



Joint Exercise of Powers Agency

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

AGENDA Board of Directors

Thursday, December 11, 2025

6:30 p.m.

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

This is an in-person meeting of the Board of Directors with the option for members of the public to appear in person or to participate via Zoom teleconference. Persons who wish to address the Board during public comment or with respect to an item on the agenda may comment in person or may call in or log in to the meeting via Zoom.

To participate by phone, dial +1 669 444 9171 US.

The meeting ID is 918 0761 7245 Passcode: 957172

To participate online using Zoom, hold down CTRL + click the following:

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Meeting ID: 918 0761 7245 Passcode: 957172

If the Zoom connection malfunctions for any reason, the meeting may be paused while a fix is attempted. If the connection is not reestablished, the Board will continue the meeting in person without remote access.

Public comments will generally be limited to two minutes. The Board Chair may reduce the amount of time allotted for each public comment at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated. A break may be called at the discretion of the Board Chair. At the discretion of the Board Chair, agenda items may be considered out of order.

In lieu of making public comments at the meeting, members of the public also may submit public comments before or during the meeting by emailing comments to Program Manager Dale Dennis at Dale.Dennis@pw.cccounty.us. If you have difficulty emailing a public comment, please contact Dale Dennis at (925) 595-4587.

All comments submitted by email to the above email address before the conclusion of the meeting will be included in the record of the meeting. When feasible, the Board Chair, or designated staff, also will read the comments into the record at the meeting, subject to a two-minute time limit per comment.

To obtain a copy of a staff report or other written materials related to an open session item on the agenda, please contact Dale Dennis by email to Dale.Dennis@pw.cccounty.us, or by phone at (925) 595-4587.

Board of Directors:

Susannah Meyer, City of Brentwood - Chair
Aaron Meadows City of Oakley Vice-Chair
Shanelle Scales-Preston, Contra Costa County
Ron Bernal, City of Antioch

Authority Staff Office:

Contra Costa County
255 Glacier Drive
Martinez, CA 94553
(925) 313-2000

AGENDA
December 11, 2025

1. Call to Order
2. Public Comment
3. Consent

A. APPROVE minutes of the September 11, 2025 Board of Directors meeting (October and November meetings cancelled).

B. Sale of Sand Creek Road Parcel. – Staff Recommends the Board take the Following Actions:

- i. **APPROVE** and **AUTHORIZE** the Program Manager, or designee, to execute a Fifteenth Amendment to the purchase and sale agreement with LRG Investors, LLC, to extend the Due Diligence Period termination date, from December 11, 2025, to June 30, 2026, in connection with the sale of 5.29 acres of Authority-owned property, identified as APN 019-110-074, at Sand Creek Road and State Route 4, in Brentwood.
- ii. **AUTHORIZE** the Program Manager to execute, on behalf of the Authority, additional amendments to the purchase and sale agreement to provide up to three additional 90-day extensions of the Due Diligence Period beyond June 30, 2026, provided no other changes are made to the agreement, and the County Counsel, or designee, approves each amendment as to form.

C. APPROVE and **AUTHORIZE** the County Counsel, or designee, to execute, on behalf of the Authority, a legal services contract with Nossaman, LLP, effective December 11, 2025, for specialized eminent domain and real property legal services.

4. Determination

No Determination Items.

5. Boardmember Comments

6. Adjournment

The Authority will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact Staff at least 24 hours before the meeting, at (925) 595-4587. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the State Route 4 Bypass Authority to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection at 255 Glacier Drive, Martinez, CA during normal business hours.

Board of Directors:

Susannah Meyer, City of Brentwood - Chair
Aaron Meadows, City of Oakley - Vice Chair
Shanelle Scales-Preston, Contra Costa County
Ron Bernal, City of Antioch

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

JOINT EXERCISE OF POWERS AGENCY

September 11, 2025

The regular meeting of the STATE ROUTE 4 BYPASS AUTHORITY was convened as an in-person meeting with the option for members of the public to appear in person or to participate via Zoom teleconference. Members of the public were permitted to participate in the meeting online, or by telephone, and in lieu of making public comments at the meeting, members of the public could submit public comments before or during the meeting through Dale.Dennis@pw.cccounty.us.

Vice Chair Aaron Meadows called the meeting to order at 6:31 P.M.

ROLL CALL

PRESENT: Ron Bernal (Antioch), Diane Burgis, Alternate for Shanelle Scales-Preston (Contra Costa County), and Vice Chair Aaron Meadows (Oakley)

ABSENT: Chair Susannah Meyer (Brentwood)

STAFF: Dale Dennis, Program Manager
Stephen Siptroth, Assistant County Counsel

PUBLIC COMMENT

No written comments were submitted, or oral comments made, by any member of the public.

CONSENT ITEMS

No written comments were submitted, or oral comments made, by any member of the public.

On motion by Director Burgis, seconded by Director Bernal, the Authority APPROVED the Consent Items, as follows:

- A. APPROVED minutes of the June 2025 meeting (July and August 2025 meetings cancelled).
- B. **Vasco Road Safety Improvements – Phase 2 Project:** The Board took the following actions:
 - 1. ACCEPTED responsibility to be the Implementing Agency for the Vasco Road Safety Improvements – Phase 2 Project.

2. APPROVED the Joint Exercise of Powers Agreement among Contra Costa County, the East Contra Costa Regional Fee and Financing Authority, and the State Route 4 Bypass Authority for the Vasco Road Safety Improvements – Phase 2 Project, substantially in the form attached to the staff report dated September 11, 2025, and AUTHORIZED the Secretary or designee to execute, on behalf of the Bypass Authority, the Agreement inclusive of any non-substantive changes that are negotiated by the Secretary or designee and do not result in any increased cost or liability to the Bypass Authority.
3. APPROVED a contract with Mark Thomas & Company, Inc., in the amount not-to-exceed \$1,800,000 to provide design services for the Vasco Road Safety Improvements – Phase 2 Project during the period from September 11, 2025 through March 31, 2028 and AUTHORIZED the Secretary or designee to execute, on behalf of the Bypass Authority.
4. APPROVED an amendment to the contract between the Bypass Authority and PDM Group, Inc. in the amount of \$289,000, effective September 11, 2025, to provide project management services for the Vasco Road Safety Improvements – Phase 2 Project through June 30, 2027, and AUTHORIZED the Secretary or designee to execute, on behalf of the Bypass Authority.

The motion carried by the following Roll Call vote:

AYES: Bernal, Burgis, Meadows
NOES: None
ABSTAIN: None
ABSENT: Meyer

DETERMINATION

- A. **Vasco Road Safety Improvements – Phase 2 Project:** APPROVE Agreement No. 729 with the Contra Costa Transportation Authority (CCTA), effective September 17, 2025, authorizing CCTA to program \$4.883 million in Senate Bill 1 Formulaic Local Partnership Program Funds LPP-F funds to the Vasco Road Safety Improvements – Phase 2 Project, in exchange for return of regional transportation demand impact mitigation funds in the amount of \$4.395 million, for realized income in the amount of \$488,000, and AUTHORIZE the Secretary, or designee, to execute, on behalf of the Bypass Authority, the Agreement inclusive of any non-substantive changes negotiated by the Secretary or designee.

Program Manager Dale Dennis explained the CCTA had approached the State Route 4 Bypass Authority to program Local Partnership Program Funds (LPP-F) to the Vasco Road Safety Improvements – Phase 2 Project as a loan or exchange.

The benefit to the Bypass Authority would be a discount rate of 10 percent (\$488,000), and due to restrictions on programming LPP-F funds, the CCTA would have more flexibility in the use of the funds.

Mr. Dennis recommended approval of the staff recommendation in the staff report dated September 11, 2025.

BRUCE OHLSON, aka Mr. Bicycle, reported that the East County bicycle community wanted to be assured that the Vasco Road Safety Improvements – Phase 2 Project would also include safety improvements for bicyclists.

On motion by Director Bernal, seconded by Director Burgis the Authority APPROVED Agreement No. 729 with the Contra Costa Transportation Authority (CCTA), effective September 17, 2025, authorizing CCTA to program \$4.883 million in Senate Bill 1 Formulaic Local Partnership Program Funds LPP-F funds to the Vasco Road Safety Improvements – Phase 2 Project, in exchange for return of regional transportation demand impact mitigation funds programmed for the project in the amount of \$4.395 million, for realized income in the amount of \$488,000, and AUTHORIZED the Secretary, or designee, to execute, on behalf of the Bypass Authority, the Agreement inclusive of any non-substantive changes negotiated by the Secretary or designee. The motion carried by the following Roll Call vote:

AYES: Bernal, Burgis, Meadows
NOES: None
ABSTAIN: None
ABSENT: Meyer

BOARDMEMBER COMMENTS

There were no Boardmember comments.

