



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: March 8, 2016

Subject: APPROVE the conveyance of real property to the City of Pinole; ACCEPT Grant of Easement; APPROVE CEQA.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the conveyance of Contra Costa County Flood Control and Water Conservation District (District) property, identified as parcel FCPID 5155, and an access easement identified as FCPID 5154, to the City of Pinole; and ACCEPT a Grant of Easement for ingress and egress purposes, identified as FCPID 5153, from the City of Pinole (City) to the District, in accordance with Section 31 of the Contra Costa County Flood Control and Water Conservation District Act. (CP#15-15)

DETERMINE that the conveyances are no longer required for District purposes and that their estimated values do not exceed \$25,000.

DETERMINE that the activity is not subject to the California Environmental Quality Act (CEQA), pursuant to Article 5, Section 15061(b)(3) of the CEQA Guidelines, and

DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Chief Engineer to arrange for payment of a \$25 fee to the Department of

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/08/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, 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: March 8, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Angela Bell,
925-313-2337

cc:

Conservation and Development for processing, and a \$50 fee to the County Clerk-Recorder for filing the Notice of Exemption. General Plan Conformance was obtained from the City of Pinole for this activity.

RECOMMENDATION(S): (CONT'D)

AUTHORIZE the Chair, Board of Supervisors, to execute a Grant Deed and Quitclaim Deed on behalf of the District.

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed and Quitclaim Deed to be delivered to the City for acceptance and recording.

APPROVE and ACCEPT the Grant of Easement from the City of Pinole for ingress and egress purposes over City's property.

DIRECT the Real Estate Division of the Public Works Department to have the Grant of Easement recorded in the office of the County Recorder.

FISCAL IMPACT:

100% Flood Control Permit Fees.

BACKGROUND:

The City plans to construct the Pinole-Hercules Wastewater Plant Upgrade Project (Project) in the Pinole area. The Project intends to upgrade its sewer plant facility located on the south side of the Pinole Creek Flood Control Channel and on the west side of Tennet Avenue. The cities of Pinole and Hercules have been working with the District to identify the real estate transactions needed for the Project.

In 1965, the District acquired property interests from the City for the purpose of widening Pinole Creek Channel. Those interests included an easement for ingress and egress purposes (easement). A large portion of the easement is needed for the Project in order to upgrade the wastewater plant. The District will grant a portion of the easement to the City and in exchange, the City will provide the District with a Grant of Easement for ingress and egress rights over their property.

In addition, during the design of the Project, the City found that the sewer plant has a fence encroaching into approximately 928 square feet of District owned property along the Pinole Creek. The District has determined that this area is no longer required for the District's purpose and plans to convey the area to the City by Grant Deed.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval and acceptance from the Board of Supervisors, the cities of Pinole and Hercules will not be able to move forward with the Project, and the District will continue to be responsible 928 square feet of property they are not using.

ATTACHMENTS

Grant Deed

Quitclaim Deed

Grant of Easement

