

# Voting Log

March 10, 2009

Subject

Becnel Brockman Richey Stonebarger Taylor

Legend: Y=Yes N=No A=Absent Absn=Abstain

1. Approved minutes of the City Council/Redevelopment Agency meeting of February 24, 2009. (M. Wimberly)	Y	Y	A	Y	Y
2. Approved the appointment of Rick Fuller to a term on the Brentwood Advisory Neighborhood Committee and accept the resignation of Jeffery Altman from the Brentwood Advisory Neighborhood Committee (BANC). (C. Bronzan/P. Scherff/B. Gary)	Y	Y	A	Y	Y
3. Adopted Resolution 2009-043 authorizing the City Engineer to temporarily close Concord Avenue from Ventura Drive to Briones Valley Road, for a period of eight months with a possible two month extension to accommodate any unforeseen conditions at the discretion of the City Engineer, to facilitate and expedite the construction of John Muir Parkway Extension/Foothill Drive - Phase I, CIP Project No. 336-31640 and John Muir Parkway Extension - Phase II, CIP Project No. 336-31683. (B. Grewal/A. Salam)	Y	Y	A	Y	Y
4. Adopted Resolution 2009-044 authorizing the execution of a Quitclaim Deed terminating any interest the City of Brentwood may have in an Offer of Dedication for storm, flood and surface water drainage to Matthew E. Dutra. (B. Grewal/P. Eldredge/J. Dhaliwal)	Y	Y	A	Y	Y
5. Adopted Resolution 2009-045 approving the following actions: (1) accepting a Grant Deed from Contra Costa County Flood Control District ("CCCFCD") for Adams Lane; (2) authorizing the City Manager or designee to execute a Grant of Easement for waterline purposes from CCCFCD, and such other documents as may be needed to complete the transaction over a portion of real properties, generally located between Lone Tree Way and Grant Street, hereby accepting real properties on behalf of the City; and (3) authorizing the City Manager or designee to execute a Grant of Easement to CCCFCD, hereby conveying a portion of real property for access purposes and such other documents as may be needed to complete the transaction. (B. Grewal/P. Eldredge)	Y	Y	A	Y	Y

CITY COUNCIL AGENDA ITEM NO.  5

**Meeting Date:** March 10, 2009

**Subject/Title:** Adopt a Resolution accepting a Grant Deed for Adams Lane, executing a Grant of Easement for waterline purposes from Contra Costa County Flood Control and conveying a Grant of Easement for access purposes to Contra Costa County Flood Control, generally located between Lone Tree Way and Grant Street.

**Prepared by:** Paul Eldredge, Assistant Director of Public Works/Assistant City Engineer

**Submitted by:** Bailey Grewal, Director of Public Works/City Engineer

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**RECOMMENDATION**

Adopt a Resolution approving the following actions: (1) accepting a Grant Deed from Contra Costa County Flood Control (CCCFCD) for Adams Lane (2) authorizing the City Manager or designee to execute a Grant of Easement for water line purposes from Contra Costa County Flood Control (CCCFCD), and such other documents as may be needed to complete the transaction over a portion of real properties, generally located between Lone Tree Way and Grant Street, hereby accepting real properties on behalf of the City, and (3) authorizing the City Manager or designee to execute a Grant of Easement to Contra Costa County Flood Control District (CCCFCD), hereby conveying a portion of real property for access purposes and such other documents as may be needed to complete the transaction.

**PREVIOUS ACTION**

On September 13, 2005, by Resolution No. 2005-227, City Council approved Vesting Tentative Subdivision Map No. 8954 with Conditions of Approval and approved the Mitigated Negative Declaration for the project. The Conditions of Approval for Subdivision No. 8954 required the Developer to acquire the right-of-way necessary from CCCFCD and construct Adams Lane.

On May 27, 2008, by Resolution No. 2008-137, City Council adopted the 2008/09 – 2012/13 Capital Improvement Program (CIP), that included the proposed Adams Lane Extension (Developer) project.

**BACKGROUND**

Adams Lane is proposed to consist of a two lane residential collector roadway with sewer and water lines, approximately 2,600 feet in length, from the intersection of Anderson Lane and Lone Tree Way south to Grant Street. This project was incorporated into the Developer's Conditions of Approval for Prewitt Ranch. The project also includes construction of a bridge over Flood Control right-of-way in two locations, north of Subdivision 8954 and one south of Subdivision 8954. The construction of Adams Lane improves traffic flow in the central annexed area of the City, especially around the Marsh Creek Elementary School.

The Developer has successfully negotiated fee rights for the roadway and an easement for the waterline that crosses Flood Control's properties. Upon acceptance by the City of the roadway north of Subdivision 8954, Flood Control will be unable to access their remaining property, therefore, part of the negotiation requires the City to provide an access easement to Flood Control.

The acquisition of a portion of two Flood Control parcels is essential to complete the Adams Lane project.

**FISCAL IMPACT**

None.

Attachments:

Resolution

Site Map/Project Map

Grant Deed from Contra Costa County Flood Control for Adams Lane

Grant of Easement from Contra Costa County Flood Control for waterline purposes.

Grant of Easement to Contra Costa County Flood Control for access purposes.

RESOLUTION NO. 2009-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING THE FOLLOWING ACTIONS: ADOPT A RESOLUTION APPROVING THE FOLLOWING ACTIONS: (1) ACCEPTING A GRANT DEED FROM CONTRA COSTA COUNTY FLOOD CONTROL (CCCFCD) FOR ADAMS LANE (2) AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE A GRANT OF EASEMENT FOR WATER LINE PURPOSES FROM CONTRA COSTA COUNTY FLOOD CONTROL (CCCFCD), AND SUCH OTHER DOCUMENTS AS MAY BE NEEDED TO COMPLETE THE TRANSACTION OVER A PORTION OF REAL PROPERTIES, GENERALLY LOCATED BETWEEN LONE TREE WAY AND GRANT STREET, HEREBY ACCEPTING REAL PROPERTIES ON BEHALF OF THE CITY, AND (3) AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE A GRANT OF EASEMENT TO CONTRA COSTA COUNTY FLOOD CONTROL DISTRICT (CCCFCD), HEREBY CONVEYING A PORTION OF REAL PROPERTY FOR ACCESS PURPOSES AND SUCH OTHER DOCUMENTS AS MAY BE NEEDED TO COMPLETE THE TRANSACTION.

**WHEREAS**, on September 13, 2005, by Resolution No. 2005-227, City Council approved Vesting Tentative Subdivision Map No. 8954 with Conditions of Approval and approved the Mitigated Negative Declaration for the project. The Conditions of Approval for Subdivision No. 8954 required the Developer to acquire the right-of-way necessary from CCCFCD and construct Adams Lane; and

**WHEREAS**, on May 27, 2008, by Resolution No. 2008-137, City Council adopted the 2008/09 – 2012/13 Capital Improvement Program (CIP), that included the proposed Adams Lane Extension (Developer) project; and

**WHEREAS**, real property generally located between Lone Tree Way and Grant Street, is needed for roadway and waterline purposes by the City and real property is needed for access purposes by Contra Costa County Flood Control; and

**WHEREAS**, a Grant Deed and Grant of Easements between the City of Brentwood and Contra Costa County Flood Control have been developed and are necessary to transfer properties respectively.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Brentwood that a Resolution approving the following actions: (1) accepting a Grant Deed from Contra Costa County Flood Control (CCCFCD) for Adams Lane (2) authorizing the City Manager or designee to execute a Grant of Easement for water line purposes from Contra Costa County Flood Control (CCCFCD), and such other documents as may be needed to complete the transaction over a portion of real properties, generally located between Lone Tree Way and Grant Street, hereby accepting real properties on behalf of the City, and (3) authorizing the City Manager or designee to execute a Grant of Easement to Contra Costa County Flood Control District (CCCFCD), hereby conveying a portion of real property for access purposes and such other documents as may be needed to complete the transaction.

**BE IT FURTHER RESOLVED**, that the City of Brentwood hereby accepts the real property described in the Grant Deed.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Brentwood at a regular meeting held on the 10th day of March 2009 by the following vote: