



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: July 24, 2018

Subject: Agreements related to potential future development of County-owned property on Oak Park Blvd.

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee to execute a Memorandum of Understanding (MOU) between the County, the City of Pleasant Hill, and the Pleasant Hill Recreation and Park District that establishes a process for the potential future disposition of County property at 1700 and 1750 Oak Park Boulevard in Pleasant Hill, and authorizes the three agencies to share the cost of the California Environmental Quality Act (CEQA) review.

APPROVE and AUTHORIZE the County Administrator to execute an Amended and Restated Joint Exercise of Powers Agreement (JPA) between the County and the Mount Diablo Unified School District, authorizing the agencies to share in the proceeds of a potential future sale of 1750 Oak Park Boulevard.

APPROVE and AUTHORIZE the Public Works Director, or designee, to (i) submit an application and related documents to the City of Pleasant Hill for entitlements authorizing construction of approximately 35 single-family homes on the property located at 1750 Oak Park Boulevard, (ii) pay up to \$100,000 to the City of Pleasant Hill in planning processing fees to process the County's entitlement application, (iii) reimburse the City of Pleasant Hill

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☒ APPROVE ☐ OTHER  
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **07/24/2018** ☒ 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  
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: July 24, 2018

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

By: June McHuen, Deputy

Contact: Karen Laws, 925  
957-2456

cc:

up to \$150,000 for the County's share of costs related to compliance with CEQA pursuant to the MOU, and (iv) pay up to \$1,000 to

### RECOMMENDATION(S): (CONT'D)

the Contra Costa Water District (CCWD) for planning matters related to the potential future development of 1700 and 1750 Oak Park Boulevard.

### FISCAL IMPACT:

100% General Fund. The MOU obligates the County to pay 50 percent of the cost of CEQA review of potential future uses of 1700 and 1750 Oak Park Boulevard. This is expected to cost the County approximately \$150,000.

### BACKGROUND:

The County owns two parcels on Oak Park Boulevard in Pleasant Hill. The property located at 1750 Oak Park Boulevard consists of approximately five acres and is the site of the existing Pleasant Hill Library. The property located at 1700 Oak Park Boulevard is undeveloped and consists of approximately ten acres, eight of which are owned by the County and two of which are owned by the School District. The property located at 1750 Oak Park Boulevard is the “5-Acre Property” and the property located at 1700 Oak Park Boulevard is the “10-Acre Property.”

The City is considering acquiring a portion of the 10-Acre Property to potentially use as the site of a new City-owned library to replace the existing County-owned Pleasant Hill Library. The Park District is considering acquiring a portion of the 10-Acre Property to use for recreation and park purposes. The County is considering applying for land use approvals from the City for the development of the 5-Acre Property as a single-family residential subdivision. If it obtains these approvals, the County anticipates that it will sell the 5-Acre Property to a home builder. Together, these three proposals are the “Proposed Project.”

### Memorandum of Understanding

The MOU between the County, City, and Park District establishes a process to accomplish the Proposed Project at the 5-Acre Property and 10-Acre Property. The City will be Lead Agency under CEQA for purposes of conducting environmental review of the Proposed Project. Under the MOU, the cost of CEQA compliance will be shared among the three agencies as follows: The County’s share will be 50 percent of the cost, the City’s share will be 30 percent of the cost, and the Park District’s share will be 20 percent of the cost, up to a maximum of \$60,000. If the cost of environmental review exceeds \$300,000, the County and the City will each be responsible for 50 percent of the cost that exceeds \$300,000.

After CEQA review is complete, the three agencies anticipate that the County will convey a portion of the 10-Acre Property to the City at no cost and convey another portion of the 10-Acre Property to the Park District for \$3 million. The agencies also

anticipate entering into a future agreement to share the costs of improving backbone infrastructure at and near the intersection of Oak Park Boulevard and Monticello Avenue.

### Joint Exercise of Powers Agreement

The amended and restated JPA between the County and the School District establishes a process for conveying the School District's portion of the 10-Acre Property to the City and Park District. The JPA amends a previous agreement between the County and School District. Under the amended and restated JPA, if the County proceeds with the sale of the 5-Acre Property after completion of the CEQA process described above, the School District will transfer approximately one acre of the 10-Acre Property to the City and one acre to the Park District. In exchange, the School District will receive 10 percent of the net sale proceeds from the County's sale of the 5-Acre Property to a home builder.

### CEQA Analysis

The approval of these agreements is not subject to CEQA. The approval of these agreements is not a "project" as defined in Public Resources Code section 21065 and CEQA Guidelines section 15378, because the agreements do not commit the agencies to a definite course of action at this time. Under the MOU, the City as Lead Agency retains its authority to evaluate a reasonable range of alternatives and adopt feasible mitigation measures for the Proposed Project, and the MOU does not limit the discretion of the County, City, and Park District to approve property conveyance documents after the completion of CEQA review.

### CONSEQUENCE OF NEGATIVE ACTION:

If the MOU is not approved, environmental review of the potential future uses of 1700 and 1750 Oak Park Boulevard will not commence.

If authority to submit the appropriate application to the City and payment of the City's processing fee is not approved, the application will not be processed.

### ATTACHMENTS

JPA

MOU