ADJOURNMENT

Vice Chair Meadows adjourned the meeting of the State Route 4 Bypass Authority at 6:35 P.M., to Thursday, October 9, 2025, at 6:30 P.M. or other day/time deemed appropriate.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: December 11, 2025

TO: Board of Directors

FROM: Dale Dennis, Program Manager *DD*

SUBJECT: State Route 4 Bypass Authority – State Route 4 Project (Formally State Route 4 Bypass). Brentwood Area. [SCH# 89032824, SCH# 1989032824] Project Number: 4660-6X4444

Recommendation: Staff recommends the Board:

1. **APPROVE** and **AUTHORIZE** the Program Manager, or designee, to execute a Fifteenth Amendment to the purchase and sale agreement with LRG Investors, LLC, to extend the Due Diligence Period termination date, from December 11, 2025, to June 30, 2026, in connection with the sale of 5.29 acres of Authority-owned property, identified as APN 019-110-074, at Sand Creek Road and State Route 4, in Brentwood.
2. **AUTHORIZE** the Program Manager to execute, on behalf of the Authority, additional amendments to the purchase and sale agreement to provide up to three additional 90-day extensions of the Due Diligence Period beyond June 30, 2026, provided no other changes are made to the agreement, and the County Counsel, or designee, approves each amendment as to form.

Discussion:

On June 11, 2020, the Authority and LRG Investors, LLC, entered into a purchase and sale agreement ("Agreement") to sell an approximately 5.29-acre parcel of Authority-owned property, identified as APN 019-110-074, adjacent to State Route 4 and Sand Creek Road, in Brentwood.

LRG's efforts to market the Property have been ongoing for over five years. During that time, the commercial real estate market in the Brentwood area has changed and it has become more

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ____ **OTHER** ____

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

challenging for LRG to engage and finalize commitments with prospective tenants. LRG and the Authority desire to amend the Agreement to extend the Due Diligence Period through June 30, 2026, to allow LRG to continue marketing the Property.

Staff recommends that the Board approve a fifteenth amendment to the Agreement for the above Property to extend the Due Diligence Period from December 11, 2025, to June 30, 2026. Staff also recommends authorizing the Program Manager to approve up to three additional 90-day extensions of the Due Diligence Period beyond June 30, 2026, provided no other material changes are made to the Agreement, as previously amended.

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: December 11, 2025

TO: Board of Directors

FROM: Dale Dennis, Program Manager *DD*

SUBJECT: Approve a Legal Services Contract with Nossaman, LLP

Recommendation: **APPROVE** and **AUTHORIZE** the County Counsel, or designee, to execute, on behalf of the Authority, a legal services contract with Nossaman, LLP, effective December 11, 2025, for specialized eminent domain and real property legal services, as recommended by the Program Manager.

Background:

For over 15 years, Robin L. Thornton has provided the Bypass Authority specialized eminent domain and real property legal services when requested by the County Counsel's Office, which serves as legal counsel to the Bypass Authority. Recently, Ms. Thornton left her previous law firm to take a position with Nossaman, LLP. Under this new legal services contract, Nossaman, LLP, will charge the Bypass Authority the following hourly rates for legal services performed by Ms. Thornton and other firm attorneys and paralegals:

	<u>Through 12/10/26</u>	<u>After 12/10/26</u>
Partners	\$450 per hour	\$475 per hour
Associates	\$450 per hour	\$450 per hour
Paralegals	\$275 per hour	\$275 per hour

Expenses the firm incurs will be reimbursed at actual cost. The County Counsel, or designee, and Ms. Thornton may update the exhibit to the contract listing firm attorneys and paralegals who will perform services for the Bypass Authority, as needed, to reflect staffing changes on matters referred to the firm.

The Program Manager recommends that the Board approve this legal services contract.

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ____ **OTHER** ____

VOTE OF DIRECTORS

_____ **UNANIMOUS (ABSENT** _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority