%
Interest receivable	206,987	208,600	(1,613)	-0.8%
Prepaid expenses	861	805	56	7.0%
Developer fee receivables	1,655,750	572,944	1,082,806	189.0%
	<u>21,859,008</u>	<u>19,569,827</u>	<u>2,289,181</u>	<u>11.7%</u>
Liabilities and Net Position				
Liabilities	11,229,989	2,497	11,227,492	449639.2%
Unrestricted net position	10,629,020	19,567,330	(8,938,310)	-45.7%
	<u>\$21,859,008</u>	<u>\$19,569,827</u>	<u>\$ 2,289,181</u>	<u>11.7%</u>

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TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Management's Discussion and Analysis
For the Year Ended June 30, 2025

Statement of Revenues, Expenses, and Changes in Net Position

The Statement of Revenues, Expenses, and Changes in Net Position (Basic Financial Statements, page 7) presents the Council's revenue and incurred expenses for the year ended June 30, 2025. All financial activities incurred for the Council are recorded here, including operational expenses, capital project costs, and other revenues and expenses. Since revenues are dependent on new construction, the Council's financial position is generally subject to the same fluctuations as the economy.

**Table 2. Statement of Revenues, Expenses and Changes in Net Position
For the Fiscal Years Ended June 30:**

	<u>2025</u>	<u>2024</u>	<u>\$ Change</u>	<u>% Change</u>
Expenses				
Transportation improvements	17,816,600	6,082,438	11,734,162	192.9%
Accounting Fees	17,707	23,824	(6,022)	-25.7%
Legal Fees	11,000	15,812	(4,812)	-30.4%
Nexus Study	-	3,593	(3,593)	-100.0%
Administrative	30,331	29,761	570	1.9%
Total Expenses	<u>17,875,638</u>	<u>6,155,428</u>	<u>11,720,210</u>	<u>190.4%</u>
Revenues (Operating and Nonoperating)				
Interest income (from investments and members)	928,962	1,040,475	(111,513)	-10.7%
Development fees:				
Alameda County	23,754	4,046	19,708	487.1%
Town of Danville	177,591	193,649	(16,058)	-8.3%
City of Dublin	1,799,011	631,122	1,167,889	185.0%
City of Livermore	4,622,257	298,993	4,323,264	1445.9%
City of Pleasanton	1,311,143	306,375	1,004,768	328.0%
City of San Ramon	-	5,277	(5,277)	-100.0%
Contra Costa County	74,609	38,882	35,727	91.9%
Total Revenues	<u>8,937,327</u>	<u>2,518,819</u>	<u>6,418,508</u>	<u>254.8%</u>
Change in Net Position	<u>(8,938,310)</u>	<u>(3,636,609)</u>	<u>(5,301,701)</u>	<u>145.8%</u>
Beginning Net Position	<u>19,567,330</u>	<u>23,203,939</u>	<u>(3,636,609)</u>	<u>-15.7%</u>
Ending Net Position	<u><u>\$10,629,020</u></u>	<u><u>\$19,567,330</u></u>	<u><u>(8,938,310)</u></u>	<u><u>-45.7%</u></u>

CONTACTING THE COUNCIL'S FINANCIAL MANAGEMENT

This Management's Discussion and Analysis is intended to provide the reader with a narrative overview of the Council's financial statements for the year ended June 30, 2025. Questions concerning any information provided in this report or requests for additional financial information should be directed to:

Tri-Valley Transportation Council
Allan Shields, TVTC Administrator
Town of Danville
500 La Gonda Way
Danville, CA 94526

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Statement of Net Position
June 30, 2025

ASSETS

	<u>2025</u>
Cash and cash equivalents (Note 2)	\$ 19,995,410
Interest receivable	206,987
Prepaid expenses	861
Development fees receivable (Note 1E)	<u>1,655,750</u>
Total Assets	<u>\$ 21,859,008</u>

LIABILITIES AND NET POSITION

Accounts payable	<u>\$ 11,229,989</u>
Total Liabilities	<u>11,229,989</u>
Net Position (Note 1B)	
Unrestricted	<u>10,629,020</u>
Total Net Position	<u>10,629,020</u>
Total Liabilities and Net Position	<u><u>\$ 21,859,008</u></u>

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Statement of Revenues, Expenses, and Changes in Net Position
For the year Ended June 30, 2025

