



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: June 20, 2017

Subject: Right of Entry Permit for the Morgan Territory Slide Repair Project, Clayton area

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Right of Entry Permit with the State of California Department of Parks and Recreation (State Parks), effective June 30, 2017, in connection with the Morgan Territory Road Slide Repair Project in Clayton. Project No. 0672-6U6203 (District III)

FISCAL IMPACT:

This project is funded by 100% Local Road Funds. County staff is actively pursuing reimbursement through the Federal Emergency Management Agency (FEMA) as a result of the State and Federal emergency declarations.

BACKGROUND:

On March 7, 2017, the Board of Supervisors declared an emergency and authorized the Public Works Director to proceed in the most expeditious manner to repair the damaged portion of Morgan Territory Road, approximately one mile south of Marsh Creek Road. The road was damaged as a result of rains in January and February that triggered a landslide

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR	<input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/20/2017** ☒ 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: June 20, 2017

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

By: Stacey M. Boyd, Deputy

Contact: Karen Laws,(925)
313-2228

cc:

causing significant earth movement across the road. The triggering storm events were cited in both Federal and State emergency declarations.

The Contra Costa County (County) Public Works Department is required to obtain a Right of Entry Permit from State Parks

BACKGROUND: (CONT'D)

for the Morgan Territory Road Slide Repair Project (Project) in order to install permanent subsurface tieback soil anchors and to access State Parks land during construction to complete work associated with the planned road repairs.

Under the permit, the County must indemnify and hold harmless the State, its officers, directors, agents, and employees (Indemnitees) from and against any and all claims that arise from the work covered by the permit, unless the claim arises from the sole negligence or willful misconduct of the Indemnitees.

CONSEQUENCE OF NEGATIVE ACTION:

The County would be unable to complete the necessary emergency road repairs to return safe access to residents on Morgan Territory Road south of the slide area.

ATTACHMENTS

Right of Entry Permit