

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES  
March 13, 2003

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri Delta Transit Board Room at 801 Wilbur Avenue, Antioch, California by Chair Donald Freitas at 7:31 P.M. after having met in Closed Session at 6:35 P.M. for Public Employee Appointment, Transportation Program Manager and to discuss litigation regarding SR4 Bypass Authority vs. Eli Reinhard et al, Case Nos. C01-02050 and C99-01998. There was nothing to report.

**ROLL CALL**

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

ABSENT: Federal Glover (Contra Costa County)

STAFF: Lowell Tunison, Supervising Civil Engineer/Project Manager

**DETERMINATION ITEMS**

A. APPROVE Minutes of February 13, 2003 Meeting

On motion by Brad Nix, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED the minutes of the February 13, 2003 meeting, as submitted.

B. APPROVE Actions Necessary to Execute a Purchase and Sale Agreement with Shea Homes Limited Partnership in the Amount of \$423,000 for Property in Segment 2

On motion by Brad Nix, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED the Purchase and Sale Agreement and ACCEPTED Grant Deed from Shea Homes Limited Partnership and AUTHORIZED the Secretary or his designee to execute said Purchase and Sale Agreement on behalf of the State Route 4 Bypass Authority; APPROVED payment of \$423,000 for said property rights and AUTHORIZED the County Auditor-Controller to issue a check in said amount to First American Title Co., Pleasanton, California, Escrow No. 610872 to be forwarded to the Real Property Division for delivery; and DIRECTED the Real Property Division to have the above referenced Grant Deed recorded in the Office of the County Recorder.

C. ACCEPT Status Report on Projects by Project Manager on Funding Strategies

Supervising Civil Engineer/Project Manager Lowell Tunison reported that he had been in discussions with East County City Managers to discuss the possibilities for speeding up financing. He introduced the City Manager of Brentwood to describe some of those discussions.

John Stevenson, Brentwood City Manager explained that the City of Brentwood sold 1315 Bonds to build large infrastructure projects or to prepay fees so that the City had money to build its own facilities. He suggested that over a three year period \$40 million in bonds could be sold in Brentwood, potentially \$10 to \$20 million in Oakley and something approaching \$10 million or a worst case scenario in Antioch, which he suggested should guarantee the construction of both segments of the State Route 4 Bypass.

Mr. Stevenson suggested that if the economy remained as is or slightly improved, there would be enough money in the normal collection of fees that bonds would not have to be considered, although he suggested that the sale of bonds would offer an insurance policy. With agreement, he stated that all East County jurisdictions could require new subdivisions to keep collecting fees and if there was a problem all jurisdictions could sell bonds on new development. He stated that those bonds would be repaid by the homes over a 30 year period with no risk to the SR4 Bypass Authority or to any of the jurisdictions.

Chair Freitas sought a more detailed explanation of how that could work.

Brad Nix noted that he had been told that if the bonds were in the process the Authority would be charged no carrying cost.

Mr. Stevenson affirmed that was the case and noted that if trying to max out the value of the bonds and if the fees were in the \$20,000 per lot range, there would be a problem. He stated that if the fees were not that high, the value of a single family residential lot could handle \$15,000 to \$18,000 per lot. There was typically a 22 percent cost of issuance, which would be a cost of the developer. He noted a typical 3:1 value of the lot in that the value of the lot was three times the amount of the bonds to be sold offering excellent security.

Mr. Nix clarified that the bonds could cover the Authority's fees and even the local fees if that was what was determined. By doing that it would offer money up front to speed up projects and allow the Authority to proceed immediately with the work to be done.

Mr. Stevenson commented that Brentwood typically sold bonds once a year. Using a 400 unit subdivision as an example, selling homes for four years, the sale of the bonds would allow four years worth of fees up front. He added that it would be easy to prepay several years up front to have all the money available when starting construction.

