



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: May 9, 2017

Subject: Marsh Creek Road Bridge Replacement Project (Bridge 28C-141) – Save Mt. Diablo, Temporary Construction Easement

RECOMMENDATION(S):

APPROVE the Right of Way Contract – Temporary Easement dated April 5, 2017, from Save Mount Diablo to Contra Costa County for property rights located on and covering a portion of Assessor's Parcel Number 078-090-007 in the community of Clayton, pursuant to Government Code Section 25350.60. (Project No. 0662-6R4079, Federal Project No. BRLS 5928(107) [DCD-CP# 15-39])

AUTHORIZE the Public Works Director, or designee, to execute said Right of Way Contract – Temporary Easement on behalf of the County.

APPROVE payment in the amount of \$5,000, for said property rights; and AUTHORIZE the Auditor-Controller to issue a check in said amount payable to Save Mount Diablo, 1901 Olympic Blvd., Suite 320, Walnut Creek, CA 94596, to be forwarded to the Real Estate Division for delivery.

FISCAL IMPACT:

88% Federal Highway Bridge Program, 12% Local Road Funds

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **05/09/2017** ☒ 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: May 9, 2017

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

Contact: Olivia D.
Reynolds-Freeman (925) 313- 2306

By: Stacey M. Boyd, Deputy

cc:

BACKGROUND:

On May 24, 2016, this Board approved the proposed project and adopted the Mitigated Negative Declaration and Monitoring Reporting Program pertaining to the Project DCD – CP #15-39. These property rights are required for the Marsh Creek Road Bridge Replacement Project (Bridge 28C-141).

As a condition of the County's temporary use, Save Mount Diablo has required the County to indemnify them for claims arising out of the County's use of the property for construction of the project.

CONSEQUENCE OF NEGATIVE ACTION:

The project will not have sufficient land rights to allow construction in accordance with the approved plans and specifications.

ATTACHMENTS

Marsh Creek Rd Bridge Replacement - ROW Contract - Temp. Easement