



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors
From: Brian M. Balbas, Interim Public Works Director/Chief Engineer
Date: October 17, 2017

Subject: Encroachment agreements for Stream Gauges on Galindo Creek and Walnut Creek in Concord.

RECOMMENDATION(S):

As the Governing Body of the Contra Costa County Flood Control & Water Conservation District (District) APPROVE and AUTHORIZE the Interim Chief Engineer, or designee, to execute two encroachment permits and agreements with the City of Concord (City), for the installation and operation of the Galindo Stream Gauge on Galindo Creek, at Bel-Air Drive, -Concord area, and the Walnut Creek Stream Gauge on Walnut Creek, at Diamond Boulevard, during the period from September 12, 2017 through September 11, 2032, as recommended by the Interim Chief Engineer, Concord area. (Project No. 7505-6F8172)

FISCAL IMPACT:

The District will incur costs to install and maintain the stream gauges, but will not be required to make any payments to the City of Concord.

BACKGROUND:

The District monitors the collection of rain and stream gauges and precipitation recorder data, which also includes maintenance of rain and stream gauges throughout Contra Costa

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/17/2017** ☒ 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: October 17, 2017

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

By: Stacey M. Boyd, Deputy

Contact: Julie Carlson (925)
313-2133

cc:

County. These stations are two of a dozen stream gauge stations that are being funded by a State Flood Emergency Response grant. The City requires the District to enter into encroachment agreements

BACKGROUND: (CONT'D)

to obtain encroachment permits for the installation and maintenance of the stream gauges on City-owned property. Under both encroachment agreements, and the encroachment permits issued under those agreements, the District must indemnify, defend, and hold the City harmless from liabilities that arise from the District's activities under the encroachment agreement, and from any activities the District performs on City property. The Encroachment Agreements address the long-term aspects of the encroachments that will be made under the City's encroachment permits.

CONSEQUENCE OF NEGATIVE ACTION:

The District will not be able to install and operate the Stream Gauges for data collecting.

ATTACHMENTS

Diamond Blvd. Exhibits A & B

Diamond Blvd. Exhibit C

Diamond Blvd. Encroachment

Bel Air Exhibits A & B

Bel Air Dr. Exhibit C

Bel Air Dr. Encroachment