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# TRI-VALLEY TRANSPORTATION COUNCIL

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

**Monday, January 31, 2022**  
**4:00 p.m.**

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

Join Zoom Meeting  
<https://cityofsanramon.zoom.us/j/95132345300>

**Newell Arnerich**  
Mayor  
Town of Danville  
(510) 366-0716

Meeting ID: 951 3234 5300  
One tap mobile  
+16699006833,,95132345300# US (San Jose)  
+12532158782,,95132345300# US (Tacoma)

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

Pursuant to the Governor's Executive Order N-29-20 (dated March 17, 2020), and Executive Order N-08-21, members of the Board may participate via teleconference. Teleconference locations are not open to the public pursuant to California Governor Executive Order N-29-20. For this meeting, there will be no physical location from which members of the public may observe/comment.

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

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

**Brittini Klück**  
Councilmember  
City of Livermore  
(925) 960-4019

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

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

If you are submitting a public comment via email, please do so by 12:00 p.m. on Monday, January 31, 2022 to [lbobadilla@sanramon.ca.gov](mailto:lbobadilla@sanramon.ca.gov). Please include "Public Comment "01/31/22" in the subject line. In the body of the email, please include your name and the item you wish to speak on. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

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

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

Public testimony will be taken at the direction of the Chair and members of the public may only comment during times allotted for public comments. If you wish to request a disability-related modification or accommodation, please contact the Administrator by email at [lbobadilla@sanramon.ca.gov](mailto:lbobadilla@sanramon.ca.gov).

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# TRI-VALLEY TRANSPORTATION COUNCIL

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## AGENDA

1. Call to Order
2. Roll Call and Self Introductions
3. Public Comment
4. Consent Calendar
  - a. APPROVE Tri-Valley Transportation Council Board Meeting Minutes October 18, 2021\*
  - b. APPROVE Tri-Valley Transportation Council Special Board Meeting Minutes November 23, 2021\*
  - c. APPROVE Resolution No. 2022-02 Tri-Valley Transportation Council Records Retention Policy
  - d. APPROVE Resolution No. 2022-03 – Contract Extension for Kimley Horn and Associates
  - e. ACCEPT AB1600 Annual Report
5. Old Business
  - a. RECEIVE update on TVTC Strategic Expenditure Plan (SEP) and next steps
6. New Business
  - a. APPROVE TVTC Board Meeting Calendar for 2022
  - b. RECEIVE verbal update on TVTC Audit
  - c. RECEIVE verbal update on status of Contra Costa Transportation Authority – Tri-Valley Transportation Council Action Plan for Routes of Regional Significance
7. Informational Items
8. Adjournment

\* *Attachment(s)*

**Item 4.a**

**DRAFT - MEETING MINUTES**

**TRI-VALLEY TRANSPORTATION COUNCIL SPECIAL MEETING**

Zoom Teleconference Call

Monday, October 18, 2021

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

The Tri-Valley Transportation Council (TVTC) was called to order at 4:02 p.m. by Chair, Scott Perkins, City of San Ramon.

**TVTC Members in Attendance:**

Scott Perkins, Chair, Councilmember, San Ramon  
Jean Josey, Vice Chair, Councilmember, Dublin  
Renee Morgan, Mayor, Town of Danville  
David Haubert, Supervisor District 1, Alameda County (joined meeting at 4:12 p.m.)  
Candace Andersen, Supervisor District 2, Contra Costa County  
Brittni Kiick, City of Livermore  
Karla Brown, Mayor, City of Pleasanton

**TVTC Staff in Attendance:**

Lisa Bobadilla, San Ramon  
Cedric Novenario, Pleasanton (absent)  
Sai Midididdi, Dublin (absent)  
Pratyush Bhatia, City of Dublin  
Andy Dillard, Danville  
Julie Chiu, City of Livermore  
Robert Sarmiento, Contra Costa County

**Others in Attendance:**

Steve Mattos, Meyers Nave, TVTC Legal Counsel  
Lindsay D'Andrea, Meyers Nave, TVTC Legal Counsel  
Kristen Villanueva, Alameda County Transportation Commission  
Matt Kelly, Contra Costa Transportation Authority

**3. PUBLIC COMMENT**

None

**4. CONSENT CALENDAR**

- A. APPROVE Tri-Valley Transportation Council Board Meeting Minutes July 19, 2021
- B. APPROVE Tri-Valley Transportation Council Board Meeting Minutes August 16, 2021

- C. APPROVE Tri-Valley Transportation Council Special Board Meeting Minutes September 30, 2021
- D. APPROVE Resolution No. 2021-12 authorizing the TVTC Treasurer to refund \$1,161.60 collected as the 80% fee to the City of Pleasanton
- E. APPROVE Resolution No. 2021-13 making findings pursuant to Government Code Section 54953(e) (1) authorizing continued use of teleconference virtual meetings for all TVTC related legislative bodies.

**Motion to Approve Consent Items A, B, C, D and E by Vice Chair Josey; Second by Supervisor Andersen**

**Approved (Ayes 6; Noes 0; Abstain 0) – Haubert Absent for Consent**

**5. OLD BUSINESS**

- A. RECEIVE verbal update on TVTC Strategic Expenditure Plan (SEP) subcommittee meetings and next steps

TVTC Administrator, Lisa Bobadilla provided summary of Strategic Expenditure Plan update. Ms. Bobadilla stated that the Nexus Study was adopted by the TVTC board on August 16, 2021 and the contract extension for Kimley Horn & Associates, was approved by TVTC. The contract extension authorizes the Consultant Team to work on the next phase of the process, the updated to the Strategic Expenditure Plan (SEP). Ms. Bobadilla re-affirmed that the TVTC board is not approving a new TVTC fee. Rather the SEP subcommittee will meet in October and then again in November to review the draft SEP. A study session will be held with the TVTC Board in December to review progress of SEP.

Mr. Michael Schmitt, Kimley Horn & Associates updated the board on the next steps of the process to update the Fee and amend the SEP. The Consultant Team will work with the TVTC TAC members to develop a scoring mechanism to evaluate projects, update land use data, create a fee estimation tool, update project list, develop prioritization process, update project readiness, and evaluate funding availability.

**NEW BUSINESS**

- A. RECEIVE verbal update on status of proposed TVTC Records Retention Policy

Ms. Bobadilla informed the Board that the draft TVTC Records Retention Policy has been reviewed by TVTC legal counsel, with comments provided. Therefore, TVTC TAC members will discuss comments received by legal counsel at the November 3, 2021 TVTC TAC meeting, create an updated version of the Record Retention Policy, and request that TVTC adopt Records Retention Policy at the January TVTC board meeting.

Mayor Brown inquired as to the need of a Records Retention Policy.

Steve Mattos, Meyers Nave responded that it is a legal requirement to have a Records Retention Policy in place, given that the TVTC is a Joint Powers Authority.

Mayor Brown articulated her desire to ensure that all TVTC projects have a minimum seven year retention schedule.

**B. RECEIVE verbal update on status of Contra Costa Transportation Authority (CCTA) – Tri-Valley Transportation Council Action Plan**

Matt Kelly, Senior Transportation Planner, CCTA, provided an updated on the CCTA Action Plan process. Mr. Kelly stated that the CCTA has embarked on updating the five Action Plans for Contra Costa County. The Plans represent the sub-regional transportation planning areas of the County, including the Tri-Valley which encompasses the Town of Danville, City of San Ramon, City of Dublin, City of Pleasanton, City of Livermore and unincorporated areas of Contra Costa and Alameda Counties. Mr. Kelly stated that the Action Plans will ultimately be approved by the CCTA and incorporated into the Contra Costa Countywide Transportation Plan, expected to be adopted in late 2022.

Mr. Kelly stated that the CCTA has hired Placeworks to provide support to CCTA and the sub-regions as they embark on updating the Action Plans. Furthermore, Mr. Kelly stated that the Action Plans and Action Plan update are a requirement for Contra Costa jurisdictions to receive their local return to source funding from Measure J. The Consultant Team and CCTA staff will engage with TVTC TAC members to develop a draft Action Plan for TVTC board review in the coming months.

Mayor Brown stated that the Alameda County Transportation Commission (ACTC) and the Tri-Delta Transit Board have engaged in discussions regarding addressing the need to consider service for East County commuters using Vasco Road traveling into the Tri-Valley area; and how the agencies should address vehicle miles traveled along the corridor.

Mr. Kelly responded that the East Contra Costa County Transportation Planning Committee (TRANSPLAN) is addressing the issue as part of the east county Action Plan update. He stated that Contra Costa and Alameda County have not always agreed on development in the areas of east Contra Costa due to limited access to travel into the Tri-Valley area. Ideas that are being considered by TRANSPLAN include transit corridor along Vasco Road and addressing the needs of commuters living in east Contra Costa County and commuting into the Tri-Valley area, using Vasco Road.