	2025
Operating Income	
Interest income from member agencies	\$ 9,038
	9,038
Development fees:	
Alameda County	23,754
Town of Danville	177,591
City of Dublin	1,799,011
City of Livermore	4,622,257
City of Pleasanton	1,311,143
City of San Ramon	-
Contra Costa County	74,609
Total Development fees	8,008,365
Total Operating Income	8,017,404
Operating Expenses	
Transportation improvements	17,816,600
Accounting Fees	17,707
Legal Fees	11,000
Nexus Study	-
Administrative	30,331
Total Operating Expenses	17,875,638
Net operating income	(9,858,234)
Non-Operating Income	
Investment income	919,924
Total Non-Operating Income	919,924
Change in Net Position	(8,938,310)
Net Position, beginning	19,567,330
Net Position, ending	10,629,020

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Statement of Cash Flows
For the year Ended June 30, 2025

Cash flows from operating activities

Receipts from customers (via members)	\$ 6,934,598
Payments to suppliers	11,168,397
Payments for transportation projects	<u>(17,816,600)</u>

Net cash provided by operating activities 286,395

Cash flows from investing activities

Investment income	<u>921,537</u>
-------------------	----------------

Net cash provided by investing activities 921,537

Net change in cash and cash equivalents 1,207,932

Cash and cash equivalents, July 1 18,787,478

Cash and cash equivalents, June 30 \$ 19,995,410

Reconciliation of operating income (loss) to net cash used in operating activities

Net operating income (loss)	\$ (9,858,234)
Decreases (increases) in assets:	
Prepaid expenses	(56)
Development fee receivable	(1,082,805.73)
Increases (decreases) in liabilities:	
Accounts payable (transportation projects)	
Accounts payable (other)	<u>11,227,491</u>

Net cash provided by operating activities \$ 286,395

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Notes to the Financial Statements
For the Year Ended June 30, 2025

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The Tri-Valley Transportation Council (the “Council”) is a joint powers authority (JPA) organized by the Counties of Alameda and Contra Costa, the Town of Danville, and the Cities of Dublin, Livermore, Pleasanton, and San Ramon. The Council’s administrative responsibilities rotate between jurisdictions every two years. The Town of Danville is the administrator for the fiscal years 2024/25 through 2025/26. The Council was created to administer development fees for the planning and implementation of sub-regional transportation facilities. This fee was adopted by the seven jurisdictions pursuant to Government Code 6502, and is paid to each of the member agencies by project developers. There are no separate legal entities that are a part of the Council’s reporting entity.

The Council applies all applicable Governmental Accounting Standards Board (GASB) pronouncements for certain accounting and financial reporting guidance. In December of 2010, GASB issued GASBS No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. This statement incorporates pronouncements issued on or before November 30, 1989 into GASB authoritative literature. This includes pronouncements by the Financial Accounting Standards Board (FASB), Accounting Principles Board Opinions (APB), and the Accounting Research Bulletins of the American Institute of Certified Public Accountants’ (AICPA) Committee on Accounting Procedure, unless those pronouncements conflict with or contradict with GASB pronouncements.

B. Measurement Focus and Basis of Accounting

The Council reports its activities as a proprietary fund. A proprietary fund is accounted for on a cost of service or "economic resources" measurement focus. This means that all assets and liabilities (whether current or non-current) associated with the activity are included on the balance sheet. The reported fund equity presents total net position. Proprietary fund operating statements present increases (revenues) and decreases (expenses) in total net position. Revenues and expenses are recognized on an accrual basis. Revenues are recognized in the accounting period in which they are earned, and expenses are recognized in the period incurred.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the fund's principal ongoing operations. The principal operating revenue for the Council is development fees collected by the member agencies on the Councils behalf. The fee schedule is reviewed and updated periodically to reflect changes in regional construction costs.

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Notes to the Financial Statements
For the Year Ended June 30, 2025

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Statement of Net Position - The statement of net position is designed to display the financial position of the Council.

- Invested in capital assets, net of related debt - This component consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. The Council does not have any capital assets at June 30, 2025.
- Restricted - This component consists of constraints placed on net position use through external constraints imposed by creditors (such as through debt covenants), grantors, contributors, or law or regulations of other governments. It also pertains to constraints imposed by law or constitutional provisions or enabling legislation. The Council does not have any restrictions on net position at June 30, 2025.
- Unrestricted - This component consists of net position that do not meet the definition of "restricted" or "invested in capital assets, net of related debt." When both restricted and unrestricted resources are available, restricted resources will be depleted prior to use of unrestricted resources.

