

FIRST AMENDMENT TO JOINT EXERCISE
OF POWERS AGREEMENT FOR ROUTE
ADOPTION OF THE DELTA EXPRESSWAY

1. Effective Date and Parties: Effective October 23, 1990, the County of Contra Costa, a political subdivision of the State of California organized and existing under the laws of the State of California (herein called the "County"), the City of Brentwood, a municipal corporation duly organized and existing under and by virtue of the laws of the State of California (herein called "Brentwood"), and the City of Antioch, a municipal corporation duly organized and existing under and by virtue of the laws of the State of California (herein called "Antioch"), mutually agree as follows:

2. Purpose: The parties desire to amend the agreement they entered into effective February 28, 1989, entitled "JOINT EXERCISE OF POWERS AGREEMENT FOR ROUTE ADOPTION OF THE DELTA EXPRESSWAY." The original agreement covers the preparation and certification of an environmental document and the adoption of a precise alignment for the Delta Expressway, which is proposed to stretch from the State Route 4/160 junction in Antioch to State Route 4 south of Brentwood. The parties mutually wish to expand the scope and funding of the original agreement to include environmental review and

adoption of a precise alignment for additional roadway connecting the Delta Expressway with Contra Costa Water District's project for the relocation of Vasco Road.

3. Amendments to Original Agreement:

A. Revise Section 1.a to read as follows:

"Agreement" means this Joint Exercise of Powers Agreement, including all amendments thereto."

B. Revise Section 1.j to read as follows:

"'Project' means the preparation and certification of an environmental document and the adoption by the Authority (subject to approval or concurrence by each of the Participants of a precise alignment for: (1) the State Route 4 Bypass (Delta Expressway) from the State Route 4/160 interchange in Antioch to State Route 4 south of Brentwood; and (2) the connection between the southern portion of the Delta Expressway and the northern end of the Vasco Road relocation project."

C. In Section 2, revise the first sentence of the second paragraph to read as follows:

"Each of the Participants desires to assist in the development of the Project and, to accomplish that goal, is willing to assist in financing the Project."

D. Revise Section 6.e to read as follows:

"Adopt a precise alignment for the Project subject to approval or concurrence by each of the Participants."

E. Revise Section 10 to read as follows:

"The estimated cost to perform the work outlined in Section 7 is as follows:

| | |
|-----------------------------------|------------|
| Task 1 | \$335,000 |
| Task 2 | 185,000 |
| Project Administration/Management | 270,000 |
| | <hr/> |
| Total | \$790,000" |

F. In Section 11, revise the estimated costs and percentages as follows:

| | |
|------------|-----------|
| "Antioch: | \$170,700 |
| Brentwood: | 285,200 |
| County: | 334,100 |

| | |
|------------|-----|
| Antioch: | 22% |
| Brentwood: | 36% |
| County: | 42% |

(Biotic survey portion of Task 1 to be shared 11%
Antioch, 34% Brentwood, and 55% County)"

4. Effect: Except as modified by this Amendment, all provisions of the original agreement shall remain in full force and effect.

CONTRA COSTA COUNTY
a political subdivision of
the State of California

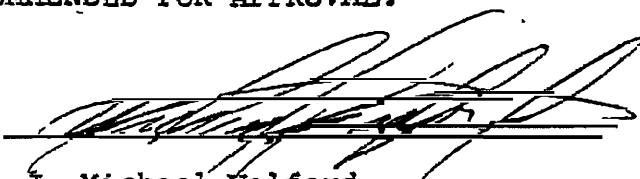
X By: Nancy C. Falden
Nancy C. Falden, Chairwoman
Board of Supervisors

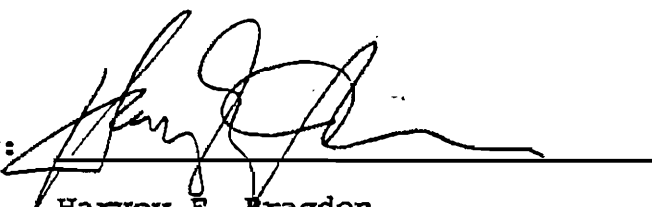
ATTEST:

Phil Batchelor, Clerk of the Board
of Supervisors and County Administrator

By: Barbara Sideri
Deputy

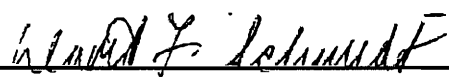
RECOMMENDED FOR APPROVAL:

By: 
J. Michael Walford
Public Works Director

By: 
Harvey E. Bragdon
Director of Community Development

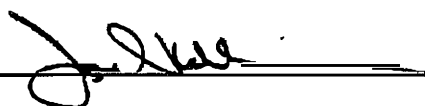
FORM APPROVED:

Victor J. Westman, County Counsel

By: 
Deputy

CITY OF ANTIOCH

a municipal corporation

By: 
Joel Keller, Mayor

ATTEST:

By: Florence V. Rundall

Florence V. Rundall

City Clerk

APPROVED AS TO FORM:

By: William R. Galstan

William R. Galstan

City Attorney

CITY OF BRENTWOOD

a municipal corporation

By: Catherine Palmer

Catherine Palmer Mayor

ATTEST:

By: Vilma R. Greelman

Vilma R. Greelman

City Clerk

APPROVED AS TO FORM:

By: Dale C. Adams

Dale C. Adams

City Attorney