Mayor Brown recommended TVTC TAC and the Consultant Team address the need to use metrics along the Iron Horse Trail that do not add travel lanes, but rather focus on enhancing bicycle infrastructure and amenities for cyclists commuting along the Iron Horse Trail.

Mr. Kelly agreed and reassured the TVTC that the Iron Horse Trail is a valuable asset for commuters and recreational users throughout the San Ramon Valley and the Tri-Valley. He also stated that the Iron Horse Trail through the Pleasanton, Dublin and the San Ramon Valley is a Route of Regional Significance in the Tri-Valley Action Plan and will remain as such with the Action Plan update.

**C. INFORMATIONAL ITEMS**

None

**D. ADJOURNMENT**

The meeting was adjourned by Chair Perkins at 4:47 p.m.

DRAFT

**Item 4.b**

**DRAFT - MEETING MINUTES**

**TRI-VALLEY TRANSPORTATION COUNCIL SPECIAL MEETING**

Zoom Teleconference Call

Tuesday, November 23, 2021

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

The Tri-Valley Transportation Council (TVTC) was called to order at 4:15 p.m. by Chair, Scott Perkins, City of San Ramon.

**TVTC Members in Attendance:**

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

**TVTC Staff in Attendance:**

Lisa Bobadilla, San Ramon  
Cedric Novenario, Pleasanton (absent)  
Sai Midididdi, Dublin (absent)  
Pratyush Bhatia, City of Dublin (absent)  
Andy Dillard, Danville (absent)  
Julie Chiu, City of Livermore (absent)  
Robert Sarmiento, Contra Costa County (absent)

**Others in Attendance:**

Lindsay D'Andrea, Meyers Nave, TVTC Legal Counsel

**3. PUBLIC COMMENT**

None

**4. CONSENT CALENDAR**

- A. APPROVE Resolution No. 2021-14 making findings pursuant to Government Code Section 54953(e) (1) authorizing continued use of teleconference virtual meetings for all TVTC related legislative bodies.

**Motion to Approve Consent Item A by Mayor Morgan; Second by Vice Chair Josey.**

**Approved (Ayes 6; Noes 0; Abstain 0)**

**5. OLD BUSINESS**

**NEW BUSINESS**

NONE.

**A. INFORMATIONAL ITEMS**

None

**B. ADJOURNMENT**

The meeting was adjourned by Chair Perkins at 4:18 p.m.

DRAFT

**Item 4.c**

# TRI-VALLEY TRANSPORTATION COUNCIL

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

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** January 31, 2022  
**Subject:** Records Retention Policy

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

**Newell Arnerich**  
Mayor  
Town of Danville  
(510) 366-0716

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

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

**Brittini Kilck**  
Councilmember  
City of Livermore  
(925) 960-4019

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

## RECOMMENDATION

Adopt a Resolution approving TVTC Records Retention Management Policy.

## BACKGROUND

A Records Retention Management Policy includes both records retention and records destruction guidelines. The adoption of a Records Retention Management Policy will result in efficiency gains and cost savings. The use of a retention schedule is driven by TVTC's limited onsite storage capacity, cost of offsite storage, duplicate documents retained as originals, technology changes, and changes in the law. A Records Retention Schedule sets forth how long each records series is to be maintained.

## DISCUSSION

Today, a Records Retention Management Policy for TVTC does not exist. As a result, TVTC historical files, some dating back to 1997 are housed by the current TVTC Administrator and are stored electronically. When TVTC administration is rotated, both electronic and paper files are transferred to the incoming TVTC Administrator. A Records Retention Schedule will determine how long each record should be maintained.

Absent a Records Retention Management Policy for TVTC, the TVTC TAC developed a draft records retention policy based on the Contra Costa Transportation Authority (CCTA) and Alameda County Transportation Commission (ACTC) retention policies as a guide to develop a TVTC Records Retention Management Policy. TVTC TAC has reviewed the proposed policy and comments have been incorporated.

## RECOMMENDATION

TVTC TAC recommends TVTC Board approve Resolution No. 2022-02 adopting a Records Retention Policy.

# TRI-VALLEY TRANSPORTATION COUNCIL

## ATTACHMENT

1. Resolution 2022-02.
2. Records Retention Policy.

5049301.1

**TRI-VALLEY TRANSPORTATION COUNCIL  
RESOLUTION NO. 2022-02**

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL (TVTC)  
ADOPTING A RECORDS RETENTION POLICY (RRP)**

WHEREAS, in 1999, and further revised in February 2006, the Secretary of State established the Local Government Records Management Guidelines to provide guidance to local government on records retention and to provide support on such matters per Government Code, Section 12236; and

WHEREAS, the TVTC's RRP is designed to apply efficient and economical management methods for the creation, utilization, maintenance, retention, preservation, storage, retrieval and disposal of records; and

WHEREAS, the TVTC's RRP attached hereto as "Exhibit 1" and incorporated herein, complies with guidelines provided by the Secretary of State pursuant to Government Code, that the TVTC's records by category with specific retention periods and establishes a standard protocol for destruction or disposition of records; and

WHEREAS, in accordance with Government Code, Section 12168.7(c), a "trusted" system is defined as, "a combination of techniques, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored"; and

WHEREAS, the TVTC will ensure that the RRP meets the State of California's Guidelines for a trusted system that certifies that electronically stored records are an authentic copy of the original records; and that the records are safe and secure.

NOW, THEREFORE BE IT RESOLVED, that the Tri-Valley Transportation Council hereby:

- (1) The TVTC hereby approves and adopts the RRP for storage, preservation and destruction of TVTC records as described in Exhibit 1 herein;
- (2) The method of record storage, unless otherwise provisioned by statute or this resolution, is by exact digital image, which shall carry the same administrative significance as the original paper form; Original paper records, once retained in an exact digital image, may be destroyed unless otherwise prohibited by law.

**PASSED, APPROVED, AND ADOPTED** at the meeting of January 31, 2022 by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Scott Perkins, Chair  
Tri-Valley Transportation Council

**ATTEST:**

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Lisa Bobadilla, TVTC Administrative Staff

**EXHIBIT 1**

5050481.1

# TRI-VALLEY TRANSPORTATION COUNCIL RETENTION SCHEDULE - DRAFT

*Records that have fulfilled their administrative, fiscal, and legal functions and are (i) not the subject of a pending Public Records Act (PRA) request; pending litigation, or an audit; (ii) not records specified in Government Code (GG) Section 60201 (b), and (iii) not records which are otherwise prohibited from being destroyed by law, shall be disposed of as soon as practicable following expiration of the applicable records retention period in accordance with the schedule below. Original paper records, once retained in an exact digital image, may be destroyed unless otherwise prohibited by law. All original paper records will be transitioned to an exact digital image as soon as practicable. Electronic records will be maintained in their digital format for the required retention period unless an exact digital image is otherwise archived.*

TVTC	Section	Record Name	Record Description	Retention Life
Administration	General	TVTC Board and Standing Board Committees	Published agendas, staff reports, and other writings/materials for Authority Board and Standing Board Committees, including Administration and Projects, Planning, Executive Committees, and other committees, standing, special, ad hoc as established by the Board	P
Administration	General	TVTC Board, Standing Board Committees, and Advisory Committees Meeting Minutes and Summary of Actions (subject to the Brown Act)	Official Minutes and Summary of Actions (Gov. Code § 60201(a)(3)) of governing board and committees	P
Administration	General	Conflict of Interest Code	Conflict of Interest Code	P
Administration	General	Correspondence; General Subject Files	General subject files and other writings subject to the Public Records Act. This includes incoming/outgoing correspondence related to jurisdictions, and regional agencies and committees	2 years
Administration	General	Email Correspondence	Email correspondence related to business of TVTC; certain grant-related correspondence that may require an audit, and correspondence related to any pending litigation or PRA requests, etc.	2 years
Administration	General	Historical Records	Founding organizational documents or other materials deemed by the Administrator to have historical significance to TVTC	P
Administration	General	Recordings (audio, video) of Public Meetings	Recordings of public meetings made by or at the direction of TVTC (e.g., scheduled public meetings of the TVTC)	P
Administration	General	Record Retention Schedule	Record Retention Schedule	4 years after update or as long as active, whichever is later