Statement of Revenues, Expenses, and Changes in Net Position - The statement of revenues, expenses, and changes in net position is the operating statement for proprietary funds. Revenues are reported by major sources. This statement distinguishes between operating and non-operating revenues and expenses and presents a separate subtotal for operating revenues, operating expenses, and net operating income/loss.

C. Cash and Investments

The Council does not commingle its cash and investments with the JPA members. The funds are invested in accordance with the State Investment Policy established pursuant to the State Law. All monies not required for immediate expenditure are invested or deposited to earn maximum yield consistent with safety and liquidity.

Investments are carried at fair value, which is based on quoted market price if applicable. Otherwise, the fair value hierarchy is as follows:

Level 1 – Values are unadjusted quoted prices in active markets for identical assets or liabilities at the measurement date.

Level 2 – Inputs, other than quoted prices, included within Level 1 that are observable for the asset or liabilities at the measurement date.

Level 3 – Certain inputs are unobservable inputs (supported by little or no market activity, such as the Council's best estimate of what hypothetical market participants would use to determine a transaction price for the asset or liability at the reporting date).

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Notes to the Financial Statements
For the Year Ended June 30, 2025

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

The Council invests in the California Local Agency Investment Fund (LAIF), which is part of the Pooled Money Investment Account operated by the California State Treasurer. LAIF funds are invested in high quality money market securities and are managed to insure the safety of the portfolio. A portion of LAIF's investments are in structured notes and asset-backed securities.

LAIF determines fair value on its investment portfolio based on market quotations for these securities where market quotations are readily available, and on amortized cost or best estimate for those securities where market value is not readily available.

D. Receivables

Receivables recorded in the financial statements are net of any allowance for doubtful accounts. Any doubtful accounts at June 30, 2025 were not considered material.

E. Revenue Recognition - Development Fees

Development fees are assessed according to a set fee schedule for new construction. The fees collected under the Council from new construction will be used to mitigate the increased traffic congestion. Fees are remitted on a quarterly basis by the member agencies to the Council.

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Notes to the Financial Statements
For the Year Ended June 30, 2025

NOTE 2. CASH AND INVESTMENTS

The cash and investments of the Council are maintained separately from with the funds of the JPA members. The Council considers cash and investment amounts with original maturities of three months or less to be cash equivalents.

Cash and Investments consisted of the following at June 30:

	2025
Cash in Banks	\$ 740,513
Local Agency Investment Fund	\$ 19,254,897
Total cash and Investments	\$ 19,995,410

Investments Authorized by the Council’s Investment Policy

The Council is authorized to invest in obligations of the U.S. Treasury, agencies, commercial paper with certain minimum ratings, certificates of deposit, bankers' acceptances, repurchase agreements and the State Treasurer's Investment pool ("LAIF").

Deposits/Credit Risk

The California Government Code requires California banks and savings and loan associations to secure Public Agencies' deposits by pledging government securities as collateral. The market value of pledged securities must equal at least 110% of deposits. California law also allows financial institutions to secure such deposits by pledging first trust deed mortgage notes having a value of 150% of the total deposits. The first \$250,000 of each institution's deposits are covered by FDIC insurance. The Council’s cash is held at one financial institution.

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization.

Custodial Credit Risk

Custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the Council's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies.

TRI-VALLEY TRANSPORTATION COUNCIL
(A JOINT POWERS AUTHORITY)
Notes to the Financial Statements
For the Year Ended June 30, 2025

NOTE 2. CASH AND INVESTMENTS (continued)

Custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover its deposits or will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the Council's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools.

Investment Fair Value

The Council is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by California Government Code under the oversight of the Treasurer of the State of California. The fair value of the Council's investment in this pool is reported in the accompanying financial statements at amounts based upon the Council's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

NOTE 3: TRANSPORTATION IMPROVEMENT PROJECTS

During the fiscal years ended June 30, 2025 \$17,816,600 were expensed relating to transportation improvement projects. Monies are disbursed only after it is determined that sufficient funds are available in the joint Tri-Valley Transportation Development Fund bank account.

NOTE 4: SUBSEQUENT EVENTS




Management has evaluated subsequent events through the date of the audit opinion, which is the date on which the financial statements were available to be issued. No events that would require additional adjustment or disclosure came to the attention of management.

Insert Auditor's Report:

Report on Internal Control Over Financial Reporting and on Compliance and Other Matters
Based on an Audit of Financial Statements Performed in Accordance with
Government Auditing Standards

TRI-VALLEY
 TRANSPORTATION COUNCIL
 200 OLD BERNAL AVE
 PLEASANTON CA 94566-7016

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Summary of Accounts

Account Type	Account Number	Ending Balance
PUBLIC CHECKING	XXXXXXXXX0415	\$119,307.74

PUBLIC CHECKING - XXXXXXXXX0415
Account Summary

Date	Description	Amount
11/29/2025	Beginning Balance	\$120,660.05
	1 Credit(s) This Period	\$5,793.19
	4 Debit(s) This Period	\$7,145.50
12/31/2025	Ending Balance	\$119,307.74

Electronic Credits

Date	Description	Amount
12/08/2025	CITY PLEASANTON ACCTPYBL 3615	\$5,793.19

Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount
2802	12/08/2025	\$100.00	2849*	12/18/2025	\$2,861.00
2810*	12/08/2025	\$200.00	2851*	12/18/2025	\$3,984.50

PUBLIC CHECKING - XXXXXXXXX0415 (continued)

* Indicates skipped check number

Daily Balances

Date	Amount	Date	Amount
12/08/2025	\$126,153.24	12/18/2025	\$119,307.74

Overdraft and Returned Item Fees

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

January 06, 2026

[LAIF Home](#)
[PMIA Average Monthly Yields](#)

TRI-VALLEY TRANSPORTATION COUNCIL

ADMINISTRATOR
7000 BOLLINGER CANYON ROAD
SAN RAMON, CA 94583

[Tran Type Definitions](#)

Account Number: 40-07-023

December 2025 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	5,946,877.38
Total Withdrawal:	0.00	Ending Balance:	5,946,877.38

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Tri-Valley Transportation Council
Revenue & Expense YTD Comparison
December 2025

	Dec 25	Jul - Dec 25
Ordinary Income/Expense		
Income		
4051 · Interest - Member Agencies	0.00	375.20
4050 · Investment Income	0.00	122,313.64
4000 · Development Fees	0.00	187,434.51
Total Income	0.00	310,123.35
Expense		
5070 · Administrative Staff Support	0.00	20,000.00
5000 · Bank Service	0.00	20.00
5090 · Insurance - Liability, D and O	423.45	2,484.58
5060 · Website Development	125.00	750.00
5080 · Board Meeting Stipends	0.00	700.00
5030 · Legal Fees	644.00	8,518.96
5020 · Accounting Fees	269.00	8,907.25
6000 · Transportaion Improvements		
6000.10 · Proj TI200259 Dublin Bvl Parkwa	0.00	4,811,700.00
Total 6000 · Transportaion Improvements	0.00	4,811,700.00
Total Expense	1,461.45	4,853,080.79
Net Ordinary Income	-1,461.45	-4,542,957.44
Other Income/Expense		
Other Income		
70600 · Unrealized Gains and Losses	0.00	-23,045.72
Total Other Income	0.00	-23,045.72
Net Other Income	0.00	-23,045.72
Net Income	-1,461.45	-4,566,003.16

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6:00 PM

01/06/26

Accrual Basis

Tri-Valley Transportation Council
Revenue & Expense
December 2025

	<u>Dec 25</u>
Ordinary Income/Expense	
Expense	
5090 · Insurance - Liability, D and O	423.45
5060 · Website Development	125.00
5030 · Legal Fees	644.00
5020 · Accounting Fees	269.00
	<hr/>
Total Expense	1,461.45
	<hr/>
Net Ordinary Income	-1,461.45
	<hr/>
Net Income	<u><u>-1,461.45</u></u>

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Tri-Valley Transportation Council

Balance Sheet

01/06/26

As of December 31, 2025

Accrual Basis

	<u>Dec 31, 25</u>
ASSETS	
Current Assets	
Checking/Savings	
1300 · Local Agency Invest Fund (023)	5,946,877.38
1000 · Mechanics Bank (0415)	117,441.74
Total Checking/Savings	6,064,319.12
Accounts Receivable	
1200 · Developer Fee Receivables	-1,127.16
Total Accounts Receivable	-1,127.16
Other Current Assets	
1101 · Interest Receivable - Member Ag	1,127.16
Total Other Current Assets	1,127.16
Total Current Assets	6,064,319.12
Other Assets	
1400 · Prepaid Insurance	3,458.29
Total Other Assets	3,458.29
TOTAL ASSETS	<u>6,067,777.41</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	4,761.00
Total Accounts Payable	4,761.00
Total Current Liabilities	4,761.00
Total Liabilities	4,761.00
Equity	
3010 · Unrestricted Net Position	10,629,019.57
Net Income	-4,566,003.16
Total Equity	6,063,016.41
TOTAL LIABILITIES & EQUITY	<u>6,067,777.41</u>

