Contra Costa County

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: December 15, 2020

Subject: APPROVE a Temporary Access License Agreement with Discovery Builders, Inc., for Ingress and Egress Purposes, Martinez area.

RECOMMENDATION(S):

As the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute a license agreement from Discovery Builders, Inc., (Discovery Builders) for ingress and egress purposes by the District, Martinez area.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Discovery Builders is the owner of Assessor's Parcel Number 380-030-046 in the Martinez area. The District owns property to the south and east of the Discovery Builder's property. In effort to maintain Pacheco and Walnut Creeks, the District has utilized an existing nice gravel access road on Discovery Builder's property. Discovery Builders has agreed to grant a Temporary Access License Agreement to the District for ingress and egress purposes over

☑ APPROVE ☐ OTHER

☑ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **12/15/2020** ☑ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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

ATTESTED: December 15, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Angela Bell, 925. 957-2451

cc: Paul Detjens, Flood Control District

BACKGROUND: (CONT'D)

and across the existing nice gravel road across Discovery Builder's property. Discovery Builder's is currently seeking approval on a tentative subdivision map which will include a new access road. Upon approval of the tentative map, Discovery Builders will grant the District a permanent access easement.

The License Agreement includes indemnification language, which has been approved by County Counsel.

The District will also use the existing access road for hauling purposes during the construction of the Lower Walnut Creek Restoration Project.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not have the necessary access rights for creek maintenance or construction purposes.

ATTACHMENTS

License Agreement