TVTC	Section	Record Name	Record Description	Retention Life
Administration	Legal	Contract Administration	Records that specify the amount of compensation paid to employees, officers, or independent contractors providing personal or professional services	7 years after payment
Administration	Legal	Contracts, Agreements, Amendments, etc. (Professional Services; Maintenance Services; License Agreements; Funding Agreements, etc.)	TVTC contracts and agreements, including amendments, insurance certificates, and contract related correspondence	CL + 5
Administration	Legal	FPPC Form 700 - Statement of Economic Interest Filings	Employees, Commissioners/Alternates, and applicable Consultants Form 700 filings	CL + 7
Administration	Legal	Insurance Certificates	Certificates of insurance filed separately from contracts, agreements, etc.	P
Administration	Legal	Legal Advertising	Includes public notices, legal publications, legal notices, etc.	CY + 2
Administration	Legal	Legal Opinions	Legal opinions and organizational guidance from TVTC counsel	P
Administration	Legal	Litigation Settlements and Final Adjustments	Confidential (related to legal matters and lawsuits) litigation	P
Administration	Legal	Memorandum of Understanding	Memorandum of Understanding adopted by the TVTC Board	CL + 5
Administration	Legal	Public Records Act (PRA) Requests	Original PRA requests and TVTC response(s)	CL + 2
Administration	Legal	Records Management Disposition Certifications	Records destruction certificates and supporting documentation	P
Administration	Legal	Requests for Qualifications, Requests for Proposals, Requests for Information, and Bids - Successful	Documents pertaining to the process of obtaining qualifications, services or goods, including specifications, terms, notices and other requirements. This includes competitive quotes, proposals, information, and bids. Exceptions may apply for longer periods as a historical record and future use, or as required by contract	CL + 5 or Audit
Administration	Legal	Requests for Qualifications, Requests for Proposals, Requests for Information, and Bids - Unsuccessful	Documents pertaining to the process of obtaining qualifications, services or goods, including specifications, terms, notices and other requirements. This includes competitive quotes, proposals, information, and bids. Exceptions may apply for longer periods as a historical record and future use, or as required by contract	CL + 2
Administration	Legal	Resolutions	Legislative actions approved by Resolution and all related amendments, including staff reports and supporting documentation	P
Administration	Communications	General Agency Brochures and Other Collateral	Various informational brochures and pamphlets	SD + 2
Administration	Communications	Photography and Videography	Photography and videography; P if there is historical value, otherwise	P or CY + 2

TVTC	Section	Record Name	Record Description	Retention Life
Administration	Communications	Website	Includes final posts for Website	CY + 2
Finance	N/A	Accounts Receivables	Invoices, check copies, and supporting documents for miscellaneous receivables, unless invoices relate to independent contractor compensation, then 7 years after payment	AD + 4
Finance	N/A	Audited Financial Reports	Includes final fiscal year audit of TVTC, Single Audit and Compliance Audits	P
Finance	N/A	Bank Account Statements, Reconciliations, Deposit Receipts, Signature Cards, and Voided Checks	Bank statements and supporting documentation.	CY + 7 years
Finance	N/A	Budget Workpapers	Annual budget workpapers and supporting documents. Adopted budget retained permanently in TVTC Board agenda	AD + 4; Budget - P
Finance	N/A	TVTC Audit Workpapers	Documentation created and/or received in connection with an audit (audit workpapers)	AD + 4
Finance	N/A	Investment Records	Transaction confirmations and investment reports	P
Finance	N/A	Journal Vouchers	G/L Account postings with supporting documents	AD + 4
Finance	N/A	Revenue Records	Invoices (including Reimbursement Requests) and supporting documentation, unless relates to expense reimbursement to employees, officers, or independent contractors, then 7 years after payment	AD + 4
Planning	N/A	Countywide Comprehensive Transportation Plans (CTP)	Final CTP documents plus all appendices	P
Planning	N/A	Regional Transportation Mitigation Program (RTMP)	RTMP materials including agendas, staff reports and supporting materials	CY + 10
Planning	N/A	Regional Transportation Action Plan(s) for Routes of Regional Significance	Final documents and related correspondence	CY + 10
Planning	N/A	Transportation Studies, Nexus Studies and Plans	Final documents and related correspondence	P
Planning	N/A	Consultant Invoices	Consultant invoices/documents related to the expenditures including ledgers and books of account, invoices, vouchers, canceled checks, documents related to expenditures and disbursements	10 years after audit
Planning	N/A	Strategic Expenditure Plan - General Subject Files	Working files including incoming and outgoing correspondence related to Strategic Plans	CY + 4
Projects	N/A	Strategic Expenditure Plan--Final	Working files including Fee Nexus Study, Proposed Fee, Funding Plan, and documents related to the development of the Nexus Study, Fee Program and Funding Plan	P

Item 4.d

# TRI-VALLEY TRANSPORTATION COUNCIL

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

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** January 31, 2022

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

**Subject:** Professional Services Agreement Amendment between Tri-Valley Transportation Council and Kimley-Horn and Associates for Strategic Expenditure Plan

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**Newell Arnerich**  
Mayor  
Town of Danville  
(510) 366-0716

## RECOMMENDATION

Adopt a resolution approving an amendment to the Professional Services Agreement with Kimley-Horn Associates to prepare and finalize the Strategic Expenditure Plan (SEP).

