

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES
April 10, 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 7:30 P.M.

ROLL CALL

PRESENT: Federal Glover (Contra Costa County), Brad Nix (Oakley), and Chair Donald Freitas (Antioch)

ABSENT: Annette Beckstrand (Brentwood)

STAFF: Lowell Tunison, Supervising Civil Engineer/Project Manager

DETERMINATION ITEMS

A. APPROVE Minutes of March 13, 2003 Meeting

On motion by Brad Nix, seconded by Donald Freitas, members of the Authority APPROVED the minutes of the March 13, 2003 meeting, as submitted, with Federal Glover's abstention.

B. APPROVE Agreement for Maintenance and Electrical Facility Cost Sharing of the State Route 4 Bypass Between the Authority and the City of Brentwood and AUTHORIZE the Secretary or His Designee to Execute It

Supervising Civil Engineer/Project Manager Lowell Tunison presented a copy of the final agreement after revision by Legal Counsel to provide basic maintenance of the SR4 Bypass roadway and signals, not to exceed \$85,000 annually. He recommended approval of the agreement.

Donald Freitas had a number of questions with respect to the agreement, specifically Item 5A where the actual cost of routine maintenance was referenced but not defined, Item 5C and elsewhere where the parties involved had not been defined, Item 7B with respect to maintenance services where no rate structure or other details had been defined, and Item 12 where a termination was allowed upon 30 days written notice. With respect to Exhibits A and B, he commented that the references had not been included and that the language was confusing.

Mr. Freitas sought more specific detail and definition and suggested that it would be more prudent to impose a six month termination clause to allow the Authority an opportunity to provide a substitute agreement. He was not comfortable approving the item at this time pending a clarification of his questions.

Mr. Tunison explained that the parties involved were the State Route 4 Bypass Authority and the City of Brentwood, that the actual, normal cost would be paid by City of Brentwood labor or actual contract expenditures, and that maintenance services would be provided by contract or unit basis with overhead costs allowed. He added that the intersection cost was looking at the signal maintenance and electricity costs to run the signal and that it would be easy to identify those costs.

Mr. Tunison advised that the details would be provided and the item would be returned to the Authority for approval.

C. ACCEPT Report From Staff on Request to Name the State Route 4 Bypass the John Marsh Parkway

Mr. Tunison explained that the three applicable City Councils had considered and approved the general approach of renaming the SR4 Bypass as the John Marsh Parkway. Given the onerous requirements to allow that renaming, as outlined in the staff report, he questioned whether or not the Authority wished to continue the process.

Brad Nix suggested that there was a communication problem. Noting some of the issues that appeared to complicate the request, he stated that the request was simply to rename a portion of the SR4 Bypass adjacent to the John Marsh home. He stated that there was precedence in the California State Highway system where segments of roadways had previously been named for individuals.

Mr. Tunison stated that when Caltrans accepted the roadway, it would be State Route 4. If redesignating a particular stretch of that roadway in honor of some person, he stated that would require legislation through the State Legislature.

Brad Nix suggested a placement of the name on a sign or signs in the area and when turning over the roadway to Caltrans the issue of an official renaming could be addressed at that time. There was Authority consensus to do that.

Donald Freitas noted for the record that the Antioch City Council had expressed concern with the renaming request as a result of how John Marsh had treated the native population. He had otherwise been directed by his Council to vote his conscience.

Mr. Tunison reported that he would prepare an alternative and forward that alternative to the Authority at its next meeting in May.

D. APPROVE Clarification of the Existing Powers of the Secretary to Approve and Sign Agreements Under \$25,000

Mr. Tunison explained that in 1996 the Board authorized the Secretary to sign consulting service agreements under \$25,000 to expedite the processing of those types of documents between the regularly scheduled monthly meetings. He described a number of missed opportunities that had been discovered where smaller agreements had waited for Board action. To address that concern, the request was to remove the restriction of consulting service agreements and to refer simply to "sign agreements." He characterized the request as strictly with the Auditor-Controller.

On motion by Federal Glover, seconded by Brad Nix, members of the Authority unanimously APPROVED clarification of the existing powers of the Secretary to approve and sign agreements under \$25,000 and AUTHORIZED the Secretary to approve and sign agreements related to the design and technical and environmental studies required for the implementation of Segments 1, 2 and 3 of the State Route 4 Bypass.

E. AUTHORIZE New Designee for Secretary of the Authority

Julie Bueren, Deputy Public Works Director, Contra Costa County Public Works Department explained that the request was to add her name as a staff member to sign requisitions, professional service agreements, contract payments, demands, contract change orders, and other related documents on behalf of the Secretary, necessary to provide expeditious action on Authority business in the absence of the County Public Works Director and pending a replacement of the Project Manager.

On motion by Federal Glover, seconded by Brad Nix, members of the Authority unanimously AUTHORIZED additional Authority staff to sign as designee for the Secretary.

MEMBER AND EX-OFFICIO REPORTS

There were no Member or Ex-officio reports.

CORRESPONDENCE

Mr. Tunison referenced for the Authority's information the letter from Public Works Director Maurice Shiu dated April 1, 2003 regarding State Route 239.

PUBLIC COMMENTS

BRUCE OHLSON, Pittsburg, representing the East Bay Bicycle Coalition and the Delta Pedalers noted his understanding that the new bridge over the SR4 Bypass and the Mokelumne Aqueduct Trail was to have been on the agenda for discussion. He noted his understanding that the item would be addressed on a future agenda, at which time he would offer his comments.

ADJOURNMENT

With no further business to come before the State Route 4 Bypass Authority, Chair Freitas adjourned the meeting at 7:53 P.M. to the next meeting scheduled for 7:45 A.M., April 11, 2003 at Antioch City Hall, Third and H Streets, Third Floor Conference Room in Joint Closed Session with the East Contra Costa Regional Fee and Financing Authority and the East County Transportation Improvement Authority, after which a regular meeting had been scheduled for May 8, 2003.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk