



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 27, 2018

Subject: APPROVE the sale of a portion of District property to Cheston and Priscilla Henley, and FIND that the project is Exempt from CEQA, Walnut Creek area.

### **RECOMMENDATION(S):**

As the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE the sale of a portion of District property, near Pine Creek Road, to Cheston Jared Henley and Priscilla Lynn Henley (Grantee), in accordance with the Purchase and Sale Agreement and pursuant to Government Code section 25526.5 and Section 31 of the Flood Control District Act.

DETERMINE that the property to be conveyed to the Grantee is no longer necessary for District or other public purposes, and that the estimated value of the property does not exceed \$25,000, and

FIND that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) as a Class 12 Categorical Exemption under Section 15312 of the State CEQA Guidelines.

DIRECT the Director of the Department of Conservation and Development (DCD) to file a Notice

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **02/27/2018** ☒ 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

ABSENT: 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: February 27, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Carmen Pina-Delgado,  
925. 313-2012

cc:

RECOMMENDATION(S): (CONT'D)

of Exemption with the County Clerk, and

AUTHORIZE the Chief Engineer to arrange for payment of a \$25.00 fee to the Department of Conservation and Development for processing, and a \$50.00 fee to the County Clerk for filing the Notice of Exemption. (Project No. WL83PV [FS 17-00171] [DCD-CP#17-44]).

AUTHORIZE the Chief Engineer, or designee, to execute the Purchase and Sale Agreement on behalf of the District, and

AUTHORIZE the Chair, Board of Supervisors, to execute a Grant Deed on behalf of the District in consideration for the payment received in full in the amount of \$6,000.

DIRECT the Real Estate Division of the Public Works Department to cause said Grant Deed and a certified copy of this Board Order to be recorded on behalf of the grantee in the office of the County Clerk-Recorder.

FISCAL IMPACT:

No fiscal impact. Staff costs for processing this transaction will be reimbursed by the Grantee.

BACKGROUND:

On August 14, 1979, the District accepted a grant deed [Book 9484 of Deeds, Page 837] in connection to the Pine Creek Detention Basin Project in unincorporated Contra Costa County.

The adjacent property owner at 190 Pine Creek Road has requested the District convey a 1,788 sq. ft. portion of real property to help meet the minimum setback requirements on a building structure constructed on the north side of the property next to the Detention Basin.

The District has reviewed the request and staff concluded that fee title to the property is not required on the portion described as Exhibit "A" attached to the Grant Deed. District agrees to sell said portion providing that an easement for flood control purposes is reserved as part of the sale.

CONSEQUENCE OF NEGATIVE ACTION:

The District would retain fee title to the property and would be responsible for all maintenance of the property.

ATTACHMENTS

Pine Creek Basin Land Sale

Purchase and Sale Agreement

CEQA