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

## BACKGROUND

On April 20, 2020, the Tri-Valley Transportation Council (TVTC) approved Resolution 2020-03 authorizing \$172,930 for Kimley-Horn and Associates (KHA), consulting services to implement the TVTC Nexus Study. TVTC subsequently approved three contract extensions, which collectively extended the term and revised the scope to provide for completion of the Strategic Expenditure Plan. At this time, the request is to extend the agreement to June 30, 2022 and increase the budget by \$14,940 to complete the last and final phase of the SEP process.

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

## DISCUSSION

At the July 19, 2021 TVTC Board meeting, the Board agreed to form a TVTC Strategic Expenditure Plan (SEP) subcommittee. The SEP Subcommittee has been responsible to work with the Technical Advisory Committee and the SEP Consultant to create the draft SEP for review and approval by TVTC. The SEP Subcommittee consists of Chair Perkins, Vice Chair Josey and Councilmember Kiick.

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

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

The SEP Subcommittee has met five times and additional meetings are needed, at this time, to ensure the draft SEP is fully completed and presented to TVTC at the next regularly scheduled meeting of the Board on April 18 2022; thereby allowing time for local agencies to consider and adopt the SEP by July 1, 2022. Section 8(a) of the JEPA requires the TVTC to adopt or update the SEP every five years.

For the 2021 SEP update, the TVTC SEP Subcommittee, TAC and the Consultant Team, have been tasked with the following:

# TRI-VALLEY TRANSPORTATION COUNCIL

Task 1 – Review and Confirm Scope of Service – Completed

Task 2 – Validate Nexus Study in the Context of RHNA - Completed

Task 3 - Estimate Funding, Fee and Funding Timeline. In progress (expected to be completed by March 2022).

Task 4 – Draft Report – Pending – Expected to be completed by March 2022.

Task 5 – Final Draft Report – Pending – Expected to be completed by April 2022.

Task 6 – Final Report – Expected to be completed and adopted by TVTC Board in April 2022.

Meetings: Kimley-Horn has attended six TAC meetings and three TVTC Board meetings, to date. There is a need for Consultant to attend six (6) additional meetings, including up to three (if needed) subcommittee meetings; two outreach sessions; and one board meeting, totaling six additional meetings.

In light of the additional meetings needed to proceed with the SEP, TVTC TAC recommends that TVTC Board approve the contract amendment with KHA to extend the contract through June 30, 2022, amend the scope to include the additional SEP updates and meetings, and increase the not-to-exceed amount by \$14,940 for a cumulative total of \$262,870. The FY 2021-2022 TVTC budget (Resolution No 2021-04) allocated an expenditure of \$75,000 for the SEP update. The additional expenditure will require a mid-year budget adjustment of \$14,940 for the KHA contract; which will be reflected in the mid-year budget.

## RECOMMENDATION

TVTC TAC recommends TVTC Board approve Resolution No. 2022-03 amending the KHA Professional Services to extend the Professional Services Agreement through June 30, 2022, amend the scope to include the six additional SEP related meetings, finalize the SEP, and increase the not-to-exceed amount by \$14,940 for a cumulative total of \$262,870.

## ATTACHMENT

1. Resolution 2022-03.
2. Contract Amendment.

5050011.1

**TRI-VALLEY TRANSPORTATION COUNCIL  
RESOLUTION NO. 2022-03**

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL  
APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT  
BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL AND KIMLEY-HORN  
AND ASSOCIATES TO EXTEND THE AGREEMENT AND INCREASE THE  
CONTRACT AMOUNT BY \$14,940**

**WHEREAS**, on April 20, 2020 the Tri-Valley Transportation Council (TVTC) and Kimley-Horn and Associates (Consultant) entered into a Professional Services Agreement (Agreement), whereby Consultant agreed to provide professional services for the preparation of a new Tri-Valley Fee Nexus Study for TVTC; and

**WHEREAS**, on April 19, 2021, Tri-Valley Transportation Council (TVTC) and the Consultant amended the Professional Services Agreement (Agreement) to extend the term until July 31, 2021 (First Amendment); and

