



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Sharon L. Anderson, County Counsel  
Date: April 19, 2016

Subject: Rescission of four certificates of compliance issued for property located in the unincorporated Brentwood-Byron area.

**RECOMMENDATION(S):**

1. RESCIND four certificates of compliance (Certificate Nos. ZC11-798, ZC11-799, ZC11-800, and ZC11-801) issued for property owned by Ronald and Shirley Nunn located near the intersection of Vasco Road and Walnut Boulevard, in the unincorporated Brentwood-Byron area.
2. DIRECT the Director of Conservation and Development, or designee, to record with the County Clerk-Recorder four rescissions of certificate of compliance to rescind Certificate Nos. ZC11-798, ZC11-799, ZC11-800, and ZC11-801.
3. AUTHORIZE the County Counsel, or designee, to file a return to the peremptory writ of mandate issued by the Contra Costa County Superior Court in Case No. N13-0774 (Save Mount Diablo v. Contra Costa County and Ronald & Shirley Nunn).

**FISCAL IMPACT:**

None.

**BACKGROUND:**

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/19/2016** ☒ 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: April 19, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Thomas Geiger,  
335-1800

In May 2011, Ronald and Shirley Nunn submitted applications for four certificates of compliance for their property, which is bisected by Vasco Road and a Contra Costa Water District pipeline. The property is located near the intersection of Vasco Road and Walnut Boulevard, in the unincorporated Brentwood-Byron area. On February 26, 2013, the Board of Supervisors issued four certificates of compliance for the property,

BACKGROUND: (CONT'D)

Certificate Nos. ZC11-798, ZC11-799, ZC11-800, and ZC11-801. The certificates of compliance were recorded with the County Clerk-Recorder on April 11, 2013.

A petition for a writ of mandate challenging the decision to issue the certificates of compliance was filed in Contra Costa County Superior Court on May 16, 2013. (Save Mount Diablo v. Contra Costa County and Ronald & Shirley Nunn, Case No. N13-0774). On March 11, 2016, the Superior Court issued a peremptory writ of mandate directing the County to rescind the four certificates of compliance for the property.

The recommended action will result in the County's compliance with the writ of mandate. This Board Order authorizes the County Counsel or her designee to file a return in Case No. N13-0774 stating that the County has complied with the writ.

CONSEQUENCE OF NEGATIVE ACTION:

The County would not be in compliance with a Superior Court writ of mandate.