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Item 7

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TRI-VALLEY TRANSPORTATION COUNCIL

Item 5b

Renee Morgan
TVTC Chair
Councilmember
Town of Danville
(925) 918-3999

David Haubert
TVTC Vice Chair
Supervisor District 1
Alameda County
(510) 272-6691

Jean Josey
Vice Mayor
City of Dublin
(925) 833-2530

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

Kristie Wang
Vice Mayor
City of Livermore
(925) 960-4019

Julie Testa
Councilmember
City of Pleasanton
(925) 931-5001

Marisol Rubio
Vice Mayor
City of San Ramon
(925) 964-5946

To: TVTC Finance Subcommittee

From: Technical Advisory Committee (TAC)

Date: February 9, 2026

Subject: Feasibility of Remote Meetings and Applicability of SB 707 to TVTC

BACKGROUND

The Ralph M. Brown Act (Government Code §§ 54950 et seq.) governs open meeting requirements for local public agencies in California. Recent legislation, including AB 2449 (2022), AB 2302 (2024), and SB 707 (2025), has updated provisions related to remote participation, social media use by members, compensation actions, and other procedural matters. **SB 707, effective January 1, 2026**, makes certain remote-participation and social-media exceptions permanent and introduces new requirements, **most of which apply only to “eligible legislative bodies” (ELBs)** as defined in Government Code § 54953.4(e)(2). TVTC does not meet the statutory definition of an ELB and is therefore exempt from the majority of the bill’s expanded obligations. This report summarizes the key changes introduced by SB 707, identifies which provisions apply to TVTC, and evaluates the feasibility of conducting remote or hybrid meetings under current law.

DISCUSSION

The Brown Act provides multiple avenues for legislative bodies to conduct teleconference meetings. The primary differences between the categories of teleconferencing are whether the teleconference locations must be agendized in advance and open to the public, as well as if a quorum of remaining Board members must participate from a singular physical location within the legislative body’s jurisdiction.

1. Just Cause and Emergency Exceptions for Remote or Hybrid Meetings

The Brown Act, as amended by AB 2449, AB 2302, and made permanent by SB 707, permits individual members of a legislative body to participate remotely under defined conditions. Because TVTC is not an ELB, it is not required to hold mandatory hybrid meetings, but remote participation remains legally available and operationally practical. Key features include:

TRI-VALLEY TRANSPORTATION COUNCIL

- Permitted Remote Participation: A Board members may attend remotely due to “just cause” or “emergency circumstances.”
 - Just Cause (as expanded by SB 707): Family childcare or caregiving needs; contagious illness; physical or mental disability not otherwise accommodated; official business travel; being immuno-compromised; family medical emergencies; military service.
 - Emergency Circumstances: A physical or family medical emergency that prevents in-person attendance.
- Frequency Limits (clarified by AB 2302 and made permanent):
 - 2 times per year if the body meets once per month or less.
 - 5 times per year if the body meets twice per month.
 - 7 times per year if the body meets three or more times per month.
- Public Access Requirements: When remote participation occurs under just cause or emergency circumstances exemptions, remote participants are not required to disclose their physical location or allow members of the public to participate from their physical location.
- Singular Physical Location: A quorum of the Board members must participate from a singular physical location clearly identified on the agenda and located within the agency’s jurisdiction under these provisions.
- Technological and Operational Considerations: Platforms such as Zoom or Microsoft Teams can provide reliable two-way audiovisual access at low cost. Existing meeting facilities can support hybrid formats with modest equipment upgrades if desired. Remote options reduce travel burdens, improve attendance during illness or emergencies, and maintain continuity, while challenges such as internet reliability can be addressed with backup telephone lines and clear protocols.

Overall, remote and hybrid meetings are feasible for TVTC without violating the Brown Act, provided frequency limits and public-access standards are observed.