**WHEREAS**, on July 19, 2021, Tri-Valley Transportation Council (TVTC) and the Consultant amended the Professional Services Agreement (Agreement) to extend the term until August 31, 2021 (Second Amendment); and

**WHEREAS**, on August 16, 2021, the Tri-Valley Transportation Council and the Consultant amended the Professional Services Agreement to extend the term until January 31, 2022 and increase the contract by \$75,000; and

**WHEREAS**, Kimley Horn has completed the Tri-Valley Fee Nexus Study and is in the process of updating and preparing the Strategic Expenditure Plan (SEP); and

**WHEREAS**, the Parties desire to amend the Agreement in order to extend the contract through June 30, 2022, amend the scope to increase the SEP subcommittee and outreach meetings for an additional six meetings, and increase the not-to-exceed amount by \$14,940 for a cumulative total of \$262,870.

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

**PASSED, APPROVED, AND ADOPTED** at the meeting of January 31, 2022 by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Scott Perkins, Chair  
Tri-Valley Transportation Council

**ATTEST:**

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Lisa Bobadilla, TVTC Administrative Staff

ATTACHMENT 1

FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

5050487.1

**FOURTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT  
BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL AND KIMLEY-  
HORN**

THIS FOURTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT (“Fourth Amendment”) is made as of the 1<sup>st</sup> day of February 2022 by and between THE TRI-VALLEY TRANSPORTATION COUNCIL (“TVTC”), and KIMLEY HORN (“Consultant”), (sometimes referred together as the “Parties”) who agree as follows:

**RECITALS**

**WHEREAS**, on April 20, 2020, TVTC and Consultant entered into a Consultant Services Agreement (“Agreement”) whereby Consultant agreed to provide professional services to TVTC for the preparation of a new Tri-Valley Fee Nexus Study, as further described in the Scope of Work contained in Exhibit A to the Agreement; and

**WHEREAS**, the Parties entered into an amendment to the Agreement on April 19, 2021 extending the term of the Agreement until July 31, 2021 (“First Amendment”); and

**WHEREAS**, the Parties entered into an amendment to the Agreement on July 19, 2021 further extending the term of the Agreement until August 31, 2021 (“Second Amendment”); and

**WHEREAS**, the Parties entered into an amendment to the Agreement on August 31, 2021 further extending the term of the Agreement until January 31, 2022 (“Third Amendment”); and

**WHEREAS**, the Parties desire to further amend the Agreement in order to extend the Agreement through June 30, 2022 to allow sufficient time to complete the updated Strategic Expenditure Plan (SEP), which will include Consultant’s attendance at six (6) additional meetings, and increase the not-to-exceed amount by \$14,940 for a cumulative total of \$262,870.

**NOW, THEREFORE**, for and in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, TVTC and Consultant hereby agree to amend the Agreement as follows:

1. All terms which are defined in the Agreement shall have the same meaning when used in this Fourth Amendment, unless specifically provided herein to the contrary.
2. As part of Consultant’s work pursuant to this Fourth Amendment, Consultant will attend six (6) additional meetings of TVTC related to the preparation of the updated Strategic Expenditure Plan.
3. Section 2 of the Agreement “Term” shall be revised to extend the term of the Agreement until June 30, 2022.
4. Section 3 of the Agreement “Compensation” shall be revised to increase the “Not

to Exceed Amount” by \$14,940 for a new “Not to Exceed Amount” of \$262,870 for the full and satisfactory completion of the Tri-Valley Nexus Fee Study and Strategic Expenditure Plan.

5. Section 5 of the Agreement “Final Deliverables” shall be amended to revise subsection (b) stating:

(b) On or before April 18, 2022, Consultant agrees to provide TVTC a full Tri-Valley Strategic Expenditure Plan based upon the specifications provided by TVTC (See Exhibit A-3).

6. Section 8 of the Agreement “Additional Services” shall be amended to increase the Not to Exceed amount to \$262,870.

All other terms, conditions and provisions in the Agreement remain in full force and effect. If there is a conflict between the terms of this Fourth Amendment and the Agreement, the terms of the Agreement will control unless specifically modified by this Fourth Amendment.

*[SIGNATURES ON THE FOLLOWING PAGE]*

**IN WITNESS WHEREOF** the parties have executed this Agreement on the dates indicated below, the latest of which shall be deemed the effective date of this Agreement.

