



**Contra  
Costa  
County**

To: Board of Supervisors

From: Brian M. Balbas, Interim Public Works Director/Chief Engineer

Date: October 17, 2017

Subject: Accept the Grant Deed – Garin Ranch Basin, Drainage Area 52C, Basin 1, from Signature Properties, Inc., Brentwood area.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Interim Chief Engineer, or designee, to execute the Purchase and Sale Agreement on behalf of the Contra Costa County Flood Control and Water Conservation District (District), and ACCEPT the Grant Deed from Signature Properties, Inc., a California corporation, for the real property that comprises the Garin Ranch Basin, Drainage Area 52C, Basin 1, APN's 013-270-072, 013-190-018 & 013-200-010, located at Chestnut and Sellers Avenue, Brentwood area.

**FISCAL IMPACT:**

100% Drainage Area 52C Funds.

**BACKGROUND:**

Signature Properties, Inc., designed and constructed the Garin Ranch Basin to provide flood control to benefit its residential development in Brentwood, as a Condition of Approval for Subdivision 7605. On August 24, 2001, the District and the City of Brentwood (City) mutually agreed to amend the April 14, 1992 Drainage Fee Collection, Right of Way and Maintenance Agreement (Agreement) for Drainage Area 52C. The District adopted a

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

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: Lisa Zaragoza (925)  
313-2223

cc:

drainage plan providing for the construction of needed drainage facilities in Drainage Area 52C and adopted an ordinance establishing drainage fees to finance facilities. The amended Agreement stipulated that the District obtain Basin 2 in fee simple from Signature Properties, Inc., and

### BACKGROUND: (CONT'D)

maintain Basin 2, for Drainage Area 52C.

Under the terms of the Purchase and Sale Agreement between the District and Signature Properties, Inc., the District will acquire the real property that comprises the Garin Ranch Basin. After title to the Property vests in the District, the District will operate and maintain the Garin Ranch Basin for flood control purposes, in accordance with the Drainage Fee Collection, Right of Way and Maintenance Agreement between City of Brentwood and Contra Costa County Flood Control District for Drainage Area 52C, dated April 14, 1992 and amended on August 24, 2011.

The District's acceptance of property that comprises the Garin Ranch Basin, and the District's operation and maintenance of the basin, will not cause any new effects on the physical environment. Consequently, on October 17, 2000, the Board of Supervisors approved a Notice of Exemption prepared by Department of Conservation and Development under the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061(b)(3) of the CEQA Guidelines. The Notice of Exemption was filed on October 19, 2000.

### CONSEQUENCE OF NEGATIVE ACTION:

The District will not have sufficient land rights to maintain drainage facilities in accordance with the above referenced agreement.