Donald Freitas inquired what would occur if the economy was such that the homes would not sell. He noted that a growth control ordinance was now restricting the amount and he inquired how that would work with regards to an allocation system. He was advised that the security was the tentative map and the approval of the property.

Mr. Tunison stated that at the suggestion of the managers a financial analyst would be asked to evaluate the issue and present alternatives and identify ramifications of proceeding with such a bond process.

Donald Freitas sought other alternatives as well and noted that the intent was to have available money when developing the project.

D. ACCEPT Status Report on Replacement of Project Management

Julie Bueren, Deputy Public Works Director, Contra Costa County Public Works Department, reported that the Department was proceeding to replace Transportation Project Manager Lowell Tunison. To that end, the Mills Group recruiting firm had been retained to pursue a hiring, Ads had been posted on the web site. The closing date was March 21, 2003. A status report would be offered at the next meeting.

Ms. Bueren announced that Mr. Tunison's retirement date was April 17, 2003.

E. APPROVE an Amendment to the Agreement for Real Property Services with Burchard and Reinhart for an Additional \$25,000 and AUTHORIZE the Secretary or His Designee to Execute Said Agreement on Behalf of the State Route 4 Bypass Authority

Mr. Tunison stated that Burchard and Reinhart provided the Authority with its appraisal services and the firm's contract needed to be extended.

On motion by Brad Nix, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED an Amendment to the Agreement for Real Property Services with Burchard and Reinhart for an Additional \$25,000 and AUTHORIZED the Secretary or his Designee to execute said Agreement on behalf of the State Route 4 Bypass Authority

### **MEMBER AND EX-OFFICIO REPORTS**

There were no Member or Ex-officio reports.

### **CORRESPONDENCE**

#### E-mail from the Mendoncas Regarding Soundwalls and Fencing

Mr. Tunison explained that there had been a discussion regarding budget and maintenance and the e-mail related to an access concern raised for a section of the SR4 Bypass north of the existing sound wall. He stated that he would be working with the property owners to understand the concerns. He added that the previous agricultural fence would be replaced with a chain link fence for security purposes.

Mr. Tunison took this opportunity to introduce Nancy Wein from the Public Works Department who had done much of the work for the Authority. He thanked Nancy for all her hard work.

### **PUBLIC COMMENTS**

Carol Jensen, a Boardmember of the John Marsh Historic Trust urged the Authority to consider renaming the SR4 Bypass to *John Marsh Parkway* since the roadway ran directly in front of the John Marsh home. She advised that any member of the John Marsh Historic Trust would be pleased to provide information regarding John Marsh and explain why the renaming of the Bypass would be worthwhile. She offered to facilitate the renaming process if needed.

Annette Beckstrand stated that the request had previously been made of the Authority and the Authority had forwarded that request to each City for approval prior to Authority action. She stated that the City of Brentwood had approved the item at its last meeting.

Mr. Tunison reported that correspondence with respect to the renaming had been submitted to each City Manager. He advised that the request would also be submitted to the County Board of Supervisors for its approval as well. A status report would be offered at the next meeting.

Bruce Ohlson, representing the East Bay Bicycle Coalition and the Delta Pedalers reiterated his request offered at the last meeting to authorize and fund a multi-use trail crossing of the SR4 Bypass for the Mokelumne Aqueduct Trail.

SR4 Bypass Authority Minutes  
March 13, 2003  
Page 5

Dick Anderson, also a member of the East Bay Bicycle Coalition and the Delta Pedalers supported the request and commented that with gasoline at \$2.25 a gallon, bicycling offered an excellent alternative method of transportation. He added that cycling needed to be made safer and a bridge over the SR4 Bypass would create a safer facility.

**ADJOURNMENT**

With no further business to come before the State Route 4 Bypass Authority, Chair Freitas adjourned the meeting at 7:50 P.M. to the meeting on April 10, 2003.

Respectfully submitted,

Anita L. Tucci-Smith  
Minutes Clerk