**TRI-VALLEY TRANSPORTATION COUNCIL**

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Scott Perkins, TVTC Chair

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Jean Josey, TVTC Vice-Chair

**KIMLEY-HORN  
CONSULTANT**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Authorized representative of CONSULTANT

**APPROVED AS TO FORM**

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Steven Mattas, Legal Counsel

**Item 4.e**

# Tri Valley Transportation Council Annual AB1600 Report for Fiscal Year 2020-2021

1A	Description of the Type of Fee:	The fee provides for the construction of transportation improvement projects necessary to accommodate new development within the Tri-Valley Development area. Projects are identified in the Strategic Expenditure Plan.		
1B	Amount of Fee:	Single Family Dwelling	\$ 5,057	per unit
		MultiFamily Dwelling	\$ 3,484	per unit
		Retail	\$ 3.74	per KSF
		Office	\$ 8.59	per KSF
		Industrial	\$ 5.00	per KSF
				average am/pm
		Other	\$ 5,620	peak hour trip
1C	Beginning and End Balance of Account			
	Beginning Balance:	\$	23,777,400	
	End Balance:	\$	19,493,039	
1D	Amount collected and interest earned:	\$	2,405,715	(see details below)
1E	Public Improvement(s) funded			
	Project Name:	See below		
	Amount:	See below		
	% of the cost funded by TVTDF:	See below		
1F	Construction start date:	See below		
1G	Interfund Transfer or loan from account:	None		
1H				

1D	Amount Collected and Interest Earned	7/20-6/21
	Revenue and other Sources	Fees/Interest
	Alameda Co	
	Dublin	\$ 1,153,649
	Livermore	\$ 419,656
	Pleasanton	\$ (255,320)
	CC County	\$ 646,933
	Danville	\$ 130,622
	San Ramon	\$ 181,316
	LAIF Interest	\$ 128,859
		\$ 2,405,715

1E, 1F	Public Improvements Funded	7/20-6/21	funded by	1F. Construction
	Disbursements	TVTDF	Start Date	
	Project #B-10	\$ (6,490,000)	100%	N/A
	Administrative Staff Support	\$ (20,000)	100%	N/A
	Accounting Fees	\$ (14,710)	100%	N/A
	Bank Fees	\$ (60)	100%	N/A
	Insurance	\$ (3,406)	100%	N/A
	Legal fees	\$ (12,229)	100%	N/A
	Nexus Study/Strategic Exp Plan	\$ (144,957)	100%	N/A
	Board Meeting Stipends	\$ (2,900)	100%	N/A
	Website Development & Maintenance	\$ (1,549)	100%	N/A
	Treasury Oversight Services	\$ -	100%	N/A
	Project Management Software	\$ (264)	100%	N/A
	<b>Total Resources (Uses)</b>	\$ (6,690,075)		

**Item 5.a**

**Verbal Update**

# Item 6.a

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# TRI-VALLEY TRANSPORTATION COUNCIL

**Scott Perkins, Chair**  
Councilmember  
San Ramon  
(925) 973-2530

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** January 31, 2022  
**Subject:** TVTC 2022 Board Meeting Schedule

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**Jean Josey**  
TVTC Vice-Chair  
Councilmember  
Dublin  
(925) 833-6650

TVTC 2022 Meeting Schedule:

**Newell Arnerich**  
Mayor  
Danville  
(510) 366-0716

**January 31, 2022 at 4:00 pm** – Zoom Teleconference  
City of San Ramon, 7000 Bollinger Canyon Road, San Ramon, CA 94583

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

**\*\*\*February 2, 2022 at 4:30 pm** – *Finance Subcommittee Meeting, Zoom Teleconference*

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

**\*\*\*March 2, 2022 at 4:00 pm** – *Finance Subcommittee Meeting, Zoom Teleconference*

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

**April 18, 2022 at 4:00 pm** – Teleconference or City of San Ramon TBD  
City of San Ramon, 7000 Bollinger Canyon Road, San Ramon, CA 94583

**July 18, 2022 at 4:00 pm** – Teleconference or City of Dublin TBD  
City of Dublin, 100 Civic Plaza, Dublin, 94568

**October 17, 2022 at 4:00 pm** – Teleconference or City of Dublin, TBD  
City of Dublin, 100 Civic Plaza, Dublin, 94568

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

*\*\*\*Finance subcommittee dates included for informational purposes and subject to member availability*

## RECOMMENDATION

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

ADOPT the 2022 TVTC Board Meeting Calendar.

**Item 6.b**

**Verbal Update**

**Item 6.c**

**Verbal Update**