



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 11, 2020

Subject: Approve a Right of Way Contract for the Three Creeks Parkway Restoration Project and Approve the conveyance of an easement, Brentwood area.

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

Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute a Right of Way Contract and ACCEPT the Grant Deed from Carmel Estates Owners Association on behalf of the District for property rights located at 607 Mission Fields Lane, Brentwood, and identified as a portion of APN 017-670-040, pursuant to Section 31 of the Contra Costa County Flood Control and Water Conservation District Act, and in connection with the Three Creeks Parkway Restoration Project (Project). (Project No.: 7521-6D8176 [SCH #2016082008])

APPROVE payment of \$29,800 for said property rights and AUTHORIZE the Auditor-Controller to issue a check in said amount payable to North American Title Company, 6612 Owens Drive, Suite 100, Pleasanton, California, 94588, Escrow No. 54606-1547538-18, to be forwarded to the Real Estate Division for delivery.

APPROVE and AUTHORIZE conveyance of an easement over a portion of APN 017-670-040, as described and shown on Exhibit "A" and "B" of the Grant Easement, to Carmel Estates Owners Association, pursuant to Section 31 of the Contra Costa County

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/11/2020** ☒ 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  
Federal D. Glover, District V  
Supervisor

ABSENT: Karen Mitchoff, District IV  
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 11, 2020

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

By: Stacey M. Boyd, Deputy

Contact: Jewel Lopez,  
925-957-2485

cc:

Flood Control and Water Conservation District Act.

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

Direct the Real Estate Division to have the above-referenced Grant Deed and Grant of Easement delivered to the Title Company for recording in the Office of the County Clerk-Recorder.

## FISCAL IMPACT:

100% Drainage Area (DA) 130 funds. This amount will be reimbursed by American Rivers, District's project partner, through a funding agreement approved by the Board on January 21, 2020.

## BACKGROUND:

On September 27, 2016, this Board approved the Project and adopted the Mitigated Negative Declaration SCH#2016082008.

The property is required for the Three Creeks Parkway Restoration Project, in accordance with the approved plans and specifications, which will widen Marsh Creek to allow for the needed flood conveyance and habitat restoration. The project, a joint effort by the District and American Rivers, is funded by the District and several federal, state, and private entities funds.

## CONSEQUENCE OF NEGATIVE ACTION:

The Project will not have sufficient land rights to allow for construction in accordance with the approved plans and specifications.

## ATTACHMENTS

Right of Way Contract

Grant Deed

Grant of Easement