

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES  
January 10, 2002

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri-Delta Transit Meeting Room at 801 Wilbur Avenue, Antioch, by Chair Brad Nix at 8:36 P.M.

**ROLL CALL**

PRESENT: Nobel Elcenko (Contra Costa Water District, ex-officio), Donald Freitas (Antioch), Federal Glover (Contra Costa County), Wade Gomes (Brentwood), Chair Brad Nix (Oakley)

ABSENT: None

STAFF: Lowell Tunison, Supervising Civil Engineer/Project Manager

**DETERMINATION ITEMS**

A. ELECTION of a Chair and Vice Chair for 2002

On motion by Wade Gomes, seconded by Brad Nix, members of the Authority unanimously continued the rotation of officers, with the representative from Contra Costa County to serve as the Chair and with the City of Antioch representative to serve as the Vice Chair. **Federal Glover** was selected as the Chair and **Donald Freitas** was selected as the Vice Chair of the State Route 4 Bypass Authority, to serve until December 31, 2002.

Federal Glover chaired the meeting at this time.

B. APPROVE Minutes of the November 8, 2001 Meeting (No Meeting on December 13, 2001 due to lack of quorum)

On motion by Wade Gomes, seconded by Brad Nix, members of the Authority APPROVED the minutes from the November 8, 2001 meeting, with Donald Freitas abstention due to absence.

C. APPROVE Segment 2 Contract Change Orders

Supervising Civil Engineer/Project Manager Lowell Tunison reported that the bicycle grate for the roadway had been prepared as part of the Change Orders.

Bruce Ohlson, Pittsburg, representing the East Bay Bicycle Coalition reported that the bicycle community was very pleased that the bicycle grates would be included.

On motion by Brad Nix, seconded by Donald Freitas, members of the Authority APPROVED Contract Change Order No. 33, Supplement 4 and Change Order No. 34 in the estimated total amount of \$32,500, and AUTHORIZED the Secretary or his designee to execute them.

D. APPROVE Right of Way Contracts for Segments 1 and 2 project and AUTHORIZE Payment in Accordance with the Agreements

Mr. Tunison clarified that the total involved in the Right of Way contracts involved interest from October 1, as prescribed by law.

On motion by Donald Freitas, seconded by Wade Gomes, members of the Authority APPROVED the Right of Way Contract and ACCEPTED Grant Deed from Ronald E. Nunn, AUTHORIZED the Secretary or his designee to execute said Right of Way Contract on behalf of the State Route 4 Bypass Authority, APPROVED Payment of \$1,278,868 for said property rights and AUTHORIZED the Auditor-Controller to issue a check in said amount to Ronald E. Nunn 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.

E. APPROVE a Consulting Services Agreement Amendment with Sugimura and Associates to Extend the Term of the Contract to Continue to Provide Landscaping Design Services for the Soundwall in Segment 2, and AUTHORIZE the Secretary or His Designee to Execute it on Behalf of the Authority

Mr. Tunison advised of the need to install landscaping behind the fence between the soundwall and the fence and reported that any other arrangements in the future would be by Caltrans. In the interim, the Authority would be responsible for the maintenance of that element, to be contracted out for service.

On motion by Donald Freitas, seconded by Brad Nix, members of the Authority APPROVED the Consulting Service Agreement Amendment with Sugimura and

Associates to extend the term of the contract to continue to provide landscaping design services for the soundwall in Segment 2, and AUTHORIZED the Secretary or his designee to execute it on behalf of the Authority.

- F. APPROVE a Consulting Services Agreement Amendment with Mark Thomas and Company to Extend the Term of the Contract to Continue to Perform Design Services for Segment 1, and AUTHORIZE the Secretary or His Designee to Execute it on Behalf of the Authority

On motion by Wade Gomes, seconded by Brad Nix, members of the Authority APPROVED a Consulting Services Agreement Amendment with Mark Thomas and Company to extend the term of the contract to continue to perform design services for Segment 1, and AUTHORIZED the Secretary or his designee to execute it on behalf of the Authority.

- G. ACCEPT Audit Report for the Fiscal Year Ending June 30, 2001

Mr. Tunison advised that the Audit Report was a standard procedure and had been prepared prior to the end of the year as previously requested by the Authority.

Donald Freitas referred to Page 7 of the Audit Report with respect to the Habitat Conservation Plan and the deposit of \$390,550 into a trust account. He inquired whether or not that total continued to escalate due to interest.

In response, Mr. Tunison identified a separate trust fund where the interest accrued. He further explained that the cost associated with the preparation of the plan was \$400,000 and the remainder would be in reserve for acquisition at some future date.

On motion by Donald Freitas, seconded by Wade Gomes, members of the Authority ACCEPTED Audit Report prepared by Patel and Associates, Certified Public Accountants, for the Fiscal Year ending June 30, 2001.

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

Wade Gomes clarified with Mr. Tunison that the progress of the Segment 2 project was good with completion anticipated in March dependent upon the weather.

Donald Freitas expressed a desire for a grand opening ceremony and Mr. Tunison noted that discussions had occurred with the City of Brentwood to plan an event.

#### **CORRESPONDENCE**

There was no correspondence other than that which had been included in the meeting

packet.

### **PUBLIC COMMENTS**

Bruce Ohlson expressed concern with the north alignment of the bypass road, which did not allow for bicycle lanes. He stated that the bicycle community would like a change order to provide appropriately sized bicycle lanes on both sides of the street.

Mr. Freitas did not support bicycle lanes on both sides of the road. He recommended that the item be agendaized for discussion, although Mr. Tunison clarified the role of the Authority as acting as an agent between the two applicable cities; Antioch and Brentwood.

Mr. Freitas stated that he would meet with Mr. Ohlson and staff to address the situation.

Buzz Walker, Brentwood, identified himself as the owner of a piece of property in Brentwood at the corner of Lone Tree Way and Jeffrey Road. He inquired whether or not the regional bicycle trail already planned would or would not dead end at the end of Lone Tree and Jeffrey Road but extend across the street through the industrial park complex along the northern segment.

City of Antioch Traffic Engineer Ed Franzen expressed his understanding that the regional bicycle trail would extend across the street through the industrial park complex along the northern segment.

### **ADJOURNMENT**

With no further business to come before the State Route 4 Bypass Authority, Chair Glover adjourned the meeting at 8:45 P.M. to the next regular meeting set for February 14, 2002.

Respectfully submitted,

Anita L. Tucci-Smith  
Minutes Clerk