Potential for Fully Remote Meetings in the Future/Traditional Brown Act Teleconference Provisions

As discussed above, under the more recently adopted teleconference provisions (e.g., those from AB 2449 and made permanent by SB 707), teleconferenced meeting locations do not have to be open to the public and do not have to be agendized in advance, but a quorum of the members must participate from a singular physical location clearly identified on the agenda and located within the agency’s jurisdiction. These recent provisions are available in a number of circumstances, but are most commonly used when a member has a situation that meets the “just cause” or “emergency” exceptions discussed above (such as contagious illness or caregiving needs).

TRI-VALLEY TRANSPORTATION COUNCIL

To hold meetings “fully remotely” (i.e., with no one central meeting place and no quorum present at a single physical location), TVTC must rely on the traditional Brown Act teleconference provisions (Government Code § 54953(b)). Under these provisions, a meeting may be held fully remotely so long as the following requirements are met:

1. A quorum of the legislative body meets from teleconference locations located within the jurisdiction of the agency (Contra Costa and Alameda Counties).
2. All meeting locations must be noticed and agendaized in advance.
3. All meeting locations must be open to the public.
4. All meeting locations must provide a technological means for the public to address the Board directly.
5. The agenda must be posted at each meeting location.
6. All votes must be taken by roll-call vote.

These traditional requirements make fully remote meetings possible but logistically challenging, as they require multiple physical locations (one for each participating Board member) to be publicly accessible and properly noticed/posted in advance. In practice, this method is rarely used for fully remote routine meetings due to the administrative burden.

Alternative options for greater flexibility (e.g., no physical quorum requirement and not agendaizing and opening remote meeting locations) are generally limited to just cause and emergency circumstances or declared emergencies or specific entity types not applicable to TVTC.

If TVTC wishes to pursue fully remote meetings on a regular basis, staff recommends limiting the meeting locations to two locations.

2. Summary of SB 707 and Applicability to TVTC

Definition of Eligible Legislative Body (ELB):

Government Code § 54953.4(e)(2) defines an ELB as:

- A city council of a city with $\geq 30,000$ population;
- A county board of supervisors of a county with $\geq 30,000$ population;
- A city council in a county with $\geq 600,000$ population; or
- A special district board that maintains a website and meets specific size/revenue thresholds (e.g., $>1,000$ FTE employees or annual revenues $>\$400$ million, adjusted for inflation).

TVTC does not satisfy any of these criteria and is therefore not an ELB. Provisions That Do NOT Apply to TVTC (ELB-only requirements):

- Mandatory hybrid meetings with two-way audiovisual access and specific disruption/response procedures.
- Translation of agendas into the top three non-English languages spoken in the jurisdiction.

TRI-VALLEY TRANSPORTATION COUNCIL

- Multilingual translation of agency meeting webpages with direct homepage links.
- Enhanced outreach requirements, including electronic agenda request systems and targeted communication with underserved communities.

Provisions That DO Apply to TVTC (applicable to all local agencies):

1. Social Media Exception Made Permanent — Members may use social media to communicate with the public about agency business, provided a majority of members do not discuss agency business among themselves via social media. Commissioners may not respond directly to another commissioner’s social media post on agency matters.
2. Oral Summary Report for Compensation Actions — Before final action on compensation for an executive, department head, or similar administrative officer, the body must provide an oral summary of the recommendation.
3. Distribution of Brown Act Materials — A copy of the Brown Act must be provided to every newly elected or appointed member of the legislative body.
4. Remote Participation Rules Made Permanent — The “just cause” and “emergency circumstances” provisions, frequency limits, and expanded definition of just cause (detailed above) are now permanent.
5. Recording Devices — The public may use any type of recording device to capture meetings (language modernized to remove outdated references to specific equipment).

SB 707 imposes no significant new burdens on TVTC and primarily preserves and clarifies existing flexibilities for remote participation and member communication.

RECOMMENDATION

- Continue to allow remote participation by individual Board members when justified under the “just cause” or “emergency circumstances” criteria, consistent with the frequency limits set forth in current law.
- Upon request of individual Board members, provide option for agendized teleconference meeting locations under traditional Brown Act teleconference provisions at a maximum of two additional meeting locations.
- Update Board member onboarding materials to include distribution of the Brown Act text to all new appointees, as required by SB 707.
- Ensure that any future discussion or action regarding executive, department head, or similar compensation includes an oral summary report prior to final action.
- Review and, if necessary, refresh internal guidance on social media use by Board members to reflect the now-permanent exception and prohibition on inter-member discussion via social media.
- Monitor future legislative changes to the Brown Act, but take no immediate policy or procedural changes beyond the items listed above, as SB 707 does not materially alter TVTC’s obligations.