



Joint Exercise of Powers Agency

City of Antioch City of Brentwood City of Oakley County of Contra Costa

Board of Directors

Wednesday, September 13, 2006

8:35 p.m.

Tri-Delta Transit Meeting Room
801 Wilbur Avenue
Antioch, California

1. Call to Order
2. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Gov. Code, §54956.9(a))

State Route 4 Bypass Authority v. Delizia Ranch, LLC, et.al., C.C.C. Superior Court C05-00757

3. Public Comment
4. Consent Items

- A. **APPROVE** Minutes of August 10, 2006.
- B. **APPROVE** Agreement with Ronald E. Nunn, whereby Mr. Nunn agrees to pay \$666,844.00 for modifications to planned underground utilities and new underground utilities to be installed within the new Jeffrey Way, and **AUTHORIZE** the Secretary, or his designee, to sign the attached agreement.
- C. **APPROVE** Resolution No. 2006/07 accepting the Walnut Boulevard at Concord Avenue Traffic Signal as complete and **AUTHORIZE** the Secretary, or his designee, to sign and record the resolution.
- D. **APPROVE** an increase of \$41,000 for the amount previous approved for the Nelson Ranch buttress installation cost, whereby the Authority will pay 50% of the construction work costs (not to exceed \$405,022) and 50% of the inspection and testing services costs.
- E. **AUTHORIZE** the Program Manager to issue a Request for Proposals (RFP) for designing, landscaping and mitigation planting and associated irrigation systems for several areas in Segments 1, 2, and 3 and the Laurel Road Extension project and to take the necessary steps to select and retain a firm, subject to the approval of the Board.

Board of Directors:
Mary N. Piepho, Chair
Donald P. Freitas, Vice Chair
Annette Beckstrand
Brad Nix

Authority Staff Office:
Contra Costa County
255 Glacier Drive
Martinez, CA 94553
(925) 686-0619

F. **DETERMINE** that the conveyance of an easement to Chevron Pipe Line Company is in the public's interest and will not substantially conflict or interfere with State Route 4 Bypass Authority (Authority) use of the property. **AUTHORIZE** the secretary, or his designee, to execute the Grant of Easement and **DIRECT** the Contra Costa County Public Works Department's Real Property Division to have the Grant of Easement delivered to Grantee for recording in the office of the County Recorder.

G. It is recommended that the Board take the following actions:

1. **APPROVE** exchange of various property rights with Chevron Pipe Line Company (Chevron) pursuant to Streets and Highways Code 960.4, for the relocation of an 18-inch diameter pipeline near the PG &E Gas Terminal, Segment 3 of the State Route 4 Bypass.
2. **AUTHORIZE** the Secretary or Designee to execute a Grant Deed on behalf of the State Route 4 Bypass Authority (Authority) to Chevron. **DIRECT** the Real Property Division to have said Grant Deed delivered to Chevron for recording in the Office of the County Recorder.
3. **AUTHORIZE** the Program Manager to execute a Joint Use Agreement between Authority and Chevron.
4. **ACCEPT** Quitclaim Deed from Chevron and **DIRECT** the Real Property Division to Quitclaim Deed recorded in the Office of the County Recorder.

5. Determination Items

A. **RECEIVE** status report on the SR4 Bypass project and the Laurel Road Extension project and **PROVIDE DIRECTION** as appropriate for Bid Opening and Contract Award for Segment 3 of the SR4 Bypass. *(No Staff Report)*

B. **RECEIVE** status report on the construction of Segment 1, Packages 1 and 2 and Segment 3 advanced construction contracts. *(No Staff Report)*

C. It is recommended that the Board take the following actions:

1. **DETERMINE** one property (as described in attached Grant Deed - Exhibit "A") is surplus and no longer necessary for Authority purposes (property consists of portions of three properties previously acquired in deeds recorded September 22, 1999, in Series Number 99-0253209, recorded December 3, 1999, in Series Number 99-0313290, and recorded September 22, 1998, in Series Number 99-0229625).
2. **APPROVE** the conveyance of said property to the City of Brentwood, pursuant to Streets & Highways Code Section 960 and **AUTHORIZE** the Secretary or Designee to execute a Grant Deed on behalf of the Authority.

D. **AUTHORIZE** Program Manager to sign the US Army Corps of Engineers (USACE) Nationwide Permit (including Biological Opinion by the US Fish and Wildlife Service (USFWS)) on behalf of the Authority once it is issued, and arrange for payment of \$1,245,000 to the Habitat Conservation Plan (HCP) to mitigate Segment 3 project impacts per conditions in the permit.

E. It is recommended that the Board take one of the following actions:

1. **APPROVE** Resolution No. 2006/06 which authorizes the filing of the project application for the "Mokelumne Trail Bicycle/Pedestrian Overcrossing at the SR 4 Bypass" project for Federal Surface Transportation Funds through the Metropolitan Transportation Commission (MTC) Regional Bicycle and Pedestrian Program and formally commits the local match (up to \$2.5 million) for the project. The total cost of this alternative is \$4,000,000.

OR

2. **DIRECT** staff to formally resubmit the Mokelumne Trail Project (with a revised project description) to CCTA for their consideration. The revised project description is as follows: construct the trail along the west side of the Bypass using existing right of way making use of transit width, south to Sand Creek. The trail would continue along the north side of Sand Creek under the Bypass Sand Creek bridge structure to the CCWD right of way and then continue north back to the Mokelumne Aqueduct right-of-way. The total cost of this alternative is \$2.25 million.

6. Board Member Comments
7. Correspondence
8. Adjournment

The Authority will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Program Manager at least 24 hours before the meeting, at (925) 686-0619.

08-10-06
LIAI

STATE ROUTE 4 BYPASS AUTHORITY
Antioch - Brentwood - Oakley and Contra Costa County

A JOINT EXERCISE OF POWERS AGENCY

MINUTES

August 10, 2006

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri Delta Transit Meeting Room, 801 Wilbur Avenue, Antioch, California by Vice Chair Donald Freitas at 8:15 P.M.

ROLL CALL

PRESENT: Annette Beckstrand (Brentwood), Brad Nix (Oakley), and Vice Chair Donald Freitas (Antioch)

ABSENT: Chair Mary N. Piepho (Contra Costa County)

STAFF: Dale Dennis, Program Manager

The agenda was taken out of order to consider Public Comment and Consent Items prior to adjourning into Closed Session.

PUBLIC COMMENT

There was no public comment.

CONSENT ITEMS

On motion by Director Nix, seconded by Director Beckstrand, members of the Authority unanimously adopted the Consent Items, as follows:

- A. APPROVED minutes from the July 13, 2006 meeting.
- B. APPROVED a \$10,000 amendment to the Consulting Services Agreement with Anita Tucci-Smith for a revised not-to-exceed total contract amount of \$20,000 for minute taking services, and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.
- C. APPROVED a \$243,662 amendment to the Consulting Services Agreement with the PDM Group Inc. for a revised not-to-exceed total contract amount of \$1,071,578 for program manager services through June 30, 2008, and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.