



Joint Exercise of Powers Agency

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

Board of Directors
Thursday, September 13, 2007
7:00 p.m.
Tri-Delta Transit Meeting Room
801 Wilbur Avenue
Antioch, California

1. Call to Order
2. Public Comment
3. Consent Items
 - A. **APPROVE** Minutes of August 9, 2007 meeting.
 - B. It is recommended that the Board take the following actions:
 1. **APPROVE** the Right of Way Contract and **ACCEPT** the Grant Deed from Contra Costa County Flood Control & Water Conservation District (District), to the State Route 4 Bypass Authority (Authority).
 2. **AUTHORIZE** the Secretary to the Authority, or designee, to execute said Right of Way Contract on behalf of the Authority and **APPROVE** funding in the amount of \$796,500.00.
 3. **AUTHORIZE** the Auditor-Controller to issue a check in said amount payable to Placer Title Company, Escrow # 615-9351, 1981 N. Broadway # 100, Walnut Creek, CA 94596, to be forwarded to the Real Property Division for delivery.
 4. **DIRECT** the Real Property Division of Contra Costa County to have the above referenced Grant Deed delivered to Placer Title Company for recording in the office of the Contra Costa County Recorder.
5. Determination Items
 - A. **RECEIVE** status report on Segment 1, Segment 3 and the Laurel Road Extension projects (*no staff report*).
 - B. **RECEIVE** status report on construction activities for Segment 1, Segment 3 and the Laurel Road Extension projects (*no staff report*).
 - C. Staff recommends the Board not approve a request to extend Soundwall No. 1 in Segment 3 of the SR4 Bypass project by approximately 400 feet at an estimated cost of approximately \$200,000.
 - D. **RECEIVE** a presentation by Merrill Morris, a subconsultant to Mark Thomas and Company, on levels of landscaping for SR4 Bypass corridor and the Laurel Road Extension project and **PROVIDE DIRECTION** to staff, as appropriate.
4. Board Member Comments
5. Correspondence
6. 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.

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

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

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES
August 9, 2007

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri-Delta Transit Meeting Room, 801 Wilbur Avenue, Antioch, California by Chair Donald Freitas at 6:35 P.M.

ROLL CALL

PRESENT: Brad Nix (Oakley)*, Mary N. Piepho (Contra Costa County), Bob Taylor (Brentwood), and Chair Donald Freitas (Antioch)

ABSENT: None

STAFF: Dale Dennis, Program Manager

* Arrived After Roll Call

PUBLIC COMMENT

Kermit Sveen, Brentwood, a resident of the Summerset development, noted that while he had been made aware of the SR4 Bypass at the time of the purchase of his home in 1999, he had not been made aware of the height of the roadbed and the sound wall affecting his home which was near Segment 2 of the Bypass. He presented photographs to the Board and noted that it appeared that if the sound wall was not extended further southward there would be a gap that left some of the homes exposed to noise. He expressed his hope that situation could be resolved.

With respect to landscaping behind the homes along the Bypass, Mr. Sveen expressed his hope for adequate landscaping along that area given the close proximity of the homes to the wall. He objected to the appearance of the sound wall and urged that the landscaping issues be addressed to screen that wall.

Mr. Sveen also asked about the responsible party for speed and noise control on Segment 2 of the Bypass, when completed.

Chair Freitas advised that Caltrans and the California Highway Patrol (CHP) would have jurisdiction over the Bypass when completed and when accepted by Caltrans. He verified that staff was attempting to address the concerns expressed by Mr. Sveen.

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CLOSED SESSION

Chair Freitas adjourned into Closed Session at 6:38 P.M. to consider the following:

- A. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a))
1. *State Route 4 Bypass Authority vs. H. John Bloomfield, Trustees, et. al., Contra Costa County Superior Court No. C05-02371*
 2. *State Route 4 Bypass Authority vs. Christina Nena Custodio, Trustee, et al., Contra Costa County Superior Court No. C05-00373*

Director Nix arrived at 6:54 P.M.

Chair Freitas reconvened into open session at 7:03 P.M. and advised that there was no reportable action from Closed Session.

CONSENT ITEMS

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

- A. APPROVED Minutes of June 14 and July 12, 2007 Meetings.
- B. The Board Took the Following Actions:
1. APPROVED the Purchase and Sale Agreement and ACCEPTED the Grant Deeds and Quitclaim Deeds from Davis, et. al. as listed on Exhibit "A" attached to the staff report dated August 9, 2007.
 2. AUTHORIZED the Secretary or designee to execute said Purchase and Sale Agreement on behalf of the Authority.
 3. APPROVED payment of \$33,000 for said property rights and AUTHORIZED the Auditor-Controller to issue a check in said amount payable to Placer Title Company, 1981 N. Broadway, #100, Walnut Creek, CA 94596, Escrow No. 615-5336, to be forwarded to the Real Property Division for delivery.
 4. DIRECTED the Real Property Division of Contra Costa County to deliver the referenced Grant Deeds and Quitclaim Deeds to Placer Title Company for recording in the office of the Contra Costa County Recorder.